

By: Senator(s) Wiggins, Doty, Tollison

To: Public Health and Welfare

SENATE BILL NO. 2134

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



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

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

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

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

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

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



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

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

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

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

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

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



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

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

