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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 200 Session of  
2011

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INTRODUCED BY BRIGGS, O'NEILL, KORTZ, BRADFORD, V. BROWN,  
CALTAGIRONE, CARROLL, D. COSTA, DEASY, DePASQUALE, FRANKEL,  
FREEMAN, GIBBONS, HARHAI, JOSEPHS, KULA, MAHONEY, MARKOSEK,  
McGEEHAN, MULLERY, M. O'BRIEN, PASHINSKI, PAYTON, READSHAW,  
ROEBUCK, SANTARSIERO, SCHRODER, SHAPIRO, M. SMITH, WAGNER,  
WHITE, YOUNGBLOOD AND NEUMAN, JANUARY 27, 2011

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REFERRED TO COMMITTEE ON HEALTH, JANUARY 27, 2011

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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.

17 (2) A certified athletic trainer who is trained in the

1 evaluation and management of concussions.

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

6 "Athletic activity." All of the following:

7 (1) Interscholastic athletics.

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

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

15 (4) Practices, interschool practices and scrimmages for  
16 all of the activities listed under paragraphs (1), (2) and  
17 (3).

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

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

24 Section 3. Concussions and traumatic brain injuries.

25 (a) Educational materials.--The Department of Health and the  
26 Department of Education shall develop and post on their Internet  
27 websites guidelines and other relevant materials to inform and  
28 educate students participating in or desiring to participate in  
29 an athletic activity, their parents and their coaches, about the  
30 nature and risk of concussion and traumatic brain injury,

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

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

21 (c) Removal from play.--A student who, as determined by a  
22 game official, coach from the student's team, certified athletic  
23 trainer, licensed physician, licensed physical therapist or  
24 other official designated by the student's school entity,  
25 exhibits signs or symptoms of a concussion or traumatic brain  
26 injury while participating in an athletic activity shall be  
27 removed by the coach from participation at that time. The  
28 student shall not return to participation until the student is  
29 evaluated and cleared for return to participation in writing by  
30 an appropriate medical professional. In order to help determine

1 whether a student is ready to return to play, the appropriate  
2 medical professional may consult any other licensed or certified  
3 medical professionals.

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

11 (e) Penalties.--The governing body of a school entity shall  
12 establish the following minimum penalties for a coach found in  
13 violation of the requirements under subsection (c), which  
14 penalties shall take effect two years following the effective  
15 date of this section:

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

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

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

23 (f) Other youth athletic activities.--The sponsors of youth  
24 athletic activities not specifically addressed by this act are  
25 encouraged to follow the guidance set forth in this act.

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

1       (h) Civil liability.--Nothing in this act shall be construed  
2 to create, establish, expand, reduce, contract or eliminate any  
3 civil liability on the part of any school entity or school  
4 employee.

5 Section 4. Effective date.

6       This act shall take effect in 60 days.