

No. 2011-101

AN ACT

SB 200

Establishing standards for managing concussions and traumatic brain injuries to student athletes; assigning duties to the Department of Health and the Department of Education; and imposing penalties.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Short title.

This act shall be known and may be cited as the Safety in Youth Sports Act.

Section 2. Definitions.

The following words and phrases when used in this act shall have the meanings given to them in this section unless the context clearly indicates otherwise:

"Appropriate medical professional." All of the following:

(1) A licensed physician who is trained in the evaluation and management of concussions or a licensed or certified health care professional trained in the evaluation and management of concussions and designated by such licensed physician.

(2) A licensed psychologist neuropsychologically trained in the evaluation and management of concussions or who has postdoctoral training in neuropsychology and specific training in the evaluation and management of concussions.

"Athletic activity." All of the following:

(1) Interscholastic athletics.

(2) An athletic contest or competition, other than interscholastic athletics, that is sponsored by or associated with a school entity, including cheerleading, club-sponsored sports activities and sports activities sponsored by school-affiliated organizations.

(3) Noncompetitive cheerleading that is sponsored by or associated with a school entity.

(4) Practices, interschool practices and scrimmages for all of the activities listed under paragraphs (1), (2) and (3).

"Interscholastic athletics." As defined in section 1602-A of the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949.

"School entity." As defined in section 1602-A of the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949.

Section 3. Concussions and traumatic brain injuries.

(a) Educational materials.—The Department of Health and the Department of Education shall develop and post on their Internet websites guidelines and other relevant materials to inform and educate students participating in or desiring to participate in an athletic activity, their parents and their coaches about the nature and risk of concussion and traumatic brain injury, including the risks associated with continuing to play or practice after a concussion or traumatic brain injury. In developing the guidelines and

materials, the departments shall utilize existing materials developed by the Centers for Disease Control and Prevention. A student participating in or desiring to participate in an athletic activity and the student's parent or guardian shall each school year, prior to participation by the student in an athletic activity, sign and return to the student's school an acknowledgment of receipt and review of a concussion and traumatic brain injury information sheet developed under this subsection.

(b) Informational meeting.—A school entity may hold an informational meeting prior to the start of each athletic season for all ages of competitors regarding concussions and other head injuries, the importance of proper concussion management and how preseason baseline assessments can aid in the evaluation, management and recovery process. In addition to students, parents, coaches and other school officials, informational meetings may include physicians, neuropsychologists, athletic trainers and physical therapists.

(c) Removal from play.—A student who, as determined by a game official, coach from the student's team, certified athletic trainer, licensed physician, licensed physical therapist or other official designated by the student's school entity, exhibits signs or symptoms of a concussion or traumatic brain injury while participating in an athletic activity shall be removed by the coach from participation at that time.

(d) Return to play.—The coach shall not return a student to participation until the student is evaluated and cleared for return to participation in writing by an appropriate medical professional. The governing body of a school entity may designate a specific person or persons, who must be appropriate medical professionals, to provide written clearance for return to participation. In order to help determine whether a student is ready to return to participation, an appropriate medical professional may consult any other licensed or certified medical professionals.

(e) Training course.—Once each school year, a coach shall complete the concussion management certification training course offered by the Centers for Disease Control and Prevention, the National Federation of State High School Associations or another provider approved by the Department of Health. A coach shall not coach an athletic activity until the coach completes the training course required under this subsection.

(f) Penalties.—The governing body of a school entity shall establish the following minimum penalties for a coach found in violation of the requirements under subsection (c) or (d), which penalties shall take effect two years following the effective date of this section:

(1) For a first violation, suspension from coaching any athletic activity for the remainder of the season.

(2) For a second violation, suspension from coaching any athletic activity for the remainder of the season and for the next season.

(3) For a third violation, permanent suspension from coaching any athletic activity.

(g) Other youth athletic activities.—The sponsors of youth athletic activities not specifically addressed by this act are encouraged to follow the guidance set forth in this act.

(h) Construction.—Nothing in this act shall be construed to abridge or limit any rights provided under a collective bargaining agreement or any rights provided under the act of July 23, 1970 (P.L.563, No.195), known as the Public Employe Relations Act.

(i) Civil liability.—

(1) Except as provided under paragraph (2), nothing in this act shall be construed to create, establish, expand, reduce, contract or eliminate any civil liability on the part of any school entity or school employee.

(2) Any coach acting in accordance with subsections (c) and (d) shall be immune from any civil liability.

Section 4. Effective date.

This act shall take effect July 1, 2012, or immediately, whichever is later.

APPROVED—The 9th day of November, A.D. 2011

TOM CORBETT