

By Senator Diaz de la Portilla

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1 A bill to be entitled

2 An act relating to school athletics; providing
3 legislative findings concerning concussions and head
4 injuries; creating s. 1006.163, F.S.; requiring school
5 boards to work with the Florida High School Athletic
6 Association to develop guidelines and other pertinent
7 information and forms to inform and educate coaches,
8 youth athletes, and athletes' parents or guardians of
9 the nature and risk of concussions and head injuries;
10 requiring that a youth athlete who is suspected of
11 sustaining a concussion or head injury in a practice
12 or game be removed from competition; allowing an
13 athlete removed from competition to return after
14 evaluation and clearance by a medical professional
15 meeting specified requirements; providing that a
16 volunteer medical professional who authorizes a youth
17 athlete to return to competition is not liable for
18 civil damages resulting from any act or omission;
19 providing an exception; providing an effective date.
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21 Be It Enacted by the Legislature of the State of Florida:
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23 Section 1. (1) The Legislature finds that concussions are
24 one of the most commonly reported injuries in children and
25 adolescents who participate in sports and recreational
26 activities. The Centers for Disease Control and Prevention
27 estimates that each year emergency departments in the United
28 States treat 135,000 sports- and recreation-related traumatic
29 brain injuries, including concussions, among children ages 5 to

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30 18.

31 (2) A concussion is caused by a blow or motion to the head
32 or body that causes the brain to move rapidly inside the skull.
33 The risks of catastrophic injuries or death are significant when
34 a concussion or head injury is not properly evaluated and
35 managed. Concussions are a type of brain injury that can range
36 from mild to severe and can disrupt the way the brain normally
37 works. Concussions can occur in any organized or unorganized
38 sport or recreational activity and can result from a fall or
39 from players colliding with each other, the ground, or
40 obstacles. Concussions occur with or without loss of
41 consciousness, but the vast majority of concussions occur
42 without loss of consciousness.

43 (3) Continuing to play with a concussion or symptoms of
44 head injury leaves the young athlete especially vulnerable to
45 greater injury and even death. The Legislature recognizes that,
46 despite having generally recognized return to play standards for
47 concussions and head injuries, some affected youth athletes in
48 this state are prematurely returned to play resulting in actual
49 or potential physical injury or death.

50 Section 2. Section 1006.163, Florida Statutes, is created
51 to read:

52 1006.163 Concussions and head injuries.—

53 (1) Each school board shall work with the Florida High
54 School Athletic Association to develop the guidelines and other
55 pertinent information and forms to inform and educate coaches,
56 youth athletes, and athletes' parents or guardians of the nature
57 and risk of concussion and head injury, including the risk
58 associated with continuing to play after suffering a concussion

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59 or head injury. On a yearly basis, a concussion and head injury
60 information sheet shall be signed and returned by the youth
61 athlete and the athlete's parent or guardian prior to the youth
62 athlete participating in practice or competition.

63 (2) A youth athlete who is suspected of sustaining a
64 concussion or head injury in a practice or game shall be removed
65 from competition at that time.

66 (3) A youth athlete who has been removed from competition
67 may not return to competition until the athlete is evaluated by
68 a physician licensed under chapter 458, an osteopathic physician
69 licensed under chapter 459, a nurse licensed under part I of
70 chapter 464, or a physician assistant licensed under chapter 458
71 or chapter 459 who is trained in the evaluation and management
72 of concussions and head injuries and receives written clearance
73 to return to competition from that medical professional. The
74 health care provider evaluating the athlete may be a volunteer.
75 Such a volunteer who authorizes a youth athlete to return to
76 competition is not liable for civil damages resulting from any
77 act or omission in the rendering of such care, other than acts
78 or omissions constituting gross negligence or willful or wanton
79 misconduct.

80 Section 3. This act shall take effect July 1, 2011.