



PSSAM
Public School Superintendents' Association
OF MARYLAND

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BILL: HB 961

TITLE: Public Schools and Youth Sports Programs – Concussion Protocol – Alterations

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POSITION: Letter of Information

COMMITTEE: House Ways and Means Committee

CONTACT: Mary Pat Fannon, Executive Director, PSSAM

The Public School Superintendents' Association of Maryland (PSSAM), on behalf of all twenty-four public school superintendents, provides this **letter of information** regarding House Bill 961.

This legislation requires the State Department of Education to include athletic officials in policies and programs to provide awareness on concussion protocol for public school and youth sports programs; establishes that certain individuals may remove a student from play and prevent a student from returning to play under certain circumstances; and authorizes a person to bring an action for declaratory relief to enforce certain provisions of law.

Local superintendents place the highest priority on protecting our students - on and off the field. We fully recognize the seriousness of concussions and traumatic brain injuries and the critical importance of safeguarding student-athletes in interscholastic sports.

For background, since 1991, interscholastic athletics in Maryland have operated under the Master Agreement Outlining the Interscholastic Structure for Public Schools in Maryland, which defines the roles and responsibilities of the Maryland Public Secondary Schools Athletic Association (MPSSAA), the Maryland State Department of Education (MSDE), and local school systems. Superintendents believe this long-standing framework of oversight and collaboration has functioned effectively to protect student safety.

MPSSAA's concussion management policies are developed in consultation with its Medical Advisory Committee and informed by the Brain Injury Task Force. These policies establish clear, medically grounded protocols that reflect current research and best practices. A key strength of this structure is its ability to respond quickly to evolving medical guidance and implement changes efficiently in the field. We are concerned that the proposed legislation could unintentionally disrupt this evidence-based relationship and Maryland's well-established standard of care.

The bill designates officials as an additional party responsible for removing student-athletes for suspected concussion. We are concerned about this approach for several reasons:

- Officials are independent contractors, not local school system employees, and are not typically trained medical personnel.
- Current MPSSAA protocols already require that trained individuals be present at athletic events to assess suspected concussions, document findings in writing, and initiate parent or guardian notification.
- Documentation is then shared with a licensed health care provider or emergency department for further evaluation.
- For officials, expanding their removal authority could increase their liability exposure if a student is not removed but should have been; independent contractors are not covered by LEA's liability coverage in these situations.

Introducing officials as a removal authority could create ambiguity regarding who holds primary medical decision-making responsibility, particularly when other personnel are present who are responsible for making medical decisions during gameplan.

We share MPSSAA's concern regarding its capacity to provide the required additional training to officials statewide. Ensuring consistent, medically appropriate training across a large contractor workforce presents logistical and operational challenges. We believe the well-established existing training for coaches and other school personnel is the most appropriate protocol.

The bill could also create unintended situations in which a student-athlete is removed based on subjective judgment rather than medical evaluation. While the likelihood of misuse is small, the framework could limit MPSSAA's or a local school system's ability to address situations where removal decisions are driven by competitive considerations rather than established concussion protocols.

Maryland's current concussion management system is built on collaboration between educational leaders and medical experts and has evolved over decades to reflect best practices in student safety.

PSSAM appreciates the committee's focus on protecting student-athletes and respectfully offers these concerns to ensure that any statutory changes strengthen - rather than inadvertently complicate - Maryland's well-established concussion management framework.

PSSAM is pleased to provide this **letter of information** regarding House Bill 961 and urges the committee's thoughtful consideration of the concerns presented above.