

Legislation on Sport-Related Concussions

Efforts to create national guidelines for the prevention and management of concussions began in 2008, and in 2009 the U.S. Congress held hearings on the way concussions among professional athletes have been addressed in the National Football League (Faure 2010). Two states passed concussion legislation in 2009 and another seven in 2010. In response to increasing media attention to this injury issue, 24 states passed concussion legislation within a six-month period from late February 2011 through August 2011 (Toporek 2011).

As of December 2012, 10 more states had passed concussion legislation. The result is that by June 2013, a total of 49 states and the District of Columbia had legislation to prevent concussions and to limit further injury to student athletes who sustain concussions, with most of these laws mandating that student athletes who experience a concussion be removed from play and obtain a health care provider's permission before returning to play (National Conference of State Legislatures Traumatic Brain Injury Legislation webpage; Network for Public Health Law Concussions in Youth Sports Summary Matrix webpage; NFL Concussion Legislation by State webpage).

Of the 49 states and the District of Columbia with concussion legislation:

- No states currently require baseline testing of student athletes, although Rhode Island encourages baseline testing and Massachusetts requires that student athletes provide a sports head injury history at the beginning of the season,
- 47 require student athletes to be removed from play if they experience a concussion,
- 47 require medical clearance before a student athlete returns to play,
- 26 require that coaches complete a concussion management training program,
- 39 require coaches to receive information that will enable them to recognize when a concussion has occurred,
- 43 require schools to provide students with information about concussions,
- 46 require schools to provide parents/guardians with information about concussions,



- TBI Fact Sheets:
- Overview
- Data on Sport and Recreational TBI
- Strategies for Preventing Sport-Related TBI
- The Role of Public Health Professionals in Preventing Sport-Related Concussions
- TBI Information and Resources
- References and Suggested Readings

- 39 require that students and/or parents/guardians sign a form confirming their receipt of concussion information, and
- 13 place requirements on private youth sports organizations and/or public recreation facilities as well as schools.

Evaluation is needed to determine the effectiveness of these and other components of state legislation on concussions in youth sports. The Centers for Disease Control and Prevention (CDC) developed a case study evaluation of the concussion laws in Massachusetts and Washington. This CDC report, *Implementing Return to Play: Learning from the Experiences of Early Implementers*, found implementation of such laws to be a complex process and identified several key issues that states should consider during implementation. These issues include involving stakeholders and clarifying stakeholder roles, providing information about and soliciting input on implementation requirements, making training and education feasible and accessible for the intended recipients, being clear about who is authorized to provide medical clearance and tracking developments in the science of concussions to ensure that those who provide medical clearance are equipped with the most current clinical information, monitoring implementation and finding ways to assist and incentivize schools and school districts in their implementation efforts, and planning for the evaluation of concussion laws (CDC 2013).

State Name	Baseline Testing of Student Athletes	Removal from Play	Medical Clearance Prior to Resuming Play	Training for Coaches	Distribution of Information to Coaches	Distribution of Information to Students	Distribution of Information to Parents	Students and Parents Required to Sign Form Confirming Receipt of Concussion Information	Requirements Apply to Private Youth Sports Organizations As Well As Schools
AL		√	√	√	√	√	√	√	
AK		√	√		√	√	√		
AR		√	√		√	√	√	√	
AZ		√	√		√	√	√	√	√Law applies to groups that use school property or facilities
CA		√	√			√	√	√	√Law applies to organizations that use public school facilities for youth sports activities
CO		√	√	√	√				√Private schools, clubs, public recreation facilities, and athletic leagues must require annual concussion education for coaches
CT		√	√	√	√				
DE		√	√	√	√	√	√	√	
DC		√	√	√	√	√	√	√	
FL		√	√		√	√	√	√ Parent or guardian of a minor must sign	

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GA *effective 1/1/14		√	√				√		√Public recreation leagues are required to provide information to parents on the nature and risk of concussion and head injury
HI		√	√	√		√	√	√	
ID		√	√		√	√	√		
IA		√	√		√	√	√	√	
IL					√	√	√	√	√Park districts must make concussion information available to residents and park users
IN		√	√		√	√	√	√	
KS		√	√		√	√	√	√	
KY		√	√	√		√	√		
LA		√	√	√	√	√	√	√	√ Private clubs, public recreation facilities, and athletic leagues must provide concussion information to coaches, officials, volunteers, athletes, and parents / guardians
ME		√	√	√	√	√	√	√	
MD		√	√		√	√	√	√	√County boards are required to make concussion information available to athletes and parents / guardians for athletic activities that take place on school property; youth sports programs must provide concussion information to coaches, athletes, and parents.

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MA	√Student athletes must provide a sports head injury history at the beginning of the sports season	√	√	√	√	√	√	√Parents and students must sign form providing sports head injury history	
MI					√	√	√		
MN		√	√	√	√	√	√	√	√ Law requires entities that organize youth athletic activities for which a fee is charged to make concussion information available to coaches, officials, athletes, and parents / guardians
MO		√	√		√	√	√	√Form must be signed by parent or guardian of student athlete	
MT		√	√	√	√	√	√	√	
NE		√	√			√	√		√Law applies to city, village, business, or nonprofit organization that organizes youth athletic activities for which a fee is charged or whose cost is covered by the business or nonprofit organization
NV		√	√			√	√	√	
NH		√	√						
NJ		√	√	√	√	√	√	√	
NM		√	√	√	√	√	√	√	

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NY		√	√	√	√	√	√	√Form must be signed by parent or guardian of student athlete	
NC		√	√		√	√	√	√	
ND		√	√	√	√	√	√	√	√Political subdivisions other than school districts that sponsor or sanction athletic activities for children under age 18 must ensure that the athletic activity complies with a concussion management program.
OH		√	√	√			√	√Form must be signed by parent, guardian, or other person having care or charge of the student	√Law applies to youth sports organizations
OK		√	√		√	√	√	√	
OR		√	√	√	√				
PA		√	√	√	√	√	√	√	
RI	√Baseline testing is encouraged.	√	√	√	√	√	√	√Form must be signed by parent or guardian of student athlete	
SC		√	√		√	√	√	√Parent or guardian's receipt of the information must be documented in writing or by electronic means	

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SD		√	√	√	√	√	√	√	
TN *effective 1/1/14		√	√	√	√	√	√	√Form must be signed by youth only if 18 or over, otherwise only by the parent or guardian	√Law applies to any city, county, business or non-profit organization that organizes a community-based youth athletic activity with a fee
TX		√	√	√		√	√	√	
UT		√	√				√	√Form must be signed by parent or guardian of student athlete	√Law applies to amateur sports organizations
VT		√	√	√	√	√	√		
VA		√	√		√	√	√	√	
WA		√	√		√	√	√	√	
WI		√	√		√	√	√	√	
WV		√	√	√	√	√	√	√	
WY				√		√	√		
TOTAL	0	47	47	26	39	43	46	39	13



Highlights: State-Specific Concussion Legislation

New Jersey



New Jersey's student athlete concussion legislation requires each school district to develop and implement a written policy on the prevention and treatment of sport-related concussions that includes review of the model policy developed by the Commissioner of Education, as well as the policies of the New Jersey State Interscholastic Athletic Association and the National Collegiate Athletic Association. School districts must also familiarize themselves with the recommendations of the Brain Injury Association of New Jersey Concussion in Sports Steering Committee, the Athletic Trainers' Society of New Jersey, and other organizations with expertise in addressing sport-related concussions. Each year, the school district's policy must be reviewed by a physician who is trained to treat sport-related concussions, an athletic trainer, and a coach.

Pennsylvania



Pennsylvania's Safety in Youth Sports Act requires coaches of interscholastic athletics to take a concussion management certification training course on an annual basis and imposes penalties on coaches who do not comply with this requirement. A first violation results in suspension from coaching any athletic activity for the rest of the season. A second violation results in suspension from coaching for the rest of the season and the next season. A third violation results in permanent suspension from coaching.

Pennsylvania's legislation also encourages schools to hold an informational meeting on concussion management before the start of the sports season. The meeting may include students, parents, coaches, school personnel, athletic trainers, and health care professionals.

Texas



Texas's legislation on the prevention and treatment of sport-related concussions among public school students, known as Natasha's Law, requires each school district and open-enrollment charter school with athletic activities to create a concussion oversight team. The team must include at least one physician and, if feasible, at least one athletic trainer, advanced practice nurse, neuropsychologist, or physician assistant. All members of the team must possess training in the treatment of concussions. The team is charged with developing a science-based return-to-play protocol.



CSN is a resource center for MCH and injury prevention professionals in State and Territorial health departments who are committed to reducing injuries and violence among children and adolescents. CSN is supported by the Maternal and Child Health Bureau, Health Resources and Services Administration, Department of Health and Human Services.

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