

SECOND REGULAR SESSION

# SENATE BILL NO. 940

98TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR SCHMITT.

Read 1st time January 20, 2016, and ordered printed.

ADRIANE D. CROUSE, Secretary.

6057S.011

## AN ACT

To repeal section 167.765, RSMo, and to enact in lieu thereof one new section relating to brain injuries and concussions occurring in youth sports.

*Be it enacted by the General Assembly of the State of Missouri, as follows:*

Section A. Section 167.765, RSMo, is repealed and one new section  
2 enacted in lieu thereof, to be known as section 167.765, to read as follows:

167.765. 1. The provisions of this section shall be known as the  
2 "Interscholastic Youth Sports Brain Injury Prevention Act". No later than  
3 December 31, 2011, the department of health and senior services shall work with  
4 a statewide association of school boards, a statewide activities association that  
5 provides oversight for athletic or activity eligibility for students and school  
6 districts, and an organization named by the department of health and senior  
7 services that specializes in support services, education, and advocacy of those  
8 with brain injuries to promulgate rules which develop guidelines, pertinent  
9 information, and forms to educate coaches, youth athletes, and parents or  
10 guardians of youth athletes of the nature and risk of concussion and brain injury  
11 including continuing to play after concussion or brain injury. The primary focus  
12 of rules promulgated under this section shall be the safety and protection against  
13 long-term injury to the youth athlete.

14 2. On a yearly basis, each school district shall distribute a concussion and  
15 brain injury information sheet to each youth athlete participating in the district's  
16 athletic program. The information form shall be signed by the youth athlete's  
17 parent or guardian and submitted to the school district prior to the youth  
18 athlete's participation in any athletic practice or competition.

19 3. A youth athlete who is suspected of sustaining a concussion or brain  
20 injury in a practice or game shall be removed from competition at that time and

21 **an immediate side line test designed with a concussion protocol shall**  
22 **be administered if available and practical. The student athlete shall be**  
23 **removed immediately and for no less than twenty-four hours if the person**  
24 **administering the test believes the student athlete should be removed**  
25 **from competition, or if the side line test is inconclusive or not available**  
26 **and practical.**

27 4. A youth athlete who has been removed from play shall not return to  
28 competition until the athlete is evaluated by a licensed health care provider  
29 trained in the evaluation and management of concussions as defined in the  
30 guidelines developed under subsection 1 of this section and receives written  
31 clearance to return to competition from that health care provider.

32 5. Any rule or portion of a rule, as that term is defined in section 536.010,  
33 that is created under the authority delegated in this section shall become effective  
34 only if it complies with and is subject to all of the provisions of chapter 536 and,  
35 if applicable, section 536.028. This section and chapter 536 are nonseverable and  
36 if any of the powers vested with the general assembly pursuant to chapter 536 to  
37 review, to delay the effective date, or to disapprove and annul a rule are  
38 subsequently held unconstitutional, then the grant of rulemaking authority and  
39 any rule proposed or adopted after August 28, 2011, shall be invalid and void.

✓

Copy