

# Union Calendar No. 372

111<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 1347

[Report No. 111-632]

To amend title III of the Public Health Service Act to provide for the establishment and implementation of concussion management guidelines with respect to school-aged children, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 5, 2009

Mr. PASCRELL (for himself, Mr. PLATTS, and Mr. MEEKS of New York) introduced the following bill; which was referred to the Committee on Energy and Commerce

SEPTEMBER 28, 2010

Additional sponsors: Mrs. NAPOLITANO, Mr. MCGOVERN, Mr. LANCE, Mr. HOLT, Ms. NORTON, Mr. TOWNS, Mr. MASSA, Mr. KENNEDY, Mr. CONYERS, Mr. PAYNE, Ms. JACKSON LEE of Texas, Mr. SIRES, Mr. RUPPERSBERGER, Ms. LINDA T. SÁNCHEZ of California, Mr. KRATOVIL, Mr. CUMMINGS, Mr. GEORGE MILLER of California, Ms. WOOLSEY, Mrs. MCCARTHY of New York, Ms. HIRONO, Mr. ETHERIDGE, Mr. COHEN, Mr. LOEBSACK, Ms. HARMAN, Mr. GRIJALVA, Ms. ESHOO, and Mr. BACA

SEPTEMBER 28, 2010

Reported with amendments, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italic]

[For text of introduced bill, see copy of bill as introduced on March 5, 2009]

# **A BILL**

To amend title III of the Public Health Service Act to provide for the establishment and implementation of concussion management guidelines with respect to school-aged children, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 *This Act may be cited as the “Concussion Treatment*  
5 *and Care Tools Act of 2010” or the “ConTACT Act of*  
6 *2010”.*

7 **SEC. 2. CONCUSSION MANAGEMENT GUIDELINES WITH RE-**  
8 **SPECT TO SCHOOL-AGED CHILDREN.**

9 *Part B of title III of the Public Health Service Act*  
10 *(42 U.S.C. 243 et seq.) is amended by inserting after section*  
11 *317T the following:*

12 **“SEC. 317U. CONCUSSION MANAGEMENT GUIDELINES WITH**  
13 **RESPECT TO SCHOOL-AGED CHILDREN.**

14 **“(a) CONCUSSION MANAGEMENT GUIDELINES.—**

15 **“(1) ESTABLISHMENT.—***Not later than 2 years*  
16 *after the date of the enactment of this section, the Sec-*  
17 *retary shall establish concussion management guide-*  
18 *lines that address the prevention, identification, treat-*  
19 *ment, and management of concussions (as defined by*  
20 *the Secretary) in school-aged children, including*  
21 *standards for such children to return to play after ex-*  
22 *periencing such a concussion, and shall make avail-*  
23 *able such guidelines and standards to the general pub-*  
24 *lic, including health professionals.*

1           “(2) CONFERENCE.—*The Secretary shall convene*  
2           *a conference of medical, athletic, and educational*  
3           *stakeholders for purposes of assisting in the establish-*  
4           *ment of the guidelines.*

5           “(b) GRANTS TO STATES.—

6           “(1) IN GENERAL.—*After establishing the guide-*  
7           *lines under subsection (a), the Secretary may make*  
8           *grants to States for purposes of—*

9                   “(A) *providing for the collection by target*  
10                  *entities of information on the incidence and*  
11                  *prevalence of concussions among school-aged chil-*  
12                  *dren attending or participating in such entities;*

13                   “(B) *adopting, disseminating, and ensuring*  
14                  *the implementation by target entities of the*  
15                  *guidelines;*

16                   “(C) *funding implementation by target en-*  
17                  *tities of pre-season baseline and post-injury test-*  
18                  *ing, including computerized testing, for school-*  
19                  *aged children; and*

20                   “(D) *any other activity or purpose specified*  
21                  *by the Secretary.*

22           “(2) GRANT APPLICATIONS.—

23                   “(A) IN GENERAL.—*To be eligible to receive*  
24                  *a grant under this subsection, the Secretary shall*  
25                  *require a State to submit an application to the*

1           *Secretary at such time, in such manner, and*  
2           *containing such information as the Secretary*  
3           *shall require.*

4           “(B) *MINIMUM CONTENTS.—The Secretary*  
5           *shall require that an application of a State*  
6           *under subparagraph (A) contain at a min-*  
7           *imum—*

8                     “(i) *a description of the strategies the*  
9                     *State will use to disseminate, and ensure*  
10                    *the implementation by target entities of, the*  
11                    *guidelines, including coordination with on-*  
12                    *going State-based efforts to implement State*  
13                    *laws governing youth concussion manage-*  
14                    *ment; and*

15                    “(ii) *an agreement by the State to pe-*  
16                    *riodically provide data to the Secretary*  
17                    *with respect to the incidence of concussions*  
18                    *and second impact syndrome among school-*  
19                    *aged children in the State.*

20           “(3) *UTILIZATION OF HIGH SCHOOL SPORTS AS-*  
21            *SOCIATIONS, YOUTH SPORTS ASSOCIATIONS, ATHLETIC*  
22            *TRAINER ASSOCIATIONS, AND LOCAL CHAPTERS OF*  
23            *NATIONAL BRAIN INJURY ORGANIZATIONS.—In dis-*  
24            *seminating and ensuring the implementation by tar-*  
25            *get entities of the guidelines pursuant to a grant*

1        *under this subsection, the Secretary shall require*  
2        *States receiving grants under this subsection to uti-*  
3        *lize, to the extent practicable, applicable expertise and*  
4        *services offered by high school sports associations,*  
5        *youth sports associations, athletic trainer associa-*  
6        *tions, and local chapters of national brain injury or-*  
7        *ganizations in such States.*

8        *“(c) COORDINATION OF ACTIVITIES.—In carrying out*  
9        *activities under this section, the Secretary shall coordinate*  
10       *in an appropriate manner with the heads of other Federal*  
11       *departments and agencies that carry out activities related*  
12       *to concussions and other traumatic brain injuries.*

13       *“(d) REPORTS.—*

14                *“(1) ESTABLISHMENT OF THE GUIDELINES.—*  
15        *Not later than 2 years after the date of the enactment*  
16        *of this section, the Secretary shall submit to the Con-*  
17        *gress a report on the implementation of subsection*  
18        *(a).*

19                *“(2) GRANT PROGRAM AND DATA COLLECTION.—*  
20        *Not later than 4 years after the date of the enactment*  
21        *of this section, the Secretary shall submit to the Con-*  
22        *gress a report on the implementation of subsection*  
23        *(b), including—*

24                        *“(A) the number of States that have adopted*  
25                        *the guidelines;*

1           “(B) the number of target entities that have  
2           implemented pre-season baseline and post-injury  
3           testing, including computerized testing, for  
4           school-aged children; and

5           “(C) the data collected with respect to the  
6           incidence of concussions and second impact syn-  
7           drome among school-aged children.

8           “(e) *DEFINITIONS.*—*In this section:*

9           “(1) The term ‘guidelines’ means the concussion  
10          management guidelines established under subsection  
11          (a).

12          “(2) The term ‘return to play’ means, with re-  
13          spect to a school-aged child experiencing a concussion,  
14          the return of such child to participating in the sport  
15          or other activity related to such concussion.

16          “(3) The term ‘school-aged children’ means indi-  
17          viduals who are at least 5 years of age and not more  
18          than 18 years of age.

19          “(4) The term ‘second impact syndrome’ means  
20          catastrophic or fatal events that occur when an indi-  
21          vidual suffers a concussion while symptomatic and  
22          healing from a previous concussion.

23          “(5) The term ‘Secretary’ means the Secretary of  
24          Health and Human Services, acting through the Di-

1        *rector of the Centers for Disease Control and Preven-*  
2        *tion.*

3            *“(6) The term ‘State’ means each of the 50*  
4        *States and the District of Columbia.*

5            *“(7) The term ‘target entity’ means an elemen-*  
6        *tary school, a secondary school, or a youth sports as-*  
7        *sociation.”.*

Amend the title so as to read: “A bill to amend title III of the Public Health Service Act to provide for the establishment and implementation of concussion management guidelines with respect to school-aged children, and for other purposes.”.





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