

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

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

Prepared By: The Professional Staff of the Committee on Health Policy

BILL: SB 1406

INTRODUCER: Senator Broxson

SUBJECT: Youth Athletic Activities

DATE: February 10, 2020

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Looke	Brown	HP	Pre-meeting
2.			CF	
3.			RC	

I. Summary:

SB 1406 creates s. 381.796, F.S., to require unpaid or volunteer athletics personnel, as defined by the bill, who are involved with high-risk youth athletic activities (HRYAA) conducted on state land to complete a training course approved by the Department of Health (DOH) on the prevention of serious physical injury to participants in the HRYAA. The bill specifies topics to be covered by the course, exempts licensed athletic trainers¹ from the requirement to take the course, requires record keeping, and requires the DOH to adopt rules to implement the new section of statute.

The bill takes effect July 1, 2020.

II. Present Situation:

Florida High School Athletics Association

The Florida High School Athletic Association is a membership-driven organization that encompasses 700 member combination/senior high schools and 88 member middle schools that believe sportsmanship and fair play will foster positive futures for its student-athletes

Any public or private school in Florida, recognized by the Florida Department of Education, or any formal home education cooperative, may become a member of the FHSAA by completing a membership application on which it agrees to adopt and abide by the FHSAA Bylaws, as well as all regulations and policies established by the association's Board of Directors.²

The FHSAA sponsors over 3,600 championship series games through which 141 teams and 294 individuals are crowned state champions in 32 sports each year. Over 2,000 student athletes each

¹ Licensed under ch. 468, F.S.

² See <https://www.fhsaa.org/about> (last visited on Feb. 6, 2020)

year experience winning a championship. Through participation in these athletic programs, over 800,000 students annually are extended opportunities to receive lessons in leadership, sportsmanship, and citizenship.³

Concussions in Youth Sports

A concussion is a type of traumatic brain injury, or TBI, caused by a bump, blow, or jolt to the head or by a hit to the body that causes the head and brain to move rapidly back and forth. This sudden movement can cause the brain to bounce around or twist in the skull, creating chemical changes in the brain and sometimes stretching and damaging brain cells.⁴ Some signs and symptoms of a concussion can include poor recall, appearing dazed or stunned, confusion, awkward movements, loss of consciousness, headache, nausea or vomiting, balance problems, and mood, behavior, or personality changes.⁵ Concussions are serious injuries and require immediate treatment. The federal Centers for Disease Control and Prevention has established the “Heads Up” program to provide information to parents, coaches, referees, and others who are involved in youth sports.⁶

Heat Illnesses in Youth Sports

Children perspire less than adults. This makes it harder for children to cool off. Parents and coaches are advised to make sure that children become slowly acclimated to heat and humidity. There are other reasons why a child may become ill from a heat illness. Those who have a low level of fitness, who are sick, or who have suffered from dehydration or heat illness in the past should be closely watched. A medical professional such as a certified athletic trainer should be on site to monitor the health and safety of all participants during games and practice, especially when it is very hot and humid.⁷ Illness that can be caused by heat may include dehydration, heat cramps, heat exhaustion, and exertional heat stroke.⁸

III. Effect of Proposed Changes:

SB 1406 creates s. 381.796, F.S., to require that any entity that administers or conducts a HRYAA, or training for such activity, on land owned, leased, operated, or maintained by the state or a political subdivision of the state, must require any unpaid or volunteer athletics personnel to complete a DOH-approved course that provides them with information on the avoidance or prevention of serious physical injury to participants in the HRYAA. The bill:

- Defines “athletics personnel” to mean an individual who is actively involved with in organizing, conducting, or coaching a HRYAA or an individual who is involved with training a child for participation in a HRYAA.
- Requires the DOH to define HRYAA in rule.
- Requires the course to be offered at no charge and that the course must include information on:

³ Supra note 2.

⁴ See https://www.cdc.gov/headsup/basics/concussion_what.html (last visited February 6, 2020).

⁵ See https://www.cdc.gov/headsup/basics/concussion_symptoms.html (last visited February 6, 2020).

⁶ See <https://www.cdc.gov/headsup/index.html> (last visited February 6, 2020).

⁷ See <https://www.nata.org/sites/default/files/heat-illness-parent-coach-guide.pdf> (last visited February, 2020).

⁸ Id.

- Emergency preparedness, planning, and rehearsal in relation to traumatic injuries;
- Concussions and head trauma;
- Injuries resulting from heat or extreme weather; and
- Physical conditioning and the proper use of training equipment.
- Requires that, except for licensed athletic trainers,⁹ volunteer or unpaid athletics personnel serving in such a position must complete the course within 30 days after his or her initial involvement with the HRYAA, and annually thereafter.
- Requires the entity which administers or conducts the HRYAA must maintain a record of each individual who completes the course for the entirety of his or her unpaid volunteer service.
- Requires the DOH to adopt rules to administer the bill's provisions.

The bill provides an effective date of July 1, 2020.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

⁹ Licensed under ch. 468, F.S.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

SB 1406 requires that volunteer and unpaid athletics personnel complete a specified training course under certain circumstances. The bill defines “athletics personnel” as an individual who is actively involved in organizing, conducting, or coaching a high-risk youth athletic activity or an individual who is involved with training a child for participation in a high-risk youth athletic activity. As defined, it is unclear to whom the bill may potentially apply and the bill does not limit the activities conducted that may require the athletics personnel to take the specified training course to activities taking place on the property controlled by the entity conducting the HRYAA. Additionally, it is unclear what authority the entity conducting the HRYAA would have over requiring such training for activities that may be conducted out of its control and without its knowledge.

The bill establishes a requirement that certain volunteer and unpaid athletics personnel complete a specified training course. The bill places this requirement both on the entities conducting the HRYAA to ensure the athletics personnel are trained and on the athletics personnel themselves to complete the course. However, the bill does not establish a penalty for noncompliance and it is unclear what penalty, if any, may be assessed against either the entity or the individual athletics personnel for not completing the training.

Lines 49-53 of the bill require that each unpaid or volunteer athletics personnel complete the required course within 30 days after his or her initial involvement with the HRYAA and annually thereafter. As written, the bill may require each individual athletics personnel to complete this course annually regardless of whether he or she continues to be involved in HRYAA.

Lines 52-53 exempt licensed athletic trainers from the above individual requirement. However, lines 32-39 require any entity administering HRYAA to ensure that all unpaid or volunteer athletics personnel complete the required course. Although exempt from the individual requirement, there is no exemption for athletic trainers in the requirement established by lines 32-39.

VIII. Statutes Affected:

This bill creates section 381.796 of the Florida Statutes.

IX. Additional Information:

- A. **Committee Substitute – Statement of Changes:**
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

- B. **Amendments:**

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.
