S T A T E O F N E W Y O R K

1480

2011-2012 Regular Sessions

I N A S S E M B L Y

January 10, 2011

Introduced by M. of A. ROSENTHAL -- Multi-Sponsored by -- M. of A. HOOPER -- read once and referred to the Committee on Education

AN ACT to amend the education law, in relation to training of school athletic coaches in the recognition and management of head injuries

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Legislative intent. Concussions are one of the most commonly reported injuries in children and adolescents who participate in sports and recreational activities. The centers for disease control and prevention estimates that as many as three million nine hundred thousand sports-related and recreation-related concussions occur in the United States each year.

A concussion is a type of brain injury that can range from mild to severe and can disrupt the way the brain normally works. It is caused by a blow or motion to the head or body that causes the brain to move rapidly inside the skull. The risk of catastrophic injuries or death is significant when a concussion or head injury is not properly evaluated and managed.

Concussions can occur in any organized or unorganized sport or recreational activity and can result from a fall or from players colliding with each other, the ground, or with obstacles. Concussions occur with or without loss of consciousness, but the vast majority occurs without loss of consciousness.

Continuing to play with a concussion or symptoms of head injury leaves the young athlete especially vulnerable to greater injury and even death. Despite some increased recognition about the importance of diagnosing and treating concussions, some affected youth athletes are prematurely returned to play, which can have harmful and potentially even deadly results. It is therefore imperative that adults supervising young athletes in school settings receive proper training to recognize and evaluate concussions and other traumatic sport-related injuries in

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

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order to ensure the safety of New York's children who compete in school-related sports activities.

S 2. The education law is amended by adding a new section 3001-e to read as follows:

S 3001-E. HEAD INJURY RECOGNITION TRAINING FOR COACHES OF EXTRA-CLASS PUBLIC SCHOOL ATHLETIC ACTIVITIES AND COACHES OF EXTRA-CLASS NONPUBLIC SCHOOL ATHLETIC ACTIVITIES. 1. (A) COACHES OF EXTRA-CLASS PUBLIC SCHOOL ATHLETIC ACTIVITIES AND COACHES OF EXTRA-CLASS NONPUBLIC SCHOOL ATHLETIC ACTIVITIES SHALL RECEIVE TRAINING TO LEARN HOW TO RECOGNIZE THE SYMPTOMS OF A CONCUSSION AND HOW TO SEEK PROPER MEDICAL TREATMENT FOR A PERSON SUSPECTED OF HAVING A CONCUSSION.

(B) THE COMMISSIONER SHALL ESTABLISH BY REGULATION, IN CONSULTATION WITH A REPRESENTATIVE FROM THE GOVERNING AUTHORITY FOR INTERSCHOLASTIC ACTIVITIES, A REPRESENTATIVE FROM THE STATE ORGANIZATION REPRESENTING LICENSED ATHLETIC TRAINERS, A REPRESENTATIVE FROM THE DEPARTMENT OF HEALTH KNOWLEDGEABLE IN THE SUBJECT MATTER OF CONCUSSIONS, AND OTHER INTERESTED PARTIES KNOWLEDGEABLE IN THE SUBJECT MATTER OF CONCUSSIONS, THE FOLLOWING PROVISIONS:

(I) THE MINIMUM STANDARDS AND REQUIREMENTS OF THE TRAINING DESCRIBED IN THIS SECTION, INCLUDING A LIST OF APPROVED PROVIDERS OF SUCH TRAINING; AND

(II) TIMELINES AND PROCEDURES TO ENSURE THAT, TO THE EXTENT PRACTICABLE, EVERY COACH RECEIVES THE TRAINING DESCRIBED IN THIS SECTION; AND

(III) QUALIFICATIONS REQUIRED OF LICENSED HEALTH CARE PROFESSIONALS TO BE PERMITTED TO PROVIDE MEDICAL RELEASES AS OUTLINED IN PARAGRAPH (B) OF SUBDIVISION TWO OF THIS SECTION.

(C) IMPLEMENTATION OF REGULATIONS ENACTED PURSUANT TO THIS SUBDIVISION SHALL NOT BE MADE THE RESPONSIBILITY OF THE EMPLOYING SCHOOL DISTRICT OR NONPUBLIC SCHOOL UNLESS STATE FUNDING OR REIMBURSEMENT IS PROVIDED FOR ASSOCIATED COSTS.

2. (A) A COACH MAY NOT ALLOW A MEMBER OF A SCHOOL ATHLETIC TEAM TO PARTICIPATE IN ANY ATHLETIC EVENT OR TRAINING ON THE SAME DAY THAT THE MEMBER:

(I) EXHIBITS SIGNS, SYMPTOMS OR BEHAVIORS CONSISTENT WITH A CONCUSSION FOLLOWING AN OBSERVED OR SUSPECTED INJURY TO THE HEAD OR BODY; OR

(II) HAS BEEN DIAGNOSED WITH A CONCUSSION.

(B) A COACH MAY ALLOW A MEMBER OF A SCHOOL ATHLETIC TEAM WHO IS PROHIBITED FROM PARTICIPATING IN AN ATHLETIC EVENT OR TRAINING, AS DESCRIBED IN PARAGRAPH (A) OF THIS SUBDIVISION, TO PARTICIPATE IN AN ATHLETIC EVENT OR TRAINING NO SOONER THAN THE DAY AFTER THE MEMBER EXPERIENCED AN INJURY TO THE HEAD OR BODY AND ONLY AFTER THE MEMBER RECEIVES A MEDICAL RELEASE FROM A LICENSED HEALTH CARE PROFESSIONAL WITH QUALIFICATIONS AS DEFINED PURSUANT TO SUBPARAGRAPH (III) OF PARAGRAPH (B) OF SUBDIVISION ONE OF THIS SECTION.

S 3. This act shall take effect July 1, 2013 and shall apply to all school years commencing on or after such date; provided that effective immediately, the commissioner of education is authorized and directed to promulgate all rules and regulations and take all actions necessary to implement the provisions of this act on or before its effective date.