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TO: House Ways and Means Committee

BILL: House Bill (HB) 961 - Public Schools and Youth Sports Programs – Concussion Protocol – Alterations

DATE: March 4, 2026

POSITION: Letter of Information

The Maryland Public Secondary Schools Athletic Association (MPSSAA) respectfully submits this informational testimony regarding House Bill 961 (HB 961), Public Schools and Youth Sports Programs – Concussion Protocol – Alterations.

The MPSSAA recognizes the critical importance of safeguarding the health and safety of student-athletes and supports policies that protect their well-being during interscholastic athletic events. The Association is concerned that certain provisions within HB 961 may lead to unintended consequences that could undermine Maryland’s established standard of care for student-athlete safety.

Maryland’s concussion management protocols reflect a comprehensive framework developed through the work of the Brain Injury Taskforce, which is incorporated by reference into COMAR 13A.06.08, *Head Injuries and Concussions in Extracurricular Athletic Events*. Under current procedures, when an injury or health concern — including a suspected concussion — occurs during a contest, the official immediately stops play and escorts the student-athlete to the sideline or calls staff to the contest surface to assess the student. The official then resumes officiating duties while trained medical personnel or appropriately trained school staff conduct the evaluation and determine participation status.

HB 961 amends the Education Article by designating high school athletic officials as individuals authorized to remove student-athletes from play for suspected concussions, requiring the athlete to see a licensed health care provider before returning to the team. While all high school coaches are currently required to complete a 15-hour course in the care and prevention of athletic injuries, as well as biennial concussion awareness training, the bill limits the authority of educational agencies or governing bodies to establish additional rules, regulations, or training requirements. This language raises concerns about the MPSSAA’s ability to require comparable training for officials if they are assigned expanded responsibilities under the bill.

Designating officials as responsible for removing student-athletes from play may also increase their liability exposure if a student is not removed and subsequently sustains additional injury. High school officials are independent contractors, not school employees, and may therefore require expanded insurance coverage, higher policy limits, or increased deductibles.

Additionally, the MPSSAA has concerns regarding recruitment and retention of officials. Forty-six percent of registered officials in Maryland are age 55 or older. Expanding training obligations and potential liability exposure may further strain an already limited officiating workforce.

Implementation of HB 961 could also disrupt athletic contests. Conducting a concussion evaluation is materially different from ejecting a participant for rule violations. A proper concussion assessment requires observation, documentation, and communication with parents or guardians. If officials are required to conduct on-field evaluations, contests may experience significant delays while the official stops play, performs an assessment, documents findings in writing, and initiates parent or guardian notification. Such documentation would then be shared with a licensed health care provider or emergency department for further medical evaluation.

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The bill also creates potential ambiguity regarding medical authority during athletic events. It does not clearly define the roles of athletic trainers, emergency medical services personnel, or other licensed health care professionals who may be present. References to “coach” or “school personnel” may further create uncertainty regarding ultimate decision-making authority.

Moreover, the provision stating that guidance, training, regulations, or policy may not deter an individual from lawfully exercising their authority could significantly limit the MPSSAA and its Medical Advisory Committee’s ability to establish clear protocols, designate lead health care providers, appoint event medical directors, or create a defined hierarchy of medical authority consistent with best practices.

Finally, the bill may create unintended competitive concerns, including the potential for misuse or “gamesmanship” by opposing teams or coaches seeking to remove student-athletes from participation. As written, the same provision could also limit the ability of the MPSSAA or a local educational agency to address situations in which an opposing coach or school administrator removes a student-athlete from play based on subjective judgment or competitive considerations rather than appropriate medical evaluation.

For these reasons, while the MPSSAA remains committed to student-athlete safety and concussion awareness, it respectfully urges careful consideration of the operational, legal, and practical implications of HB 961.

The MPSSAA respectfully request that you consider this information as you deliberate HB 961. For further information, please contact Andy Warner, MPSSAA Executive Director, at 410-767-0376, or Robert.warner1@maryland.gov.