

HB0858/435565/1

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 858

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, after “Hixson,” insert “Davis, Waldstreicher,”; and in the same line, strike “Waldstreicher, and Walker” and substitute “Walker, and Howard”; in line 2, strike “Student Athletes” and substitute “Public Schools and Youth Sports Programs”; in line 5, strike “student”; in line 6, strike “athletes,” and substitute “students,”; in the same line, strike “student athletes” and substitute “students”; in lines 8 and 9, in each instance, strike “athlete”; in lines 12 and 13, in each instance, after “of certain” insert “students or youth”; in line 14, after “met;” insert “requiring a county board, or a third party, to provide certain information to certain individuals; requiring certain individuals to acknowledge receipt of a certain information sheet in a certain manner;”; in line 15, strike “compliance” and substitute “intent to comply”; strike beginning with “education;” in line 15 down through “circumstances;” in line 16 and substitute “education or their agents; requiring a youth sports program to make certain information on concussions and head injuries available to certain coaches, youth athletes, and the parents or guardians of youth athletes; requiring a local government to provide a certain notice to a youth sports program under certain circumstances;”; and after line 23, insert:

“BY adding to

Article - Health - General

Section 14-501 to be under the new subtitle “Subtitle 5. Youth Sports Programs”

Annotated Code of Maryland

(2009 Replacement Volume and 2010 Supplement)”.

AMENDMENT NO. 2

On pages 2 and 3, strike in their entirety the lines beginning with line 28 on page 2 through line 9 on page 3.

(Over)

On page 3, in line 10, strike “(5)” and substitute “(3)”; strike beginning with “ARE:” in line 12 down through “AGE.” in line 15 and substitute “ARE UNDER THE AGE OF 19 YEARS.”; and in lines 18 and 19, in each instance, strike “STUDENT ATHLETES” and substitute “STUDENTS”.

On page 4, in line 2, strike “STUDENT ATHLETES WHO ARE SUSPECTED OF SUSTAINING” and substitute “STUDENTS DIAGNOSED AS HAVING SUSTAINED”; in line 7, strike “ATHLETE’S PARTICIPATION” and substitute “ENROLLED IN A PUBLIC SCHOOL SYSTEM IN THE STATE MAY PARTICIPATE”; in the same line, after “AN” insert “AUTHORIZED INTERSCHOLASTIC”; and in lines 9, 11, 12, 21, 24, and 25, in each instance, strike “ATHLETE”.

On page 4, after line 27, insert:

“(D) (1) BEFORE AN INDIVIDUAL PARTICIPATES IN AN AUTHORIZED ATHLETIC ACTIVITY ON SCHOOL PROPERTY, THE COUNTY BOARD SHALL PROVIDE, OR REQUIRE THAT A THIRD PARTY PROVIDE, INFORMATION ON CONCUSSIONS AND HEAD INJURIES TO THE INDIVIDUAL AND, IF APPLICABLE, A PARENT OR GUARDIAN OF THE INDIVIDUAL.

(2) THE INFORMATION REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL BE IN THE FORM OF:

(I) A SEPARATE INFORMATION SHEET; OR

(II) A NOTICE ON THE REGISTRATION FORM FOR A YOUTH SPORTS PROGRAM STATING THAT A SEPARATE INFORMATION SHEET ON CONCUSSION AND HEAD INJURY IS AVAILABLE, INCLUDING DIRECTIONS ON HOW TO RECEIVE THE INFORMATION SHEET ELECTRONICALLY.

(3) THE INDIVIDUAL AND, IF APPLICABLE, THE PARENT OR GUARDIAN OF THE INDIVIDUAL SHALL:

(I) ACKNOWLEDGE RECEIPT OF THE INFORMATION SHEET BY:

- 1. SIGNATURE;**
- 2. CHECKING AN ACKNOWLEDGMENT BOX ON THE REGISTRATION FORM; OR**
- 3. ANOTHER METHOD OF WRITTEN OR ELECTRONIC ACKNOWLEDGEMENT; AND**

(II) RETURN THE ACKNOWLEDGEMENT TO THE COUNTY BOARD OR THIRD PARTY.”;

in line 28, strike “(D)” and substitute “(E)”; in the same line, strike “BEFORE THE FIRST USE OF A PUBLIC SCHOOL FACILITY, A” and substitute “A”; in line 29, strike “SHALL PROVIDE” and substitute “THAT USES A PUBLIC SCHOOL FACILITY SHALL PROVIDE ANNUALLY”; in the same line, after “BOARD” insert “OR THE BOARD’S AGENT”; in line 30, strike “COMPLIANCE” and substitute “INTENT TO COMPLY FOR ALL OF ITS ATHLETIC ACTIVITIES”; in line 31, strike “STUDENT ATHLETE” and substitute “PARTICIPANT”; and in line 32, strike “SUBSECTIONS (B) AND (C) OF”.

On pages 4 and 5, strike in their entirety the lines beginning with line 33 on page 4 through line 3 on page 5.

On page 5, after line 3, insert:

(Over)

“Article – Health – General

SUBTITLE 5. YOUTH SPORTS PROGRAMS.

14-501.

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) “CONCUSSION” MEANS A TRAUMATIC INJURY TO THE BRAIN CAUSING AN IMMEDIATE AND, USUALLY, SHORT-LIVED CHANGE IN MENTAL STATUS OR AN ALTERATION OF NORMAL CONSCIOUSNESS RESULTING FROM:

(I) A FALL;

(II) A VIOLENT BLOW TO THE HEAD OR BODY; OR

(III) THE SHAKING OR SPINNING OF THE HEAD OR BODY.

(3) “YOUTH ATHLETE” MEANS AN INDIVIDUAL WHO PARTICIPATES IN AN ATHLETIC ACTIVITY IN ASSOCIATION WITH A YOUTH SPORTS PROGRAM CONDUCTED:

(I) AT A PUBLIC SCHOOL FACILITY; OR

(II) BY A RECREATIONAL ATHLETIC ORGANIZATION.

(4) “YOUTH SPORTS PROGRAM” MEANS A PROGRAM ORGANIZED FOR RECREATIONAL ATHLETIC COMPETITION OR INSTRUCTION FOR PARTICIPANTS WHO ARE UNDER THE AGE OF 19 YEARS.

(B) (1) A YOUTH SPORTS PROGRAM SHALL MAKE AVAILABLE INFORMATION ON CONCUSSIONS AND HEAD INJURIES DEVELOPED BY THE STATE DEPARTMENT OF EDUCATION UNDER § 7-432 OF THE EDUCATION ARTICLE TO COACHES, YOUTH ATHLETES, AND THE PARENTS OR GUARDIANS OF YOUTH ATHLETES.

(2) A COACH OF A YOUTH SPORTS PROGRAM SHALL REVIEW THE INFORMATION PROVIDED IN PARAGRAPH (1) OF THIS SUBSECTION.

(C) (1) A YOUTH ATHLETE WHO IS SUSPECTED OF SUSTAINING A CONCUSSION OR OTHER HEAD INJURY IN A PRACTICE OR GAME SHALL BE REMOVED FROM PLAY AT THAT TIME.

(2) A YOUTH ATHLETE WHO HAS BEEN REMOVED FROM PLAY MAY NOT RETURN TO PLAY UNTIL THE YOUTH ATHLETE HAS OBTAINED WRITTEN CLEARANCE FROM A LICENSED HEALTH CARE PROVIDER TRAINED IN THE EVALUATION AND MANAGEMENT OF CONCUSSIONS.

(D) BEFORE A YOUTH SPORTS PROGRAM MAY USE A FACILITY OWNED OR OPERATED BY A LOCAL GOVERNMENT, THE LOCAL GOVERNMENT SHALL PROVIDE NOTICE TO THE YOUTH SPORTS PROGRAM OF THE REQUIREMENTS OF THIS SECTION.”.