

By: Representatives Mims, Crawford

To: Public Health and Human Services

COMMITTEE 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 MISSISSIPPIANS 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



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

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

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

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

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

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



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

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

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

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

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

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

