

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 2nd Session of the 55th Legislature (2016)

4 COMMITTEE SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 2760

By: Kirby of the House

and

Griffin of the Senate

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10 COMMITTEE SUBSTITUTE

11 An Act relating to schools; amending 70 O.S. 2011,
12 Section 24-155, which relates to concussion
13 information for youth athletes; defining certain
14 terms; requiring State Department of Health to create
15 concussion management section on its website;
16 requiring certain information to be disseminated and
17 acknowledgement to be completed by athlete and
18 parent; requiring certain training by certain
19 individuals; requiring certain individuals to remove
20 athlete from event under certain circumstances;
21 preventing athlete from participating in event until
22 the athlete is permitted to return by health care
23 provider; requiring governing boards to establish
24 minimum penalties; requiring Department to promulgate
 certain rules; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 70 O.S. 2011, Section 24-155, is
amended to read as follows:

Section 24-155. A. As defined in this act:

1 1. "Athlete" means a secondary-school-age individual who is
2 participating in a sport which is individual- and/or team-based,
3 outside of school or within school and both competitive or
4 noncompetitive; and

5 2. "Health care provider" means an individual who is
6 registered, certified, licensed or otherwise recognized by the state
7 to provide medical treatment and who is trained and experienced in
8 the evaluation, management and care of concussions.

9 B. The State Department of Health shall create a concussion
10 management section on its website to provide the guidelines
11 necessary for each school district board of education and youth
12 sports organizations to develop their own policies and procedures
13 pertaining to, but not limited to:

14 1. A concussion and head injury information sheet for game
15 officials, team officials, athletes, parents or guardians and other
16 persons having care or charge of athletes of the signs and symptoms
17 of concussion or head injury and the risk of continuing to practice
18 or compete in an athletic event or activity after sustaining a
19 concussion or head injury;

20 2. "Return to Learn" guidelines for teachers and relevant
21 school personnel pertaining to athletes who are returning to the
22 classroom after sustaining a concussion or head injury;

1 3. "Graduated Stepwise Return to Athletic Participation"
2 guidelines for team officials pertaining to athletes returning to
3 practice or competition after a concussion or head injury; and

4 4. Links to one or more free online concussion training
5 programs as provided by the Centers for Disease Control and
6 Prevention (CDC), the National Federation of State High School
7 Associations (NFHS) or a comparable program or resource.

8 The Department shall periodically review the guidelines and update
9 it accordingly.

10 C. Each school district board of education and youth sports
11 organization or association shall ~~work in cooperation with the~~
12 ~~Oklahoma Secondary School Activities Association to develop the~~
13 ~~guidelines and other pertinent information and forms~~ policies and
14 procedures pursuant to subsection B of this section to inform and
15 educate their respective coaches, game officials, team officials,
16 ~~youth~~ athletes, and ~~their~~ his or her parents or guardians of the
17 nature and risk of concussion and head injury, including continuing
18 to play after concussion or head injury. On an annual basis, a
19 ~~concussion and head injury information sheet shall be completed and~~
20 ~~returned to the school district by the youth athlete and the~~
21 ~~athlete's parent or guardian prior to the youth athlete's~~
22 ~~participation in practice or competition~~ information regarding
23 concussion and head injuries shall be disseminated to the athlete
24 and his or her parent or guardian. Acknowledgment and understanding

1 of the information shall be completed by the athlete and the
2 athlete's parent or guardian and maintained by the school or the
3 youth sports organization or association prior to the athlete's
4 participation in practice or competition.

5 1. On an annual basis, game officials and team officials shall
6 undergo concussion training provided by the CDC, the NFHS or a
7 comparable program or resource. A record of completion of the
8 training course shall be readily available upon request.

9 2. If any game official or team official responsible for the
10 care and safety of an athlete in an athletic event becomes aware of
11 or suspects an athlete is exhibiting signs, symptoms or behaviors
12 consistent with having sustained a concussion or head injury, he or
13 she shall remove the athlete from the practice or competition.

14 3. If an athlete is removed from practice or competition as
15 provided in paragraph 2 of this subsection, the athlete shall not,
16 on the same day the athlete is removed, be permitted to return to
17 that practice or competition or to participate in any other practice
18 or competition, unless deemed eligible pursuant to the provisions of
19 paragraph 4 of this subsection.

20 ~~B. A youth athlete who is suspected of sustaining a concussion~~
21 ~~or head injury during a practice or game shall be removed from~~
22 ~~participation at that time.~~

23 ~~C. A youth~~ 4. An athlete who has been removed from
24 participation as provided in paragraph 2 of subsection ~~B~~ C of this

1 section may not participate until the athlete is evaluated by a
2 ~~licensed health care provider trained in the evaluation and~~
3 ~~management of concussion~~ and receives written clearance to return to
4 participation from that health care provider. The health care
5 provider may be a volunteer. A volunteer who authorizes a youth
6 athlete to return to participation shall not be liable for civil
7 damages resulting from any act or omission in the rendering of such
8 care, other than acts or omissions constituting gross negligence or
9 willful or wanton misconduct.

10 D. Respective governing boards shall establish the following
11 minimum penalties for those individuals set forth in paragraph 1 of
12 subsection C of this section:

13 1. First violation shall be additional concussion recognition
14 and management education as predetermined by the governing board;
15 and

16 2. Second violation shall be suspension from the sport until
17 appearance before the governing board.

18 E. The Department shall promulgate rules necessary to implement
19 the provisions of this act.

20 SECTION 2. This act shall become effective November 1, 2016.

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22 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS AND BUDGET, dated
23 02/24/2016 - DO PASS, As Amended and Coauthored.

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