

**FIRST ENGROSSMENT  
with House Amendments  
ENGROSSED SENATE BILL NO. 2281**

Introduced by

Senators Berry, Flakoll, Schneider

Representatives R. Kelsch, Grande, Porter

1 A BILL for an Act to create and enact a new section to chapter 15.1-18.2 and a new section to  
2 chapter 23-12 of the North Dakota Century Code, relating to concussion management program  
3 requirements.

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 **SECTION 1.** A new section to chapter 15.1-18.2 of the North Dakota Century Code is  
6 created and enacted as follows:

7 **Student athletics - Concussion management program - Requirements.**

- 8 1. Each school that sponsors or sanctions any athletic activity in this state and which  
9 requires a participating student to regularly practice or train and compete, is subject to  
10 the terms of a concussion management program.
- 11 2. The concussion management program must:
- 12 a. Define the signs and symptoms of a concussion;
- 13 b. Require that any coach, athletic trainer, or official remove a student from practice,  
14 training, or competition if:
- 15 (1) That student reports any defined sign or symptom of a concussion;
- 16 (2) The coach, athletic trainer, or official determines that the student exhibits  
17 any defined sign or symptom of a concussion;
- 18 (3) If the coach or official is notified that the student has reported or exhibited  
19 any defined sign or symptom of a concussion by:
- 20 (a) A licensed, registered, or certified medical practitioner operating within  
21 the individual's scope of practice; or
- 22 (b) Any other licensed, registered, or certified individual whose scope of  
23 practice includes the recognition of concussion symptoms;

- c. Require that any student who is removed in accordance with this subsection must be examined by a licensed health care provider as soon as practicable after reporting or exhibiting any sign or symptom of a concussion;
  - d. Provide that any student who is removed in accordance with this subsection may be allowed to return to practice, training, or competition only after the student provides to the student's coach or athletic trainer written authorization from a licensed health care provider; and
  - e. Require that each coach or official receive biennial training regarding the nature and risk of concussion, including the risk of play after a concussion or head injury.
3. The school shall ensure that before a student is allowed to participate in the athletic activity, the student and the student's parent or guardian shall document that they have viewed information, made available in written or verifiable electronic form by the student's school or school district, regarding concussions incurred by students participating in athletic activities.
  4. This section does not create any liability for, or create a cause of action against, a school, its officers, or its employees.
  5. To carry out its duties under this section, a school may contract for and accept private contributions, gifts, and grants, or in-kind aid from the federal government, the state, or any other source.
  6. For the purposes of this section, "licensed health care provider" means an individual who is registered, licensed, certified, or otherwise statutorily recognized in this state to provide health care services or treatment within the individual's scope of practice.

**SECTION 2.** A new section to chapter 23-12 of the North Dakota Century Code is created and enacted as follows:

**Athletic activities - Children - Concussion management program - Requirements.**

1. Each person sponsoring or sanctioning an athletic activity that requires a child under the age of eighteen to pay a fee in order to regularly practice or train and compete is subject to the terms of a concussion management program.
2. The concussion management program must:
  - a. Define the signs and symptoms of a concussion;



- 1       6. For the purpose of this section, "licensed health care provider" means an individual  
2       who is registered, licensed, certified, or otherwise statutorily recognized in this state to  
3       provide health care services or treatment within the individual's scope of practice.  
4       7. This section does not apply to schools that are governed by section 1 of this Act or to  
5       any other political subdivision.