

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 557

BY HEALTH AND WELFARE COMMITTEE

AN ACT

1 RELATING TO YOUTH ATHLETE CONCUSSIONS; AMENDING SECTION 33-1625, IDAHO
2 CODE, TO PROVIDE THAT CERTAIN SPORTS OFFICIALS SHALL REVIEW CONCUSSION
3 AND HEAD INJURY GUIDELINES AND REQUIREMENTS BIENNIALLY, TO REQUIRE
4 WRITTEN CONFIRMATION OF RECEIPT OF CONCUSSION GUIDELINES, WRITTEN
5 ACKNOWLEDGMENT OF RISK AND WRITTEN AUTHORIZATION TO PARTICIPATE IN ATH-
6 LETIC ACTIVITIES, TO PROVIDE FOR MONITORING OF A STUDENT SUSPECTED OF
7 CONCUSSION AFTER RETURNING TO SCHOOL AND PROVIDING REQUIREMENTS BEFORE
8 A STUDENT MAY RETURN TO ATHLETIC ACTIVITIES.
9

10 Be It Enacted by the Legislature of the State of Idaho:

11 SECTION 1. That Section 33-1625, Idaho Code, be, and the same is hereby
12 amended to read as follows:

13 33-1625. YOUTH ATHLETES -- CONCUSSION AND HEAD INJURY GUIDELINES AND
14 REQUIREMENTS. (1) The state board of education and the Idaho high school ac-
15 tivities association shall provide access to appropriate guidelines and in-
16 formation that identify the signs and symptoms of a concussion and head in-
17 jury and describe the nature and risk of concussion and head injury in ac-
18 cordance with standards of the centers for disease control and prevention
19 through a link on the internet website of the board and the Idaho high school
20 activities association.

21 (2) This section shall apply to any middle school, junior high school
22 and high school in the state participating in or administering an organized
23 athletic league or sport. For the purposes of this section, "youth athlete"
24 or "athlete" means an individual who is eighteen (18) years of age or younger
25 and who is a participant in any middle school, junior high school or high
26 school athletic league or sport.

27 (3) At the beginning of each sports season before a youth athlete par-
28 ticipates in any organized practice or game, the youth athlete and the youth
29 athlete's parent or guardian shall receive the guidelines and information
30 described in subsection (1) of this section from the school for which the
31 athlete plays, and shall review the guidelines and information. Coaches,
32 referees, game officials, game judges and athletic trainers shall review
33 such guidelines and information upon employment and ~~biannually~~ biennially
34 thereafter.

35 (4) Schools shall obtain written consent from the youth athlete's par-
36 ent or guardian on an annual basis attesting to the fact that the youth ath-
37 lete's parent or guardian has received a copy of the concussion information
38 and guidelines as outlined in subsection (3) of this section, acknowledges
39 the inherent risk and authorizes the youth athlete to participate in ath-
40 letic activity.

41 (5) If during a practice or game or competition, it is reasonably sus-
42 pected that a youth athlete has sustained a concussion or head injury and ex-

1 hibits outward signs or symptoms of such, as defined by the centers for dis-
2 ease control and prevention, then the youth athlete shall be removed from
3 play. Every Idaho middle school, junior high school and high school that
4 participates in or offers an organized athletic league shall develop proto-
5 col to be followed for removing such athletes from play. Such protocol shall
6 be consistent with concussion and head injury guidelines of the centers for
7 disease control and prevention.

8 (~~5~~6) An athlete may be returned to play once the athlete is evaluated
9 and authorized to return by a qualified health care professional who is
10 trained in the evaluation and management of concussions. For the purposes
11 of this section, "qualified health care professional" means and includes any
12 one (1) of the following who is trained in the evaluation and management of
13 concussions:

14 (a) A physician or physician assistant licensed under chapter 18, title
15 54, Idaho Code;

16 (b) An advanced practice nurse licensed under section 54-1409, Idaho
17 Code; or

18 (c) A licensed health care professional trained in the evaluation and
19 management of concussions who is supervised by a directing physician
20 who is licensed under chapter 18, title 54, Idaho Code.

21 (7) Students who have sustained a concussion and return to school may
22 need informal or formal accommodations, modifications of curriculum, and
23 monitoring by medical or academic staff until the student is fully recov-
24 ered. A student athlete should be able to resume all normally scheduled
25 academic activities without restrictions or the need for accommodation
26 prior to receiving authorization to return to play by a qualified health care
27 professional as defined in subsection (6) of this section.

28 (~~6~~8) If an individual reasonably acts in accordance with the protocol
29 developed pursuant to subsection (~~4~~5) of this section, then acting upon such
30 protocol shall not form the basis of a claim for negligence in a civil action.

31 (~~7~~9) Any youth sport organization or association in this state may com-
32 ply with this section. If a youth sport organization or association is in
33 full compliance with this section, then the youth sport organization or as-
34 sociation shall be afforded the same protections from liability in a civil
35 action pursuant to subsection (~~6~~8) of this section.