

1480

2011-2012 Regular Sessions

I N   A S S E M B L Y

January 10, 2011

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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:

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

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

13    Concussions can occur in any organized or unorganized sport or recre-  
14    ational activity and can result from a fall or from players colliding  
15    with each other, the ground, or with obstacles. Concussions occur with  
16    or without loss of consciousness, but the vast majority occurs without  
17    loss of consciousness.

18    Continuing to play with a concussion or symptoms of head injury leaves  
19    the young athlete especially vulnerable to greater injury and even  
20    death. Despite some increased recognition about the importance of diag-  
21    nosing and treating concussions, some affected youth athletes are prema-  
22    turely returned to play, which can have harmful and potentially even  
23    deadly results. It is therefore imperative that adults supervising  
24    young athletes in school settings receive proper training to recognize  
25    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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1 order to ensure the safety of New York's children who compete in school-  
2 related sports activities.

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

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

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

19 (I) THE MINIMUM STANDARDS AND REQUIREMENTS OF THE TRAINING DESCRIBED  
20 IN THIS SECTION, INCLUDING A LIST OF APPROVED PROVIDERS OF SUCH TRAIN-  
21 ING; AND

22 (II) TIMELINES AND PROCEDURES TO ENSURE THAT, TO THE EXTENT PRACTICA-  
23 BLE, EVERY COACH RECEIVES THE TRAINING DESCRIBED IN THIS SECTION; AND

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

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

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

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

36 (II) HAS BEEN DIAGNOSED WITH A CONCUSSION.

37 (B) A COACH MAY ALLOW A MEMBER OF A SCHOOL ATHLETIC TEAM WHO IS  
38 PROHIBITED FROM PARTICIPATING IN AN ATHLETIC EVENT OR TRAINING, AS  
39 DESCRIBED IN PARAGRAPH (A) OF THIS SUBDIVISION, TO PARTICIPATE IN AN  
40 ATHLETIC EVENT OR TRAINING NO SOONER THAN THE DAY AFTER THE MEMBER EXPE-  
41 RIENCED AN INJURY TO THE HEAD OR BODY AND ONLY AFTER THE MEMBER RECEIVES  
42 A MEDICAL RELEASE FROM A LICENSED HEALTH CARE PROFESSIONAL WITH QUALI-  
43 FICATIONS AS DEFINED PURSUANT TO SUBPARAGRAPH (III) OF PARAGRAPH (B) OF  
44 SUBDIVISION ONE OF THIS SECTION.

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