
SENATE BILL 5238

State of Washington

66th Legislature

2019 Regular Session

By Senators Carlyle, Randall, and Wilson, C.

1 AN ACT Relating to concussions and head injuries in all
2 participants of youth sports; amending RCW 28A.600.190; and adding a
3 new section to chapter 28B.20 RCW.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 28A.600.190 and 2009 c 475 s 2 are each amended to
6 read as follows:

7 (1) ~~((a))~~ 1.1 to 1.9 million youth sustain concussions ~~((are one~~
8 ~~of the most commonly reported injuries in children and adolescents~~
9 ~~who participate in))~~ related to sports and recreational ~~((activities.~~
10 ~~The centers for disease control and prevention estimates that as many~~
11 ~~as three million nine hundred thousand sports-related and recreation-~~
12 ~~related concussions occur))~~ activity annually in the United States
13 ~~((each year)).~~

14 (2)(a) A concussion is caused by a blow or motion to the head or
15 body that causes the brain to move rapidly inside the skull. The risk
16 of catastrophic injuries or death are significant when a concussion
17 or head injury is not properly evaluated and managed.

18 (b) Concussions are a type of brain injury that can range from
19 mild to severe and can disrupt the way the brain normally works.
20 Concussions can occur in any organized or unorganized sport or
21 recreational activity and can result from a fall or from players

1 colliding with each other, the ground, or with obstacles. Concussions
2 occur with or without loss of consciousness, but the vast majority
3 occurs without loss of consciousness.

4 (c) Continuing to play with a concussion or symptoms of head
5 injury leaves the young athlete especially vulnerable to greater
6 injury and even death. The legislature recognizes that, despite
7 having generally recognized return to play standards for concussion
8 and head injury, some affected youth athletes are prematurely
9 returned to play resulting in actual or potential physical injury or
10 death to youth athletes in the state of Washington.

11 ~~((2))~~ (3)(a) Sports concussions affect both boys and girls,
12 with recent research demonstrating significant rates of injury
13 occurring in young female athletes. Local, state, and national data
14 shows that concussions among youth female athletes occur more
15 frequently than in their male counterparts. Certainly in sports where
16 boys and girls play by the same rules, the reported concussion rate
17 is consistently higher in the female athletes.

18 (b) Research shows the teenage years are a particularly
19 vulnerable time for both boys and girls to have persistent symptoms
20 after concussion, and that risk is greater for girls. Therefore, the
21 legislature intends to strengthen awareness of head injuries caused
22 by youth sports for all athletes, including specific issues related
23 to female athletes, to promote the best identification and management
24 of these injuries. Because concussions can occur in any sport, this
25 awareness should extend to those sports not traditionally thought of
26 as significant contributors to the problem of youth concussions.

27 (4) The legislature intends to improve recognition, management,
28 and education regarding these injuries in our youth by creating a
29 comprehensive repository of the latest scientific research and best
30 practices and protocols for:

31 (a) Recognition of concussions in youth athletes;

32 (b) Intervention by parents, teachers, coaches, and other
33 supervising adults when it is suspected that a youth has suffered a
34 concussion; and

35 (c) Comprehensive medical management of sports concussions to
36 help youth safely return to school and then return to sports.

37 (5) Each school district's board of directors shall work in
38 concert with the Washington interscholastic activities association to
39 develop the guidelines and other pertinent information and forms to
40 inform and educate coaches, youth athletes, and their parents and/or

1 guardians of the nature and risk of concussion and head injury
2 including continuing to play after concussion or head injury. On a
3 yearly basis, a concussion and head injury information sheet shall be
4 signed and returned by the youth athlete and the athlete's parent
5 and/or guardian prior to the youth athlete's initiating practice or
6 competition.

7 ~~((3))~~ (6) Pursuant to section 2 of this act, the University of
8 Washington must maintain a web site of up-to-date, concussion-related
9 information and resources.

10 (7) A youth athlete who is suspected of sustaining a concussion
11 or head injury in a practice or game shall be removed from
12 competition at that time.

13 ~~((4))~~ (8) A youth athlete who has been removed from play may
14 not return to play until the athlete is evaluated by a licensed
15 health care provider trained in the evaluation and management of
16 concussion and receives written clearance to return to play from that
17 health care provider. The health care provider may be a volunteer. A
18 volunteer who authorizes a youth athlete to return to play is not
19 liable for civil damages resulting from any act or omission in the
20 rendering of such care, other than acts or omissions constituting
21 gross negligence or willful or wanton misconduct.

22 ~~((5))~~ (9) This section may be known and cited as the Zackery
23 Lystedt law.

24 NEW SECTION. Sec. 2. A new section is added to chapter 28B.20
25 RCW to read as follows:

26 (1) The University of Washington medicine sports health and
27 safety institute and the harborview injury prevention and research
28 center must collect and synthesize:

29 (a) The most current scientific research, data, evidence-based
30 best practices to:

31 (i) Improve concussion recognition for all youth athletes; and

32 (ii) Educate parents, teachers, coaches, and other supervising
33 adults to intervene when a sports concussion is suspected;

34 (b) The most current research and data on the impact of
35 concussions to:

36 (i) Female youth athletes; and

37 (ii) Youth athletes participating in sports other than high-
38 impact contact sports; and

1 (c) Materials for licensed health care providers regarding
2 concussion care including:

3 (i) How to best plan with school officials and others for youth
4 athletes returning to school after a sports concussion; and

5 (ii) Information and strategies to help prevent youth athletes
6 from prematurely returning to the field of play once they have
7 suffered a concussion or are suspected to have suffered a concussion.

8 (2) The University of Washington medicine sports health and
9 safety institute must:

10 (a) Develop and maintain a web site available to the public to
11 serve as a repository for the information collected under subsection
12 (1) of this section; and

13 (b) Work in conjunction with the Washington interscholastic
14 activities association to promote the web site developed under (a) of
15 this subsection to interested parties including student athletes,
16 parents, teachers, coaches, athletic directors, and health care
17 providers in public and private school districts throughout the
18 state.

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