

# HOUSE BILL 1175

F1, J1  
HB 426/14 – W&M & HGO

5lr2870

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By: **Delegate Walker**

Introduced and read first time: February 23, 2015

Assigned to: Rules and Executive Nominations

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## A BILL ENTITLED

1 AN ACT concerning

2 **Education – Concussion Impact Sensor Pilot Program**

3 FOR the purpose of establishing the Concussion Impact Sensor Pilot Program; requiring  
4 the State Department of Education to develop and implement the Program in  
5 collaboration with certain entities; prohibiting certain funds from being used to  
6 purchase concussion impact sensors; requiring certain circumstances to be met  
7 before the Program can be implemented; requiring each board of education to choose  
8 one high school football team to participate in the Program and to provide certain  
9 team members with a concussion impact sensor; requiring high schools chosen to  
10 participate in the Program to keep a record of certain information and to report to  
11 the Department certain information; defining certain terms; requiring the  
12 Department to report to certain committees, on or before a certain date, certain  
13 information and make certain recommendations relating to the Program; providing  
14 for the termination of this Act; and generally relating to the Concussion Impact  
15 Sensor Pilot Program.

16 BY repealing and reenacting, without amendments,  
17 Article – Education  
18 Section 7–433  
19 Annotated Code of Maryland  
20 (2014 Replacement Volume and 2014 Supplement)

21 BY adding to  
22 Article – Education  
23 Section 7–433.1  
24 Annotated Code of Maryland  
25 (2014 Replacement Volume and 2014 Supplement)

26 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
27 That the Laws of Maryland read as follows:

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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**Article – Education**

2 7–433.

3 (a) (1) In this section the following words have the meanings indicated.

4 (2) “Concussion” means a traumatic injury to the brain causing an  
5 immediate and, usually, short-lived change in mental status or an alteration of normal  
6 consciousness resulting from:

7 (i) A fall;

8 (ii) A violent blow to the head or body; or

9 (iii) The shaking or spinning of the head or body.

10 (3) “Youth sports program” means a program organized for recreational  
11 athletic competition or instruction for participants who are under the age of 19 years.12 (b) (1) The Department shall develop policies and implement a program to  
13 provide awareness to coaches, school personnel, students, and the parents or guardians of  
14 students, in collaboration with the Department of Health and Mental Hygiene, each county  
15 board, the Maryland Public Secondary Schools Athletic Association, the Maryland Athletic  
16 Trainers’ Association, the Brain Injury Association of Maryland, and representatives of  
17 licensed health care providers who treat concussions, on:

18 (i) The nature and risk of a concussion or head injury;

19 (ii) The criteria for removal from and return to play;

20 (iii) The risks of not reporting injury and continuing to play; and

21 (iv) Appropriate academic accommodations for students diagnosed as  
22 having sustained a concussion or head injury.23 (2) The program shall include a process to verify that a coach has received  
24 information on the program developed under paragraph (1) of this subsection.25 (3) (i) Before a student enrolled in a public school system in the State  
26 may participate in an authorized interscholastic athletic activity, the county board shall  
27 provide a concussion and head injury information sheet to the student and a parent or  
28 guardian of the student.29 (ii) The student and the parent or guardian of the student shall sign  
30 a statement acknowledging receipt of the information sheet.

1 (iii) The Department shall create the information sheet and  
2 acknowledgment statement required under this paragraph.

3 (4) The Department may use materials available from the Centers for  
4 Disease Control and Prevention, the Brain Injury Association of Maryland, or any other  
5 appropriate entity to carry out the requirements of this subsection.

6 (c) (1) A student who is suspected of sustaining a concussion or other head  
7 injury in a practice or game shall be removed from play at that time.

8 (2) A student who has been removed from play may not return to play until  
9 the student has obtained written clearance from a licensed health care provider trained in  
10 the evaluation and management of concussions.

11 (d) (1) Before an individual participates in an authorized athletic activity on  
12 school property, the county board shall provide, or require that a third party provide:

13 (i) Information on concussions and head injuries to the individual  
14 and, if applicable, a parent or guardian of the individual; and

15 (ii) Notice that acknowledgment of the receipt of the information by  
16 the individual and, if applicable, the parent or guardian of the individual, is required.

17 (2) The information required under paragraph (1) of this subsection shall  
18 be in the form of:

19 (i) A separate information sheet; or

20 (ii) A notice on the registration form for a youth sports program  
21 stating that information on concussion and head injury is available, including directions on  
22 how to receive the information electronically.

23 (3) The individual and, if applicable, the parent or guardian of the  
24 individual shall:

25 (i) Acknowledge receipt of the information by:

26 1. Signature;

27 2. Checking an acknowledgment box on the registration  
28 form; or

29 3. Another method of written or electronic acknowledgment;  
30 and

31 (ii) Return the acknowledgment to the county board or third party.

1 (e) A youth sports program that uses a public school facility shall provide  
2 annually to the county board or the board's agent a statement of intent to comply for all of  
3 its athletic activities with the requirements for the management of a concussion or other  
4 head injury of a participant under this section.

5 **7-433.1.**

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

8 (2) "CONCUSSION" HAS THE MEANING STATED IN § 7-433 OF THIS  
9 SUBTITLE.

10 (3) "PROGRAM" MEANS THE CONCUSSION IMPACT SENSOR PILOT  
11 PROGRAM.

12 (B) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, THE  
13 DEPARTMENT SHALL DEVELOP AND IMPLEMENT A CONCUSSION IMPACT SENSOR  
14 PILOT PROGRAM IN THE STATE, IN COLLABORATION WITH THE DEPARTMENT OF  
15 HEALTH AND MENTAL HYGIENE, EACH COUNTY BOARD, THE MARYLAND PUBLIC  
16 SECONDARY SCHOOLS ATHLETIC ASSOCIATION, THE MARYLAND ATHLETIC  
17 TRAINERS' ASSOCIATION, THE BRAIN INJURY ASSOCIATION OF MARYLAND, AND  
18 REPRESENTATIVES OF LICENSED HEALTH CARE PROVIDERS WHO TREAT  
19 CONCUSSIONS.

20 (2) (I) FEDERAL, STATE, AND LOCAL FUNDS MAY NOT BE USED TO  
21 PURCHASE CONCUSSION IMPACT SENSORS.

22 (II) THE PROGRAM MAY NOT BE IMPLEMENTED UNLESS  
23 CONCUSSION IMPACT SENSORS ARE DONATED FOR THE PROGRAM.

24 (C) (1) IF THE PROGRAM CAN BE IMPLEMENTED, EACH COUNTY BOARD  
25 SHALL:

26 (I) CHOOSE ONE HIGH SCHOOL FOOTBALL TEAM TO  
27 PARTICIPATE IN THE PROGRAM; AND

28 (II) PROVIDE EACH MEMBER OF THE FOOTBALL TEAM WITH A  
29 CONCUSSION IMPACT SENSOR.

30 (2) FOR EACH FOOTBALL SEASON, A HIGH SCHOOL CHOSEN TO  
31 PARTICIPATE IN THE PROGRAM SHALL KEEP A RECORD OF:

1                   **(I) THE NUMBER OF TIMES AN IMPACT SENSOR WAS**  
2 **ACTIVATED;**

3                   **(II) THE NUMBER OF STUDENTS WHO HAVE BEEN SUSPECTED**  
4 **OF SUSTAINING A CONCUSSION OR OTHER HEAD INJURY IN A PRACTICE OR GAME AS**  
5 **A RESULT OF AN ACTIVATED CONCUSSION IMPACT SENSOR WHO HAVE BEEN**  
6 **REMOVED FROM PLAY AS REQUIRED UNDER § 7-433(C) OF THIS SUBTITLE;**

7                   **(III) THE NUMBER OF STUDENTS WHO WERE DETERMINED TO**  
8 **HAVE SUFFERED A CONCUSSION OR OTHER HEAD INJURY WHO PARTICIPATED IN**  
9 **THE PROGRAM; AND**

10                   **(IV) FOR EACH STUDENT REMOVED FROM PLAY, THE AMOUNT**  
11 **OF TIME BETWEEN THE DATE OF A CONCUSSION OR HEAD INJURY AND THE RETURN**  
12 **TO PLAY.**

13                   **(3) ON OR BEFORE DECEMBER 15 OF EACH SCHOOL YEAR, EACH**  
14 **HIGH SCHOOL CHOSEN TO PARTICIPATE IN THE PROGRAM SHALL REPORT TO THE**  
15 **DEPARTMENT THE INFORMATION REQUIRED UNDER PARAGRAPH (2) OF THIS**  
16 **SUBSECTION.**

17                   **(D) ON OR BEFORE JANUARY 1, 2018, THE DEPARTMENT SHALL PROVIDE A**  
18 **REPORT, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE,**  
19 **TO THE SENATE EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS**  
20 **COMMITTEE AND THE HOUSE COMMITTEE ON WAYS AND MEANS THAT:**

21                   **(1) COMPILES THE INFORMATION SUBMITTED TO THE DEPARTMENT**  
22 **UNDER SUBSECTION (C) OF THIS SECTION; AND**

23                   **(2) PROVIDES RECOMMENDATIONS RELATING TO THE FUTURE USE**  
24 **OF CONCUSSION IMPACT SENSORS BY STUDENTS WHO PARTICIPATE IN PUBLIC HIGH**  
25 **SCHOOL INTERSCHOLASTIC SPORTS.**

26                   SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
27 1, 2015. It shall remain effective for a period of 3 years and, at the end of June 30, 2018,  
28 with no further action required by the General Assembly, this Act shall be abrogated and  
29 of no further force and effect.