

This Document can be made available in alternative formats upon request

State of Minnesota HOUSE OF REPRESENTATIVES

EIGHTY-SEVENTH SESSION

HOUSE FILE No. 905

March 7, 2011

Authored by Hamilton, McElfatrick, Abeler, Swedzinski, Schomacker and others The bill was read for the first time and referred to the Committee on Education Reform

April 11, 2011

Committee Recommendation and Adoption of Report: To Pass as Amended and re-referred to the Committee on Health and Human Services Reform

April 14, 2011

Committee Recommendation and Adoption of Report: To Pass and re-referred to the Committee on Government Operations and Elections

April 26, 2011

Committee Recommendation and Adoption of Report: To Pass as Amended and re-referred to the Committee on Civil Law

1.1 A bill for an act
1.2 relating to health; establishing policies for youth athletes with concussions
1.3 resulting from participation in youth athletic activities; amending Minnesota
1.4 Statutes 2010, section 128C.02, by adding a subdivision; proposing coding for
1.5 new law in Minnesota Statutes, chapter 121A.

1.6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.7 Section 1. [121A.045] YOUTH SPORTS PROGRAMS.

1.8 (a) Consistent with section 121A.323, any city, business, or nonprofit organization
1.9 that organizes a youth athletic activity for which a fee is charged shall:

1.10 (1) make information accessible to all participating coaches, officials, and the youth
1.11 athletes and their parents or guardians about the nature and risks of concussions, including
1.12 the effects and risks of continuing to play after receiving a concussion, and the protocols
1.13 and content, consistent with current medical knowledge from the Centers for Disease
1.14 Control and Prevention, related to:

1.15 (i) the nature and risks of concussions associated with athletic activity;
1.16 (ii) the signs, symptoms, and behaviors consistent with a concussion when a youth
1.17 athlete is suspected or observed to have received a concussion;
1.18 (iii) the need to alert appropriate medical professionals for urgent diagnosis and
1.19 treatment; and

1.20 (iv) the need for a youth athlete who sustains a concussion to follow proper medical
1.21 direction and protocols for treatment and returning to play;

1.22 (2) require all participating coaches and officials to receive annual online training,
1.23 consistent with clause (1) and the Concussion in Youth Sports training program available
1.24 on the Centers for Disease Control and Prevention Web site; and

2.1 (3) before a youth athlete participates in a youth athletic activity, require the youth  
2.2 athlete and the athlete's parent or guardian to sign and submit to a coach or other official  
2.3 a concussion information form indicating that the youth athlete received information  
2.4 about concussions.

2.5 (b) A coach or official shall remove a youth athlete from participating in any youth  
2.6 athletic activity when the youth athlete:

2.7 (1) exhibits signs, symptoms, or behaviors consistent with a concussion; or

2.8 (2) is suspected of sustaining a concussion.

2.9 (c) When a coach or official removes a youth athlete from participating in a youth  
2.10 athletic activity because of a concussion, the youth athlete may not return to participating  
2.11 in the activity until the youth athlete:

2.12 (1) no longer exhibits signs, symptoms, or behaviors consistent with a concussion;  
2.13 and

2.14 (2) is evaluated by a provider trained and experienced in evaluating and managing  
2.15 concussions and the provider gives the youth athlete written permission to return to  
2.16 participating in the activity; and

2.17 (3) if needed, the provider develops a plan to aid the youth athlete in recovering and  
2.18 resuming participation in youth athletic activities and academics that:

2.19 (i) is coordinated, as appropriate, with periods of cognitive and physical rest while  
2.20 symptoms persist; and

2.21 (ii) reintroduces cognitive and physical demands on the youth athlete on a  
2.22 progressive basis only as increases in exertion do not cause symptoms to reemerge or  
2.23 worsen.

2.24 (d) Failing to remove a youth athlete from an activity as required under this section  
2.25 does not violate section 604A.11, subdivision 2, clause (6).

2.26 (e) This section does not create any additional liability for, or create any new cause  
2.27 of legal action against, a school, school district, city, business, or nonprofit organization  
2.28 or any officer or employee of a school, school district, city, business, or nonprofit  
2.29 organization.

2.30 **EFFECTIVE DATE.** This section is effective beginning September 1, 2011.

2.31 **Sec. 2. [121A.323] CONCUSSION PROCEDURES.**

2.32 **Subdivision 1. Definitions.** (a) For purposes of this section and section 121A.045,  
2.33 the following terms have the meanings given them.

2.34 (b) "Concussion" means a complex pathophysiological process affecting the brain,  
2.35 induced by traumatic biokinetic forces caused by a direct blow to either the head, face, or

3.1 neck, or elsewhere on the body with an impulsive force transmitted to the head that may  
3.2 involve the rapid onset of short-lived impairment of neurological function and clinical  
3.3 symptoms, loss of consciousness, or prolonged postconcussive symptoms.

3.4 (c) "Provider" means a health care provider who is:

3.5 (1) registered, licensed, certified, or otherwise statutorily authorized by the state to  
3.6 provide medical treatment; and

3.7 (2) trained and experienced in evaluating and managing pediatric concussions.

3.8 (d) "Youth athlete" means a young person through age 18 who actively participates  
3.9 in an athletic activity, including a sport.

3.10 (e) "Youth athletic activity" means any athletic activity related to competition,  
3.11 practice, or training exercises.

3.12 Subd. 2. **School-sponsored sports.** (a) The appropriate sports governing body,  
3.13 including the high school league under chapter 128C, among other governing bodies,  
3.14 shall work with the department to make information accessible to public and nonpublic  
3.15 school coaches, officials, and youth athletes and their parents or guardians about the  
3.16 nature and risks of concussions, including the effects of continuing to play after receiving  
3.17 a concussion. The information shall include protocols and content, consistent with current  
3.18 medical knowledge from the Centers for Disease Control and Prevention, related to:

3.19 (1) the nature and risks of concussions associated with athletic activity;

3.20 (2) the signs, symptoms, and behaviors consistent with a concussion;

3.21 (3) the need to alert appropriate medical professionals for urgent diagnosis and  
3.22 treatment when a youth athlete is suspected or observed to have received a concussion; and

3.23 (4) the need for a youth athlete who sustains a concussion to follow proper medical  
3.24 direction and protocols for treatment and returning to play.

3.25 (b) Consistent with paragraph (a), the appropriate sports governing body and the  
3.26 department shall provide access to the Concussion in Youth Sports training program  
3.27 available on the Centers for Disease Control and Prevention Web site. Each school  
3.28 coach and official involved in youth athletic activities must complete the online training  
3.29 program at least annually.

3.30 (c) Before a youth athlete may participate in a youth athletic activity in a school year,  
3.31 the youth athlete and the athlete's parent or guardian must sign and submit to a designated  
3.32 official a concussion information form developed by the department indicating that the  
3.33 youth athlete has received information about concussions, consistent with this subdivision.

3.34 (d) A coach or official shall remove a youth athlete from participating in any youth  
3.35 athletic activity when the youth athlete:

3.36 (1) exhibits signs, symptoms, or behaviors consistent with a concussion; or

4.1 (2) is suspected of sustaining a concussion.

4.2 (e) When a coach or official removes a youth athlete from participating in a youth  
4.3 athletic activity because of a concussion, the youth athlete may not return to the activity  
4.4 until the youth athlete:

4.5 (1) no longer exhibits signs, symptoms, or behaviors consistent with a concussion;  
4.6 and

4.7 (2) is evaluated by a provider trained and experienced in evaluating and managing  
4.8 concussions and the provider gives the youth athlete written permission to return to  
4.9 play; and

4.10 (3) if needed, the provider develops a plan to aid the youth athlete in recovering and  
4.11 resuming participation in youth athletic activities and academics that:

4.12 (i) is coordinated, as appropriate, with periods of cognitive and physical rest while  
4.13 symptoms persist; and

4.14 (ii) reintroduces cognitive and physical demands on the youth athlete on a  
4.15 progressive basis only as increases in exertion do not cause symptoms to reemerge or  
4.16 worsen.

4.17 (f) Failing to remove a youth athlete from an activity as required under this section  
4.18 does not violate section 604A.11, subdivision 2, clause (6).

4.19 **EFFECTIVE DATE.** This section is effective for the 2011-2012 school year and  
4.20 later.

4.21 Sec. 3. Minnesota Statutes 2010, section 128C.02, is amended by adding a subdivision  
4.22 to read:

4.23 Subd. 3b. **Concussion awareness, safety, and protection.** The league shall adopt a  
4.24 policy for making accessible to member high schools information about the nature and  
4.25 risks of concussions to youth athletes, consistent with current medical knowledge from the  
4.26 Centers for Disease Control and Prevention and section 121A.323.

4.27 **EFFECTIVE DATE.** This section is effective for the 2011-2012 school year and  
4.28 later.