

SB0771/764730/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 771
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Zirkin” and substitute “Zirkin, Benson, and Dyson”; in line 2, strike “Student-Athletes” and substitute “Public Schools and Youth Sports Programs”; strike in their entirety lines 3 through 15, inclusive, and substitute:

“FOR the purpose of requiring the State Department of Education, in collaboration with certain entities, to develop certain policies and to implement a certain program to provide awareness to certain coaches, school personnel, students, and parents or guardians of students on the risk of concussions and head injuries; requiring a county board of education to provide certain information and a certain notice to a certain student and parent or guardian; requiring a student and parent or guardian to sign a certain statement; requiring the Department to create a certain information sheet and acknowledgment statement; authorizing the Department to use certain materials; requiring the removal from play of certain students or youth athletes under certain circumstances; prohibiting the return to play of certain students or youth athletes under certain circumstances until a certain condition is met; 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; requiring certain youth sports programs to provide certain statements of intent to comply to certain county boards of 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; defining certain terms; and generally relating to the

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development of policies and the implementation of a program on concussions and head injuries.”;

and after line 20, 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 26 on page 2 through line 4 on page 3.

On page 3, in line 5, strike “**(4)**” and substitute “**(3)**”; strike beginning with “**ARE:**” in line 7 down through “**AGE.**” in line 10 and substitute “**ARE UNDER THE AGE OF 19 YEARS.**”; strike beginning with the comma in line 11 down through the comma in line 16; in lines 18 and 19, in each instance, strike “**STUDENT-ATHLETES**” and substitute “**STUDENTS**”; in line 19, after the comma, insert “**IN COLLABORATION WITH THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE, EACH COUNTY BOARD, THE MARYLAND PUBLIC SECONDARY SCHOOLS ATHLETIC ASSOCIATION, THE MARYLAND ATHLETIC TRAINERS’ ASSOCIATION, THE BRAIN INJURY ASSOCIATION OF MARYLAND, AND REPRESENTATIVES OF LICENSED HEALTH CARE PROVIDERS WHO TREAT CONCUSSIONS,**”; in line 26, strike “**THE APPROPRIATE**” and substitute “**APPROPRIATE**”; and in line 27, strike “**STUDENT-ATHLETES WHO ARE SUSPECTED OF SUSTAINING**” and substitute “**STUDENTS DIAGNOSED AS HAVING SUSTAINED**”.

On page 4, in line 1, strike “**STUDENT-ATHLETE**” and substitute “**STUDENT ENROLLED IN A PUBLIC SCHOOL SYSTEM IN THE STATE**”; in the same line, after

“AN” insert “AUTHORIZED INTERSCHOLASTIC”; in lines 3, 4, 5, 6, 15, 18, and 19, in each instance, strike “STUDENT-ATHLETE” and substitute “STUDENT”; in lines 13 and 14, strike “SOURCE TO FULFILL” and substitute “ENTITY TO CARRY OUT”; in line 21, strike “AND HEAD INJURY”; after line 21, 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:

(I) INFORMATION ON CONCUSSIONS AND HEAD INJURIES TO THE INDIVIDUAL AND, IF APPLICABLE, A PARENT OR GUARDIAN OF THE INDIVIDUAL; AND

(II) NOTICE THAT ACKNOWLEDGEMENT OF THE RECEIPT OF THE INFORMATION BY THE INDIVIDUAL AND, IF APPLICABLE, THE PARENT OR GUARDIAN OF THE INDIVIDUAL, IS REQUIRED.

(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 INFORMATION ON CONCUSSION AND HEAD INJURY IS AVAILABLE, INCLUDING DIRECTIONS ON HOW TO RECEIVE THE INFORMATION 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 22, 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 23, 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 24, strike “COMPLIANCE” and substitute “INTENT TO COMPLY FOR ALL OF ITS ATHLETIC ACTIVITIES”; in line 25, strike “STUDENT-ATHLETE” and substitute “PARTICIPANT”; in line 26, strike “SUBSECTION (C) OF”; and after line 26, insert:

“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.

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(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.”.