

1 STATE OF OKLAHOMA

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

3 COMMITTEE SUBSTITUTE
4 FOR ENGROSSED
5 HOUSE BILL 2760

By: Kirby and Hoskin of the
House

6 and

7 Griffin of the Senate

8
9 COMMITTEE SUBSTITUTE

10 An Act relating to schools; amending 70 O.S. 2011,
11 Section 24-155, which relates to concussion
12 information for youth athletes; defining certain
13 terms; requiring State Department of Health to create
14 concussion management section on its website;
15 directing school districts to develop certain
16 policies and procedures; requiring certain
17 information to be disseminated and acknowledgement to
18 be completed by athlete and parent; requiring certain
19 training by certain individuals; requiring certain
20 individuals to remove athlete from event under
21 certain circumstances; preventing athlete from
22 participating in event until the athlete is permitted
23 to return by health care provider; requiring
24 governing boards to establish minimum penalties;
requiring State Board of Health and State Board of
Education 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 to develop
12 their own policies and procedures pertaining to, but not limited to:

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

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

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

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

5 The Department shall periodically review the guidelines and update
6 it accordingly.

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

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

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

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

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

19 ~~C. A youth~~ 4. An athlete who has been removed from
20 participation as provided in paragraph 2 of subsection B C of this
21 section may not participate until the athlete is evaluated by a
22 ~~licensed health care provider trained in the evaluation and~~
23 ~~management of concussion~~ and receives written clearance to return to
24 participation from that health care provider. The health care

1 provider may be a volunteer. A volunteer who authorizes a youth
2 athlete to return to participation shall not be liable for civil
3 damages resulting from any act or omission in the rendering of such
4 care, other than acts or omissions constituting gross negligence or
5 willful or wanton misconduct.

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

9 1. First violation shall be additional concussion recognition
10 and management education as predetermined by the governing board;
11 and

12 2. Second violation shall be suspension from the sport until
13 appearance before the governing board.

14 E. The State Board of Health and the State Board of Education
15 shall promulgate rules necessary to implement the provisions of this
16 act.

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

18
19 55-2-3314 AM 4/4/2016 10:17:34 AM

20
21
22
23
24