

HCS HB 300, 334 & 387 -- INTERSCHOLASTIC YOUTH SPORTS BRAIN  
INJURY PREVENTION ACT

SPONSOR: Sater (Gatschenberger)

COMMITTEE ACTION: Voted "do pass by consent" by the Committee on Health Care Policy by a vote of 11 to 0.

This substitute establishes the Interscholastic Youth Sports Brain Injury Prevention Act which requires the Department of Health and Senior Services to work with a statewide association of school boards, a statewide student athletic activities association, and an organization named by the department that provides support services for brain injuries to develop by December 31, 2011, guidelines, information, and forms to educate coaches, student athletes, and their parents or guardians on the nature and risk of concussion and brain injury, including information on continuing to play after a concussion or brain injury. Every school district must annually distribute a concussion and brain injury information sheet to each youth athlete in a district athletic program which must be signed by the athlete's parent or guardian and submitted to the school district prior to the youth athlete participating in a practice or competition.

A youth athlete suspected of sustaining a concussion or brain injury must be removed from competition at that time and for at least 24 hours. He or she must not return to competition until being evaluated by a licensed health care provider trained in the evaluation and management of concussions, under the guidelines developed by the department, and receiving a written clearance from the provider to return to competition. A health care provider who volunteers and authorizes a youth athlete to return to play will not be civilly liable for damages resulting from any act or omission in rendering the care except in the case of gross negligence or willful or wanton misconduct.

FISCAL NOTE: No impact on state funds in FY 2012, FY 2013, and FY 2014.

PROPOSERS: Supporters say that the bills apply to youth athletes, not just high school athletes. In the last five years, there has been much discussion about sports-related brain injuries. The bills will help prevent youth athletes from being sent back to competition prematurely and prevent further brain trauma. Concussions and brain injury symptoms vary, and the amount of damage can differ greatly. Unconsciousness is not always a sign of a severe brain injury. The biggest risk is when an athlete returns to play before the first concussion has had enough time to heal. Cerebral concussion is the most common form

of brain injury, and kids suffer from concussions more than adults. Parents and students need educational material to spread awareness. It is estimated that 300,000 to 1.8 million concussions occur per year with 90% of the second injury concussions occurring in people younger than 20 years of age.

Testifying for the bills were Representatives Gatschenberger, Barnes, Fitzwater, Wyatt, and Cookson; Harvey Richards, Missouri State High School Activities Association; St. Louis Children's Hospital; Missouri Association of Osteopathic Physicians and Surgeons; Nancyjo Mann; Dr. Tryon, American Academy of Pediatrics; Dr. Martin, Brain Injury Association of Missouri; Dr. Horenstein; and Josh Thompson, Missouri Athletic Trainers Association.

OPPONENTS: There was no opposition voiced to the committee.

OTHERS: Others testifying on the bills say that the Department of Health and Senior Services should include MESCA guidelines when developing the standards. There are family physicians who are willing to participate in developing guidelines and to volunteer their services evaluating injured athletes.

Testifying on the bills were Missouri Academy of Family Physicians; Department of Health and Senior Services; and Missouri State Medical Association.