

**HOUSE BILL No. 2218**

By Committee on Health and Human Services

1-31

1 AN ACT concerning schools; relating to the school sports head injury  
2 prevention act; amending K.S.A. 2016 Supp. 72-135 and repealing the  
3 existing section.  
4

5 *Be it enacted by the Legislature of the State of Kansas:*

6 Section 1. K.S.A. 2016 Supp. 72-135 is hereby amended to read as  
7 follows: 72-135. (a) This section shall be known and may be cited as the  
8 school sports head injury prevention act.

9 (b) As used in this section:

10 (1) "School" means any public or accredited private high school,  
11 middle school or junior high school.

12 (2) "Health care provider" means ~~a person licensed by the state board~~  
13 ~~of healing arts to practice medicine and surgery~~ *licensee of the healing*  
14 *arts as defined by K.S.A. 65-2802(d), and amendments thereto.*

15 (c) The state board of education, in cooperation with the Kansas state  
16 high school activities association, shall compile information on the nature  
17 and risk of concussion and head injury including the dangers and risks  
18 associated with the continuation of playing or practicing after a person  
19 suffers a concussion or head injury. Such information shall be provided to  
20 school districts for distribution to coaches, school athletes and the parents  
21 or guardians of school athletes.

22 (d) A school athlete may not participate in any sport competition or  
23 practice session unless such athlete and the athlete's parent or guardian  
24 have signed, and returned to the school, a concussion and head injury  
25 information release form. A release form shall be signed and returned each  
26 school year that a student athlete participates in sport competitions or  
27 practice sessions.

28 (e) If a school athlete suffers, or is suspected of having suffered, a  
29 concussion or head injury during a sport competition or practice session,  
30 such school athlete immediately shall be removed from the sport  
31 competition or practice session.

32 (f) Any school athlete who has been removed from a sport  
33 competition or practice session shall not return to competition or practice  
34 until the athlete is evaluated by a health care provider and the health care  
35 provider provides such athlete a written clearance to return to play or  
36 practice. If the health care provider who provides the clearance to return to

1 play or practice is not an employee of the school district, such health care  
2 provider shall not be liable for civil damages resulting from any act or  
3 omission in the rendering of such care, other than acts or omissions  
4 constituting gross negligence or willful or wanton misconduct.

5 ~~(g) This section shall take effect on and after July 1, 2011.~~

6 Sec. 2. K.S.A. 2016 Supp. 72-135 is hereby repealed.

7 Sec. 3. This act shall take effect and be in force from and after its  
8 publication in the statute book.