
Councilmember Phil Mendelson

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

Councilmember Phil Mendelson introduced the following bill, which was referred to the Committee on _____.

To require that an athlete who suffers signs of concussion during a practice or game be removed from play for the remainder of the day and to prohibit that athlete from returning to practice or play until the athlete has received a written clearance from a licensed health care provider; and to require The Department of Health to develop and implement an educational program to provide awareness and training to coaches, school personnel, student-athletes, and the parents or guardians of student-athletes.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Athletic Concussion Protection Act of 2010".

Sec. 2. Definitions

For the purposes of this act:

(1) "Concussion" means a traumatic injury to the brain causing a change in the mental status at the time of the injury, such as feeling dazed, disoriented or confused, which may or may not involve a loss of consciousness resulting from:

- (A) a fall;
- (B) a blow or jolt to the head or body;
- (C) the shaking or spinning of the head or body; or
- (D) the acceleration and deceleration of the head.

(3) "Athlete" means a person aged 18 or younger or an individual of any age who is physically or mentally disabled who participates in an athletic activity in association with an:

- (A) interscholastic athletic activity; or

(B) a noninterscholastic athletic activity conducted at:

- (1) a public school facility; or
- (2) a recreational athletic organization.

(4) "athletic activity" means a program organized for recreational athletic competition, practice or instruction for participants who are:

- (A) a person aged 18 or younger ; or
- (B) physically or mentally disabled regardless of age.

Sec. 3. Concussion protection

(a) An athlete who is suspected of sustaining a concussion or other head injury in a athletic activity shall be removed immediately from continued physical participation.

(b) An athlete who has been removed from an athletic activity may not return to physical participation until the athlete is evaluated by a licensed health care provider trained in the evaluation and management of concussion and receives written clearance to return to physical participation from that health care provider.

Sec. 4. Education and verification program.

(a) The Department of Health (Department), in collaboration with The District of Columbia Board of Education, the District of Columbia Public Charter School Board, The Department of Recreation, licensed health care providers trained in the evaluation of concussions and representatives of organizations concerned with brain injuries, shall develop and implement a program to provide awareness and training to coaches, athletic trainers, school personnel, athletes, and the parents or guardians of athletes on:

- (1) the nature and risk of a concussion;
- (2) the criteria for removal from and return to physical participation; and
- (3) the risks of not reporting an injury and continuing to physically participate.

(b) The program shall include a process to verify that all coaches or athletic trainers have received the training and required information relating to the program developed under subsection (a).

(c) On an annual basis, before an athlete may participate in an athletic activity, the Department shall provide a concussion and head injury information sheet to the athlete and a parent or guardian of the athlete. The athlete and the parent or guardian of the athlete shall sign a

statement acknowledging receipt of the information sheet and return it before the athlete is allowed to participate.

(d) The Department shall create the information sheet and acknowledgment statement required under this section.

Sec. 5. Fiscal impact statement.

The Council adopts the attached fiscal impact statement as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 6. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.