

HOUSE AMENDED

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THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 200

Session of 2011

INTRODUCED BY BROWNE, COSTA, PILEGGI, DINNIMAN, FONTANA, BREWSTER, SOLOBAY, ERICKSON, RAFFERTY, ALLOWAY, TARTAGLIONE, PIPPY, BOSCOLA, YAW, YUDICHAK, WILLIAMS, GREENLEAF, FERLO, LEACH, WARD, BRUBAKER, EARLL, FARNESE, WASHINGTON AND BLAKE, FEBRUARY 1, 2011

AS AMENDED ON SECOND CONSIDERATION, HOUSE OF REPRESENTATIVES, OCTOBER 3, 2011

AN ACT

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

5 The General Assembly of the Commonwealth of Pennsylvania

6 hereby enacts as follows:

7 Section 1. Short title.

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

10 Section 2. Definitions.

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

14 "Appropriate medical professional." All of the following:

15 (1) A licensed physician who is trained in the
16 evaluation and management of concussions OR A LICENSED OR

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1 CERTIFIED HEALTH CARE PROFESSIONAL TRAINED IN THE EVALUATION
2 AND MANAGEMENT OF CONCUSSIONS AND DESIGNATED BY SUCH LICENSED
3 PHYSICIAN.

4 ~~(2) A certified athletic trainer who is trained in the~~
5 ~~evaluation and management of concussions and is working under~~

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6 ~~the direction of a licensed physician.~~

7 ~~(3)~~ (2) A licensed psychologist neuropsychologically <--
8 trained in the evaluation and management of concussions or
9 who has postdoctoral training in neuropsychology and specific
10 training in the evaluation and management of concussions.

11 ~~(4) A licensed physical therapist trained in the~~ <--
12 ~~evaluation and management of concussions.~~

13 "Athletic activity." All of the following:

14 (1) Interscholastic athletics.

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

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

22 (4) Practices, interschool practices and scrimmages for
23 all of the activities listed under paragraphs (1), (2) and
24 (3).

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

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

20110SB0200PN1637

- 2 -

1 Section 3. Concussions and traumatic brain injuries.

2 (a) Educational materials.--The Department of Health and the
3 Department of Education shall develop and post on their Internet
4 websites guidelines and other relevant materials to inform and
5 educate students participating in or desiring to participate in
6 an athletic activity, their parents and their coaches, about the
7 nature and risk of concussion and traumatic brain injury,

8 including the risks associated with continuing to play or
9 practice after a concussion or traumatic brain injury. In
10 developing the guidelines and materials, the departments shall
11 utilize existing materials developed by the Centers for Disease
12 Control and Prevention. A student participating in or desiring
13 to participate in an athletic activity and the student's parent
14 or guardian shall each school year, prior to participation by
15 the student in an athletic activity, sign and return to the
16 student's school an acknowledgment of receipt and review of a
17 concussion and traumatic brain injury information sheet
18 developed under this subsection.

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

28 (c) Removal from play.--A student who, as determined by a
29 game official, coach from the student's team, certified athletic
30 trainer, licensed physician, licensed physical therapist or

20110SB0200PN1637

- 3 -

1 other official designated by the student's school entity,
2 exhibits signs or symptoms of a concussion or traumatic brain
3 injury while participating in an athletic activity shall be
4 removed by the coach from participation at that time.

5 (d) Return to play.--The coach shall not return a student to
6 participation until the student is evaluated and cleared for
7 return to participation in writing by an appropriate medical
8 professional. The governing body of a school entity may
9 designate a specific person or persons, who must be appropriate

10 medical professionals, to provide written clearance for return
11 to participation. In order to help determine whether a student
12 is ready to return to participation, an appropriate medical
13 professional may consult any other licensed or certified medical
14 professionals.

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

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

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

29 (2) For a second violation, suspension from coaching any
30 athletic activity for the remainder of the season and for the
20110SB0200PN1637 - 4 -

1 next season.

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

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

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

12 (i) Civil liability.--

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

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

19 Section 4. Effective date.

20 This act shall take effect ~~in 60 days~~ JULY 1, 2012, OR

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21 IMMEDIATELY, WHICHEVER IS LATER.

20110SB0200PN1637

- 5 -
