

By: Representatives Mims, Crawford

To: Public Health and Human
ServicesCOMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 48

1 AN ACT TO REQUIRE PUBLIC AND PRIVATE SCHOOLS THAT PROVIDE
2 YOUTH ACTIVITIES TO ADOPT AND IMPLEMENT A CONCUSSION MANAGEMENT
3 AND RETURN TO PLAY POLICY THAT INCLUDES CERTAIN COMPONENTS AND TO
4 PROVIDE PARENTS WITH THE CONCUSSION POLICY BEFORE THE START OF THE
5 REGULAR SCHOOL ATHLETIC SEASON; TO PROVIDE THAT THE STATE
6 DEPARTMENT OF HEALTH SHALL ENDORSE A CONCUSSION RECOGNITION
7 EDUCATION COURSE TO PROVIDE INFORMATION TO MISSISSIPPIS OF THE
8 NATURE AND RISK OF CONCUSSIONS IN YOUTH ATHLETICS, WHICH SHALL BE
9 AVAILABLE ONLINE; TO PROVIDE THAT THIS ACT DOES NOT CREATE ANY
10 LIABILITY FOR ANY PERSON OR ENTITY WHO HAS COMPLIED WITH THIS ACT;
11 AND FOR RELATED PURPOSES.

12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

13 **SECTION 1.** This act shall be known and may be cited as the
14 "Mississippi Youth Concussion Law."

15 **SECTION 2.** As used in this act, the following words and
16 phrases have the meanings as defined in this section unless the
17 context clearly indicates otherwise:

18 (a) "Health care provider" means a licensed physician
19 or a licensed nurse practitioner, licensed physician assistant or
20 licensed health care professional working within the person's
21 scope of practice and under the direct supervision or written
22 consultation of a physician. All health care providers referred



to in this act also must be trained in the evaluation and management of concussions.

(b) "School athletic event" means activities sanctioned by the Mississippi High School Activities Association (MHSAA) or the Mississippi Association of Independent Schools (MAIS), and school-sponsored activities in Grades 7 through 12 of schools that are not members of the MHSAA or the MAIS which activities are organized and conducted in a manner substantially similar to activities that are sanctioned by the MHSAA or the MAIS.

SECTION 3. Each local board of education, administration of a nonpublic school, and governing body of a charter school shall adopt and implement a concussion management and return to play policy that includes the following components:

(a) Parents or guardians shall receive and sign a copy of the concussion policy before the start of the regular school athletic event season.

(b) An athlete who reports or displays any symptoms or signs of a concussion in a practice or game setting shall be removed immediately from the practice or game. The athlete shall not be allowed to return to the practice or game for the remainder of the day regardless of whether the athlete appears or states that he or she is normal.

(c) The athlete shall be evaluated by a health care provider working within the provider's scope of practice.



(d) If an athlete has sustained a concussion, the athlete shall be referred to a licensed physician, preferably one with experience in managing sports concussion injuries.

(e) The athlete who has been diagnosed with a concussion shall be returned to play only after full recovery and clearance by a health care provider.

(f) An athlete shall not return to a competitive game before demonstrating that he or she has no symptoms in a full supervised practice.

(g) Athletes shall not continue to practice or return to play while still having symptoms of a concussion.

SECTION 4. The State Department of Health shall endorse one (1) concussion recognition education course to provide information to Mississippians of the nature and risk of concussions in youth athletics, which shall be available online. Such course may include education and training materials made available, at no charge, by the federal Centers for Disease Control and Prevention or other training materials substantively and substantially similar to those materials.

SECTION 5. This act does not create any liability for, or create a cause of action against, a school or its officers or employees, a health care provider, an organization or association of which a school or school district is a member, a private or public school, a private club, a public recreation facility, or an



71 athletic league when such person or entity has complied with the
72 provisions of this act.

73 **SECTION 6.** This act shall take effect and be in force from
74 and after July 1, 2014.

