

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

BILL: CS/SBs 1442 & 1570

SPONSOR: Education Committee and Senators Campbell and Sebesta

SUBJECT: Interscholastic Athletics

DATE: April 7, 2001 REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	O'Farrell	O'Farrell	ED	Favorable/CS
2.	Munroe	Wilson	HC	Favorable
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

I. Summary:

The bill requires the Florida High School Activities Association (FHSAA) to adopt bylaws requiring all students participating in interscholastic athletic competition or who are candidates for an athletic team to satisfactorily pass an annual medical evaluation before participating in athletic competition or engaging in practices, tryouts, workouts, or any other physical activity associated with the student's candidacy for a position on an athletic team. The evaluation must be administered by a medical physician licensed under provisions of ch. 458, F.S., an osteopathic physician licensed under ch. 459, F.S., a chiropractic physician licensed under ch. 460, F.S., or a licensed nurse who is certified as an advanced registered nurse practitioner under s. 464.012, F.S. If the medical practitioner administering the evaluation determines there may be an abnormality in the student's cardiovascular system, the student may not participate in any school related athletic activities unless an electrocardiogram (EKG) or other cardiovascular assessment indicates the abnormality will not place the student at risk during athletic activity. If a student's parent or guardian objects to the requirement for a medical evaluation, the student still may participate in interscholastic athletic competition or be a candidate for a team as long as the parent or guardian objects in writing and attests that the medical evaluation is contrary to his or her religious beliefs, and as long as no person is held liable in the event the student is injured while participating in an athletic competition, or at a practice or workout as a candidate for a team.

This bill substantially amends section 232.61, Florida Statutes.

II. Present Situation:

Section 232.60, F.S., enacted by the 1997 Legislature, designates the Florida High Schools Activities Association (FHSAA) as the nonprofit organization to govern, regulate, and oversee

athletic programs, including eligibility requirements, for Florida's public schools. Nonpublic schools that wish to engage in athletic competition with Florida public high schools may become members of the organization. The term "high school" is defined for purposes of this law as including grades 6 through 12.

Section 232.61, F.S., directs the FHSAA to adopt and enforce bylaws that, unless otherwise specified in law, address student eligibility to participate in high school athletic competition, prohibit the recruiting of students for athletic purposes, and prescribe penalties and an appeals process for recruiting violations. The bylaws on student eligibility contain a section on physical examinations for athletes and prospective athletes. Every student participant must have an annual physical examination by a licensed physician and must be certified by the physician as physically fit to participate in interscholastic athletic practice or competition. The physical examination must include a medical history questionnaire to be completed and signed by the student's parents and the student.

III. Effect of Proposed Changes:

The legislation under consideration creates a new subsection in s. 232.61, F.S., directing the FHSAA to adopt policies requiring all students participating in interscholastic athletics or who are candidates for an athletic team to successfully pass an annual medical evaluation prior to participating in any athletic competition, practice, workout or any other physical activity associated with the student's candidacy for the athletic team. The evaluation must be administered by a physician licensed under provisions of ch. 458, F.S., an osteopathic physician licensed under ch. 459, F.S., a chiropractic physician licensed under ch. 460, F.S., or a licensed nurse who is certified as an advanced registered nurse practitioner under s. 464.012, F.S. The organization's policies must include requirements for gathering the student's medical history and conducting the required medical evaluation. A uniform pre-participation physical evaluation form is to be provided that contains the criteria for the particular physical capabilities necessary to participate in the various interscholastic athletic competitions. The medical practitioners administering the physical evaluations must be aware of these criteria and certify whether the student meets them or not.

If the medical practitioner administering the physical evaluation determines there may be an abnormality in the student's cardiovascular system, the student may not participate in any school related athletic activities unless an electrocardiogram (EKG) or other cardiovascular assessment indicates the abnormality will not place the student at risk during athletic activity. Results of the medical evaluation must be provided to the school. No student is eligible to participate in an interscholastic athletic competition or participate in activities associated with candidacy for a position on a team until the results of a satisfactory medical evaluation have been received and approved by the school.

If a student's parent or guardian objects to the requirement for a medical evaluation, the student still may participate in interscholastic athletic competition or be a candidate for a team as long as the parent or guardian objects in writing and attests that the medical evaluation is contrary to his or her religious beliefs, and as long as no person is held liable in the event the student is injured while participating in an athletic competition, or at a practice or workout as a candidate for a team.

IV. Constitutional Issues:**A. Municipality/County Mandates Restrictions:**

The provisions of this bill have no impact on municipalities and the counties under the requirements of Art. VII, s. 18 of the Florida Constitution.

B. Public Records/Open Meetings Issues:

The provisions of this bill have no impact on public records or open meetings issues under the requirements of Art. I, s. 24(a) and (b) of the Florida Constitution.

C. Trust Funds Restrictions:

The provisions of this bill have no impact on the trust fund restrictions under the requirements of Art. III, s. 19(f) of the Florida Constitution.

V. Economic Impact and Fiscal Note:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

Medical practitioners often donate their services and administer physical examinations for high school athletes at no charge, or the examinations are made available at a very modest fee. The bill does not address the question of who would pay the costs of the EKG or other cardiovascular assessment. Presumably these costs would be borne by the student's parent or guardian. The costs for these medical tests will vary from community to community and according to the type of health care services used by the student athlete's family.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Amendments:

None.