

# HOUSE BILL 552

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By: **Delegates Hill, Chang, Davis, Flanagan, Lam, R. Lewis, Morhaim, Sydnor, and Turner**

Introduced and read first time: January 26, 2018

Assigned to: Ways and Means

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## A BILL ENTITLED

1 AN ACT concerning

2 **Youth Sports Programs – Concussion Risk and Management Training –**  
3 **Requirements**

4 FOR the purpose of requiring the State Department of Education to educate, instead of  
5 provide awareness to, coaches, school personnel, students, and the parents or  
6 guardians of students on certain matters relating to concussions and head injuries;  
7 requiring an individual who has completed concussion risk and management  
8 training or is a licensed health care provider to be responsible for on-site  
9 management of all concussion and head injuries during each practice and game,  
10 including certain decisions; requiring a certain youth sports program to require that  
11 an individual who has completed concussion risk and management training be  
12 present at every practice and game unless the youth sports program has a certain  
13 policy; authorizing a youth sports program to require certain individuals to  
14 successfully complete certain training for a certain purpose; prohibiting a youth  
15 sports program from requiring a certain individual to complete certain training;  
16 requiring certain concussion risk and management training to be equivalent to  
17 certain other training; requiring a local school system to make certain concussion  
18 risk and management training available to certain individuals with a certain youth  
19 sports program; authorizing a local school system to charge a certain fee for certain  
20 training; prohibiting a local school system from requiring certain individuals to take  
21 that local school system's concussion risk and management training; requiring  
22 certain entities to provide a certain notice to certain youth sports programs; altering  
23 certain definitions; and generally relating to youth sports programs and concussion  
24 risk and management training.

25 BY repealing and reenacting, with amendments,  
26 Article – Education  
27 Section 7–433  
28 Annotated Code of Maryland  
29 (2014 Replacement Volume and 2017 Supplement)

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 BY repealing and reenacting, with amendments,  
2 Article – Health – General  
3 Section 14–501  
4 Annotated Code of Maryland  
5 (2015 Replacement Volume and 2017 Supplement)

6 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
7 That the Laws of Maryland read as follows:

8 **Article – Education**

9 7–433.

10 (a) (1) In this section the following words have the meanings indicated.

11 (2) “Concussion” means a **MILD** traumatic injury to the brain causing an  
12 immediate and, usually, short–lived change in mental status or an alteration of normal  
13 consciousness resulting from:

14 (i) A fall;

15 (ii) A violent blow to the head or body; [or]

16 (iii) The shaking or spinning of the head or body; **OR**

17 **(IV) ANY TYPE OF DIRECT OR INDIRECT HIT TO THE HEAD OR**  
18 **BODY.**

19 (3) “Youth sports program” means a program organized for recreational  
20 athletic competition or instruction for participants who are under the age of 19 years.

21 (b) (1) The Department shall develop policies and implement a program to  
22 [provide awareness to] **EDUCATE** coaches, school personnel, students, and the parents or  
23 guardians of students, in collaboration with the Maryland Department of Health, each  
24 county board, the Maryland Public Secondary Schools Athletic Association, the Maryland  
25 Athletic Trainers’ Association, the Brain Injury Association of Maryland, and  
26 representatives of licensed health care providers who treat concussions, on:

27 (i) The nature and risk of a concussion or head injury;

28 (ii) The criteria for removal from **PLAY, STEPS TOWARD GRADUAL**  
29 **RETURN TO FULL ACTIVITY**, and return to play;

30 (iii) The risks of not reporting injury and continuing to play; and

1 (iv) Appropriate academic accommodations for students diagnosed as  
2 having sustained a concussion or head injury.

3 (2) The program shall include a process to verify that a coach has received  
4 information on the program developed under paragraph (1) of this subsection.

5 (3) (i) Before a student enrolled in a public school system in the State  
6 may participate in an authorized interscholastic athletic activity, the county board shall  
7 provide a concussion and head injury information sheet to the student and a parent or  
8 guardian of the student.

9 (ii) The student and the parent or guardian of the student shall sign  
10 a statement acknowledging receipt of the information sheet.

11 (iii) The Department shall create the information sheet and  
12 acknowledgment statement required under this paragraph.

13 (4) The Department may use materials available from the Centers for  
14 Disease Control and Prevention, the Brain Injury Association of Maryland, or any other  
15 appropriate entity to carry out the requirements of this subsection.

16 (c) (1) **AN INDIVIDUAL WHO HAS COMPLETED CONCUSSION RISK AND**  
17 **MANAGEMENT TRAINING OR A LICENSED HEALTH CARE PROVIDER SHALL BE**  
18 **RESPONSIBLE FOR THE ON-SITE MANAGEMENT OF ALL CONCUSSION OR HEAD**  
19 **INJURIES DURING EACH PRACTICE AND GAME, INCLUDING FINAL DECISIONS**  
20 **REGARDING A STUDENT'S REMOVAL FROM OR RETURN TO PLAY.**

21 (2) A student who is suspected of sustaining a concussion or other head  
22 injury in a practice or game shall be removed from play at that time.

23 [(2)] (3) A student who has been removed from play may not return to  
24 play until the student has obtained written clearance from a licensed health care provider  
25 trained in the evaluation and management of concussions.

26 (d) (1) Before an individual participates in an authorized athletic activity on  
27 school property, the county board shall provide, or require that a third party provide:

28 (i) Information on concussions and head injuries to the individual  
29 and, if applicable, a parent or guardian of the individual; and

30 (ii) Notice that acknowledgment of the receipt of the information by  
31 the individual and, if applicable, the parent or guardian of the individual, is required.

32 (2) The information required under paragraph (1) of this subsection shall  
33 be in the form of:

- 1 (i) A separate information sheet; or
- 2 (ii) A notice on the registration form for a youth sports program  
3 stating that information on concussion and head injury is available, including directions on  
4 how to receive the information electronically.
- 5 (3) The individual and, if applicable, the parent or guardian of the  
6 individual shall:
- 7 (i) Acknowledge receipt of the information by:
- 8 1. Signature;
- 9 2. Checking an acknowledgment box on the registration  
10 form; or
- 11 3. Another method of written or electronic acknowledgment;  
12 and
- 13 (ii) Return the acknowledgment to the county board or third party.
- 14 (e) A youth sports program that uses a public school facility shall provide  
15 annually to the county board or the board's agent a statement of intent to comply for all of  
16 its athletic activities with the requirements for the management of a concussion or other  
17 head injury of a participant under this section.

#### 18 Article – Health – General

19 14–501.

- 20 (a) (1) In this section the following words have the meanings indicated.
- 21 (2) “Concussion” means a **MILD** traumatic injury to the brain causing an  
22 immediate and, usually, short-lived change in mental status or an alteration of normal  
23 consciousness resulting from:
- 24 (i) A fall;
- 25 (ii) A violent blow to the head or body; [or]
- 26 (iii) The shaking or spinning of the head or body; **OR**
- 27 **(IV) ANY TYPE OF DIRECT OR INDIRECT HIT TO THE HEAD OR**  
28 **BODY.**
- 29 (3) “Sudden cardiac arrest” means a condition in which the heart suddenly

1 and unexpectedly stops beating.

2 (4) "Youth athlete" means an individual who participates in an athletic  
3 activity in association with a youth sports program conducted:

4 (i) At a public school facility; or

5 (ii) By a recreational athletic organization.

6 (5) "Youth sports program" means a program organized for recreational  
7 athletic competition or instruction for participants who are under the age of 19 years.

8 **(B) THIS SECTION APPLIES TO A YOUTH SPORTS PROGRAM THAT USES A**  
9 **PUBLIC SCHOOL FACILITY, ANY FACILITY OWNED OR OPERATED BY A LOCAL**  
10 **GOVERNMENT, OR ANY OTHER FACILITY THAT RECEIVES STATE OR LOCAL FUNDS.**

11 **[(b)] (C) (1) A youth sports program shall make available information on**  
12 **concussions, head injuries, and sudden cardiac arrest developed by the State Department**  
13 **of Education under §§ 7-433 and 7-436 of the Education Article to coaches, youth athletes,**  
14 **and the parents or guardians of youth athletes.**

15 (2) A coach of a youth sports program shall review the information provided  
16 in paragraph (1) of this subsection.

17 **(D) (1) (I) SUBJECT TO THE PROVISIONS OF SUBPARAGRAPH (II) OF**  
18 **THIS PARAGRAPH, A YOUTH SPORTS PROGRAM SHALL REQUIRE AN INDIVIDUAL WHO**  
19 **HAS SUCCESSFULLY COMPLETED CONCUSSION RISK AND MANAGEMENT TRAINING**  
20 **TO BE PRESENT AT EVERY PRACTICE AND GAME.**

21 **(II) THE PROVISIONS OF SUBPARAGRAPH (I) OF THIS**  
22 **PARAGRAPH DO NOT APPLY TO A YOUTH SPORTS PROGRAM THAT REQUIRES A**  
23 **CERTIFIED ATHLETIC TRAINER TO BE PRESENT AT EVERY PRACTICE AND GAME.**

24 **(2) A YOUTH SPORTS PROGRAM MAY REQUIRE ANY OF THE**  
25 **FOLLOWING INDIVIDUALS TO SUCCESSFULLY COMPLETE CONCUSSION RISK AND**  
26 **MANAGEMENT TRAINING TO FULFILL THE REQUIREMENT UNDER PARAGRAPH (1)(I)**  
27 **OF THIS SUBSECTION:**

28 **(I) A COACH;**

29 **(II) AN ASSISTANT COACH;**

30 **(III) A REFEREE OR OTHER SPORT OFFICIANT OR OFFICIAL; OR**

31 **(IV) ANY OTHER INDIVIDUAL DETERMINED APPROPRIATE BY**

1 THE YOUTH SPORTS PROGRAM.

2 (3) A YOUTH SPORTS PROGRAM MAY NOT REQUIRE A LICENSED  
3 HEALTH CARE PROVIDER WHOSE MEDICAL EDUCATION AND TRAINING INCLUDES  
4 THE DIAGNOSIS AND TREATMENT OF CONCUSSIONS AND OTHER HEAD INJURIES TO  
5 COMPLETE ADDITIONAL CONCUSSION RISK AND MANAGEMENT TRAINING.

6 (E) (1) AN INDIVIDUAL WHO HAS COMPLETED CONCUSSION RISK AND  
7 MANAGEMENT TRAINING OR A LICENSED HEALTH CARE PROVIDER SHALL BE  
8 RESPONSIBLE FOR THE ON-SITE MANAGEMENT OF ALL CONCUSSION OR HEAD  
9 INJURIES DURING EACH PRACTICE AND GAME, INCLUDING FINAL DECISIONS  
10 REGARDING A STUDENT'S REMOVAL FROM OR RETURN TO PLAY.

11 [(c) (1)] (2) A youth athlete who is suspected of sustaining a concussion or  
12 other head injury in a practice or game shall be removed from play at that time.

13 [(2)] (3) A youth athlete who has been removed from play may not return  
14 to play until the youth athlete has obtained written clearance from a licensed health care  
15 provider trained in the evaluation and management of concussions.

16 (F) (1) THE CONCUSSION RISK AND MANAGEMENT TRAINING REQUIRED  
17 UNDER SUBSECTION (D) OF THIS SECTION SHALL BE SUBSTANTIALLY EQUIVALENT  
18 TO THE CONCUSSION RISK AND MANAGEMENT TRAINING THAT A COACH EMPLOYED  
19 BY THE LOCAL SCHOOL SYSTEM UNDER § 7-433 OF THE EDUCATION ARTICLE IS  
20 REQUIRED TO COMPLETE.

21 (2) A LOCAL SCHOOL SYSTEM SHALL MAKE THE CONCUSSION RISK  
22 AND MANAGEMENT TRAINING PROVIDED TO COACHES EMPLOYED BY THE LOCAL  
23 SCHOOL SYSTEM AVAILABLE TO INDIVIDUALS WHO ARE DESIGNATED BY A YOUTH  
24 SPORTS PROGRAM UNDER SUBSECTION (D)(2) OF THIS SECTION FOR CONCUSSION  
25 RISK AND MANAGEMENT TRAINING.

26 (3) THE LOCAL SCHOOL SYSTEM MAY CHARGE A REASONABLE FEE  
27 FOR THE CONCUSSION RISK AND MANAGEMENT TRAINING PROVIDED UNDER  
28 PARAGRAPH (2) OF THIS SUBSECTION.

29 (4) A LOCAL SCHOOL SYSTEM MAY NOT REQUIRE AN INDIVIDUAL  
30 WITH A YOUTH SPORTS PROGRAM UNDER PARAGRAPH (2) OF THIS SUBSECTION  
31 THAT USES THAT LOCAL SCHOOL SYSTEM'S PUBLIC SCHOOL FACILITIES TO TAKE  
32 THAT LOCAL SCHOOL SYSTEM'S CONCUSSION RISK AND MANAGEMENT TRAINING.

33 [(d)] (G) Before a youth sports program may use a facility owned or operated by  
34 A PUBLIC SCHOOL, a local government, OR ANY OTHER PUBLIC FACILITY THAT  
35 RECEIVES STATE OR LOCAL FUNDS, the [local government] ENTITY THAT OWNS THE

1 **FACILITY** shall provide notice to the youth sports program of the requirements of this  
2 section.

3 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
4 1, 2018.