

By Senator Flores

38-00159-12

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1                                   A bill to be entitled  
2       An act relating to youth and student athletes;  
3       amending s. 943.0438, F.S.; requiring independent  
4       sanctioning authorities to adopt policies to inform  
5       certain officials, coaches, and youth athletes and  
6       their parents of the nature and risk of certain head  
7       injuries; requiring that a signed consent form be  
8       obtained before the youth participates in athletic  
9       practices or competitions; requiring that a youth  
10      athlete be immediately removed from an athletic  
11      activity following a suspected head injury; requiring  
12      written clearance from a medical professional before  
13      the youth resumes athletic activities; authorizing a  
14      physician to delegate the performance of medical care  
15      to a licensed or certified health care practitioner  
16      and consult with or use testing and the evaluation of  
17      cognitive functions performed by a licensed  
18      neuropsychologist; amending s. 1006.20, F.S.;  
19      requiring the Florida High School Athletic Association  
20      to adopt policies to inform certain officials,  
21      coaches, and student athletes and their parents of the  
22      nature and risk of certain head injuries; requiring  
23      that a signed consent form be obtained before a  
24      student athlete participates in athletic practices or  
25      competitions; requiring that a student athlete be  
26      immediately removed from an athletic activity  
27      following a suspected head injury; requiring written  
28      clearance from a medical professional before the  
29      student resumes athletic activities; authorizing a

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30 physician to delegate the performance of medical care  
31 to a licensed or certified health care practitioner  
32 and consult with or use testing and the evaluation of  
33 cognitive functions performed by a licensed  
34 neuropsychologist; providing an effective date.  
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36 Be It Enacted by the Legislature of the State of Florida:  
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38 Section 1. Paragraph (e) is added to subsection (2) of  
39 section 943.0438, Florida Statutes, to read:

40 943.0438 Athletic coaches for independent sanctioning  
41 authorities.—

42 (2) An independent sanctioning authority shall:

43 (e)1. Adopt guidelines to educate officials,  
44 administrators, athletic coaches, and youth athletes and their  
45 parents or guardians of the nature and risk of concussion and  
46 head injury.

47 2. Adopt bylaws or policies that require the parent or  
48 guardian of a minor who participates in athletic practices or  
49 competitions of the independent sanctioning authority, before  
50 the minor participates in a competition, practice, or other  
51 activity, to sign and return a consent form that explains the  
52 nature and risk of concussion and head injury, including the  
53 risk of continuing to play after a concussion or head injury has  
54 occurred.

55 3. Adopt bylaws or policies that require a youth athlete  
56 who is suspected of sustaining a concussion or head injury in a  
57 practice or competition to be immediately removed from the  
58 activity. A youth athlete who has been removed may not return to

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59 practice or competition until the youth receives written  
60 clearance to return from a physician who is licensed under  
61 chapter 458 or chapter 459. Before issuing a written clearance  
62 to return to practice or competition, a physician may:

63 a. Delegate the performance of medical care to a health  
64 care provider who is licensed or certified under s. 464.012, s.  
65 458.347, s. 459.022, or s. 468.701, with whom the physician  
66 maintains a formal supervisory relationship or established  
67 written protocol that identifies the medical care or evaluations  
68 to be performed, identifies conditions for performing medical  
69 care or evaluations, and attests to proficiency in the  
70 evaluation and management of concussions; and

71 b. Consult with or use testing and the evaluation of  
72 cognitive functions performed by a neuropsychologist licensed  
73 under chapter 490.

74 Section 2. Paragraphs (e), (f), and (g) are added to  
75 subsection (2) of section 1006.20, Florida Statutes, to read:

76 1006.20 Athletics in public K-12 schools.—

77 (2) ADOPTION OF BYLAWS.—

78 (e) The organization shall adopt guidelines to educate  
79 officials, administrators, coaches, and student athletes and  
80 their parents or guardians of the nature and risk of concussion  
81 and head injury.

82 (f) The organization shall adopt bylaws or policies that  
83 require the parent or guardian of a student who participates in  
84 interscholastic athletic competition or who is a candidate for  
85 an interscholastic athletic team, before the student  
86 participates in a competition, practice, or other activity, to  
87 annually sign and return a consent form that explains the nature

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88 and risk of concussion and head injury, including the risk of  
89 continuing to play after a concussion or head injury has  
90 occurred.

91 (g) The organization shall adopt bylaws or policies that  
92 require a student athlete who is suspected of sustaining a  
93 concussion or head injury in a practice or competition to be  
94 immediately removed from the activity. A student athlete who has  
95 been removed may not return to practice or competition until the  
96 student receives written clearance to return from a physician  
97 who is licensed under chapter 458 or chapter 459. Before issuing  
98 a written clearance to return to practice or competition, a  
99 physician may:

100 1. Delegate the performance of medical care to a health  
101 care practitioner who is licensed or certified under s. 464.012,  
102 s. 458.347, s. 459.022, or s. 468.701, with whom the physician  
103 maintains a formal supervisory relationship or established  
104 written protocol that identifies the medical care or evaluations  
105 to be performed, identifies the conditions for their  
106 performance, and attests to proficiency in the evaluation and  
107 management of concussions; and

108 2. Consult with or use testing and the evaluation of  
109 cognitive functions performed by a neuropsychologist licensed  
110 under chapter 490.

111 Section 3. This act shall take effect July 1, 2012.