

JAN 20 2012

A BILL FOR AN ACT

RELATING TO CONCUSSIONS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that concussions or mild
2 traumatic brain injuries sustained by children and adolescents
3 frequently occur in a variety of sports and recreational
4 activities, such as football, soccer, bicycling, and
5 skateboarding. In October 2011, the Centers for Disease Control
6 and Prevention reported that the number of traumatic brain
7 injury-related emergency department visits in this country by
8 persons nineteen years old or younger that were related to
9 sports and recreational activities increased from 153,375 in
10 2001 to 248,418 in 2009. In this State, the department of
11 education's athletic health care trainers program also noted an
12 increase in the number of reported concussions, from two hundred
13 thirteen in the 2007-2008 school year to four hundred forty-six
14 in the 2010-2011 school year.

15 The marked increase in national and state concussion
16 statistics may be attributed at least in part to an increased
17 awareness of the dangers of concussions by the people involved
18 in sports activities. The department of education began its



1 concussion management program in 2011 to educate coaches,
2 parents, and athletic trainers and provide care for students.
3 The legislature finds, however, that a statewide concussion
4 educational program is necessary to ensure that public and
5 private high school students, school personnel, and parents are
6 provided with consistent and up-to-date information on
7 concussions and management of symptoms and injuries relating to
8 a concussion.

9 The purposes of this Act are to:

10 (1) Require the department of education and the Hawaii
11 High School Athletic Association to develop a
12 concussion educational program for students and
13 student athletes who are fourteen to eighteen years
14 old. The program shall include:

15 (A) Education of students, student athletes, parents,
16 sports officials, school faculty and staff, and
17 school administrators of the signs and symptoms
18 of a concussion and what to do if someone
19 demonstrates any of these signs or symptoms;

20 (B) An annual educational session for coaches and
21 athletic trainers about the signs and symptoms of
22 a concussion;



(C) The need for the mandatory removal of a student from the athletic activity that the student is participating in if the student demonstrates any signs or symptoms of a concussion; and

(D) The need for a concussed student's physician to evaluate the student and determine whether the student is able to return to a particular athletic activity.

SECTION 2. As used in this Act, the following definitions apply:

"Coach" means a paid or volunteer coach.

"Concussion" or "mild traumatic brain injury" is a pathophysiological process affecting the brain, caused by traumatic biomechanical forces.

"Licensed health care professional" means an advanced practice registered nurse, certified or registered athletic trainer, neuropsychologist, physician assistant, physician, or osteopathic physician trained in the management of sports concussions.

"School athletics" means athletic events sanctioned by the Hawaii High School Athletic Association.



1 SECTION 3. The department of education and the Hawaii High
2 School Athletic Association shall develop a concussion
3 educational program that shall include:

4 (1) Educating students, parents, sports officials, school
5 faculty, coaches, and staff, and school administrators
6 about the signs and symptoms of a concussion and the
7 procedures to follow if a person displays any of the
8 signs or symptoms of a concussion;

9 (2) Annual educational sessions about the signs and
10 symptoms of a concussion for coaches and athletic
11 trainers;

12 (3) The need for the mandatory removal of a student from
13 the athletic activity that the student is
14 participating in, if the student demonstrates any
15 signs and symptoms of a concussion;

16 (4) The need for a concussed student's licensed health
17 care provider to evaluate the student and determine
18 whether the student is able to return to a particular
19 athletic activity; and

20 (5) The monitoring of a student's return to physical
21 activity by the school's certified athletic trainer,
22 if an athletic trainer is employed by the school.



1 This return to activity plan is to be based upon peer-
2 review scientific evidence, such as that from the
3 National Athletic Trainer Association or Centers for
4 Disease Control and Prevention.

5 SECTION 4. Educational guidelines for development of a
6 high school concussion awareness program. There shall be an
7 educational program developed for every public and private
8 school that is a member of the Hawaii High School Athletic
9 Association on how to develop a school's concussion awareness
10 plan. Every program shall require:

- 11 (1) Annual concussion awareness training for coaches,
12 administrators, faculty, staff, and sports officials,
13 including:
- 14 (A) The signs and symptoms of a concussion;
15 (B) The need to obtain proper medical attention for a
16 person suspected of having a concussion;
17 (C) Information on the nature and risk of
18 concussions, including the danger of continuing
19 to play after sustaining a concussion and the
20 proper method of allowing a student who has
21 sustained a concussion to return to activity;



(2) Annual concussion awareness education for parents and students who participate in a school's athletic team or programs or both. The parents and students shall sign a concussion information sheet that they have attended and received this concussion awareness education;

(3) Immediate removal from a game, practice, or other activity of any student who exhibits signs, symptoms, or behaviors consistent with a concussion, such as loss of consciousness, headache, dizziness, confusion, or balance problems. The student shall not return to the activity until cleared to do so by a licensed health care professional; and

(4) The student to obtain written clearance from a physician prior to returning to academics and athletics, which:

(A) States that the student is capable of resuming participation in a particular sport;

(B) May require the student to follow a plan designed to aid the student to recover and resume participation in school and athletic activities that:



(i) Includes, as appropriate, periods of
cognitive and physical rest while symptoms
of a concussion persist; and

(ii) Reintroduces cognitive and physical demands
on the student on a progressive basis to
prevent the reemergence or worsening of
symptoms of a concussion; and

(C) Requires that the student's return to physical
activity be monitored by the school's certified
athletic trainer, if an athletic trainer is
employed by the school.

SECTION 5. The department of education shall submit a
report to the legislature no later than twenty days prior to the
convening of the regular session of 2013 on the development and
implementation of the concussion educational program.

SECTION 6. This Act shall take effect upon its approval.

INTRODUCED BY: _____

A handwritten signature in black ink, appearing to be 'Jim', is written over a horizontal line.

S.B. NO. 2538

Report Title:

Concussions; Concussion Awareness Program; School Athletics

Description:

Requires the DOE and the Hawaii High School Athletic Association to develop a concussion awareness program to provide guidelines for public and private schools.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

