

STAND. COM. REP. NO. 2707

Honolulu, Hawaii

MAR 02 2012

RE: S.B. No. 2538
S.D. 1

Honorable Shan S. Tsutsui
President of the Senate
Twenty-Sixth State Legislature
Regular Session of 2012
State of Hawaii

Sir:

Your Committee on Ways and Means, to which was referred S.B. No. 2538 entitled:

"A BILL FOR AN ACT RELATING TO CONCUSSIONS,"

begs leave to report as follows:

The purpose and intent of this measure is to mitigate the impact of concussions among high school students by requiring the Department of Education and the Hawaii High School Athletic Association to develop a concussion education program. In particular, the measure requires the program to:

- (1) Educate students, parents, school personnel, and sports officials about the signs and symptoms of concussion and the appropriate response;
- (2) Conduct annual educational sessions for coaches and athletic trainers;
- (3) Provide for the removal from an activity or event of a student displaying the effects of a concussion;
- (4) Require evaluation of the student by a health care provider and clearance from that provider prior to the student's return to athletic activity; and
- (5) Require monitoring of the student upon return to athletic activity by an athletic trainer using appropriate standards.



Your Committee received written comments in support of this measure from the Hawaii Association of Athletic Trainers and one individual.

Your Committee finds that the number of concussions sustained by high school students in the course of athletic activity has increased and must be addressed in a comprehensive way. A statewide system that trains students, parents, school personnel, and sports officials to recognize the signs and symptoms of a concussion and provides for monitoring as the student returns to an appropriate level of athletic activity is necessary to ensure that students reap the benefits of physical activity without suffering the potentially debilitating and sometimes lifelong effects of concussions. Your Committee also finds that this measure takes an appropriate, integrated approach toward achieving this goal by requiring that all stakeholders be trained to recognize the signs and symptoms of a concussion and establishing requirements for the removal of possibly concussed students from athletic activity, clearance of the student prior to a return to athletic activity, and monitoring of the student following resumption of athletic activity.

Your Committee has amended this measure by:

- (1) Deleting the term "mild traumatic brain injury" and the definition of "school athletics" because neither is used or necessary to the measure as presently worded;
- (2) Changing all references to "licensed health care provider" and "physician" to "licensed health care professional";
- (3) Clarifying that every high school is required to develop and implement a concussion awareness plan; and
- (4) Making technical nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2538, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2538, S.D. 1.



Respectfully submitted on
behalf of the members of the
Committee on Ways and Means,

David Y. Ige

DAVID Y. IGE, Chair



The Senate
Twenty-Sixth Legislature
State of Hawai'i

Record of Votes
Committee on Ways and Means
WAM

Bill / Resolution No.:* SB 2538	Committee Referral: EDU/HTH, WAM	Date: 2/28/12		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <div style="display: flex; justify-content: space-between; align-items: flex-start;"> <div style="text-align: center;"><input type="checkbox"/> Pass, unamended 2312</div> <div style="text-align: center;"><input checked="" type="checkbox"/> Pass, with amendments 2311</div> <div style="text-align: center;"><input type="checkbox"/> Hold 2310</div> <div style="text-align: center;"><input type="checkbox"/> Recommit 2313</div> </div>				
Members	Aye	Aye (WR)	Nay	Excused
IGE, David Y. (C)	✓			
KIDANI, Michelle N. (VC)	✓			
CHUN OAKLAND, Suzanne	✓			
DELA CRUZ, Donovan M.	✓			
ENGLISH, J. Kalani	✓			
ESPERO, Will	✓			
FUKUNAGA, Carol	✓			
KIM, Donna Mercado	✓			
KAHELE, Gilbert	✓			
KOUCHI, Ronald D.	✓			
RYAN, Pohai				✓
TOKUDA, Jill N.	✓			
WAKAI, Glenn	✓			
SLOM, Sam	✓			
TOTAL	13	0	0	1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
<div style="display: flex; justify-content: space-between; font-size: small;"> <div>Distribution:</div> <div>Original</div> <div>Yellow</div> <div>Pink</div> <div>Goldenrod</div> </div> <div style="display: flex; justify-content: space-between; font-size: x-small;"> <div>File with Committee Report</div> <div>Clerk's Office</div> <div>Drafting Agency</div> <div>Committee File Copy</div> </div>				

*Only one measure per Record of Votes