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SENATE BILL NO. 652

Offered January 20, 2010

A BILL to amend the Code of Virginia by adding a section numbered 22.1-271.5, relating to policies for student-athletes with concussions.

Patron—Northam

Referred to Committee on Education and Health

Be it enacted by the General Assembly of Virginia:**1. That the Code of Virginia is amended by adding a section numbered 22.1-271.5 as follows:****§ 22.1-271.5. Policies on concussions in student-athletes.**

A. The Board of Education shall work with the Virginia High School League, the Department of Health, the Virginia Athletic Trainers Association, representatives of the Children's Hospital of the King's Daughters and the Children's National Medical Center, the Brain Injury Association of Virginia, and other stakeholders to develop and distribute to each local school division guidelines on policies to inform and educate coaches, student-athletes, and their parents or guardians of the nature and risk of concussions, criteria for return to play, and risks of not reporting the injury and continuing to play.

B. Each local school division shall develop policies and procedures regarding the identification and handling of suspected concussions in student-athletes. Such policies shall require:

1. On an annual basis, prior to a student-athlete's participation in an interscholastic athletic activity, the local school division shall provide the student-athlete with information on concussions. After having reviewed materials describing the short- and long-term health effects of concussions, each student-athlete and the student-athlete's parent or guardian shall sign a statement acknowledging receipt of such information, in a manner approved by the Board of Education; and

2. A student-athlete suspected of sustaining a concussion or head injury in a practice or game shall be removed from competition at that time. A student-athlete who has been removed from play for a suspected concussion or brain injury shall not return to play that same day nor until (i) evaluated by a licensed health care provider trained in the evaluation and management of concussions and (ii) in receipt of written clearance to return to play from such licensed health care provider.

The licensed health care provider trained in the evaluation and management of concussions may be a volunteer. A volunteer who authorizes a student-athlete to return to play is not liable for civil damages resulting from any act or omission in the rendering of such evaluation and care other than acts or omissions constituting gross negligence or willful or wanton misconduct.

INTRODUCED

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