

Kern County Concussion Consortium

Assembly Bill No. 25

CHAPTER 456

An act to add Section 49475 to the Education Code, relating to athletics.

[Approved by Governor October 04, 2011. Filed with Secretary of State October 04, 2011.]

LEGISLATIVE COUNSEL'S DIGEST

AB 25, Hayashi. School districts: athletics: concussions and head injuries.

Existing law authorizes school districts to provide specified medical services in connection with athletic events that are under the jurisdiction of, or sponsored or controlled by, school districts. These services include medical or hospital insurance for pupils injured while participating in athletic activities and ambulance service for pupils, instructors, spectators, and other individuals in attendance at athletic activities.

This bill would require a school district that elects to offer athletic programs to immediately remove from a school-sponsored athletic activity for the remainder of the day an athlete who is suspected of sustaining a concussion or head injury during that activity. The bill would prohibit the return of the athlete to that activity until he or she is evaluated by, and receives written clearance from, a licensed health care provider, as specified. The bill would require, on a yearly basis, a concussion and head injury information sheet to be signed and returned by the athlete and the athlete's parent or guardian before the athlete's initiating practice or competition. These provisions would not apply to an athlete engaged in an athletic activity during the regular schoolday or as part of a physical education course, as specified.

BILL TEXT

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1.

Section 49475 is added to the Education Code, to read:

49475.

(a) If a school district elects to offer an athletic program, the school district shall comply with both of the following:

(1) An athlete who is suspected of sustaining a concussion or head injury in an athletic activity shall be immediately removed from the activity for the remainder of the day, and shall not be permitted to return to the activity until he or she is evaluated by a licensed health care provider, trained in the management of concussions, acting within the scope of his or her practice. The athlete shall not be permitted to return to the activity until he or she receives written clearance to return to the activity from that licensed health care provider.

(2) On a yearly basis, a concussion and head injury information sheet shall be signed and returned by the athlete and the athlete's parent or guardian before the athlete's initiating practice or competition.

(b) This section does not apply to an athlete engaging in an athletic activity during the regular schoolday or as part of a physical education course required pursuant to subdivision (d) of Section 51220.

Assembly Bill (AB) 588

Already existing law found in the Cal Education Code (Cal. Educ. Code Section 35179.1 (c)(6), known as the 1998 California High School Coaching Education and Training Program requires that coaches be certified in CPR and first aid and have a basic understanding of the signs and symptoms of concussions and the appropriate response to concussions. Governor Brown signed AB 25 into law on October 4, 2011, which can be found at sections 38131(6) and 49475 of the Education Code. (Cal. Educ. Code § 38131(6))

This law provides that if a school district offers an athletic program, any athlete who is suspected of sustaining a concussion must be removed immediately from the activity for the rest of the day. The student is not permitted to return to activity until cleared in writing by a health care professional. Parents/guardians of any student wishing to participate in an athletic activity are required to annually sign a concussion information sheet before the student can participate. This law also applies to recreational activities taking place on school owned grounds which are not sponsored or part of school run activities

On February 20, 2013, **Assembly Bill (AB) 588** was introduced and referred to the committee on appropriations, and placed in the committee's suspense file on June 24, 2013. The proposed legislation would amend Section 49475 of the Education Code, if adopted; however, as currently proposed there would be no significant effect on the law as it presently exists, other than the addition of charter schools to school districts and private schools (the current statute does not include private schools. 588 seeks only to add charter schools, but would appear to have already incorporated private schools)

The official versions of sections 38131(6) and 49475 are currently available online at:

<http://leginfo.legislature.ca.gov/faces/codes.xhtml> (click on Education Code, then Title II and Article 4.5 – Interscholastic Activities)

<http://www.leginfo.ca.gov/cgi-bin/displaycode?section=edc&group=49001-50000&file=49470-49475>

The text of the AB 588 can be viewed online at:

http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201320140AB588