

Sixty-second
Legislative Assembly
of North Dakota

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 of the North Dakota
2 Century Code, relating to concussion management program requirements.

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

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

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

7 1. Each school district that sponsors or sanctions any athletic activity in this state and
8 which requires a participating student to regularly practice or train, and compete, is
9 subject to the terms of a concussion management program.

10 2. The concussion management program must:

11 a. Define the signs and symptoms of a concussion;

12 b. Require that any coach, athletic trainer, or official remove a student from practice,
13 training, or competition if that student exhibits or reports any sign or symptom of
14 a concussion, as defined under this subsection;

15 c. Require that any student who is removed in accordance with this subsection
16 must be examined by a licensed health care provider as soon as practicable after
17 exhibiting any sign or symptom of a concussion;

18 d. Provide that any student who is removed in accordance with this subsection may
19 be allowed to return to practice, training, or competition only after a licensed
20 health care provider provides written authorization for the student's return to the
21 student's coach or athletic trainer; and

22 e. Require that each coach receive biennial training to educate the coach about the
23 nature and risk of concussion, including the risk of play after a concussion or
24 head injury.

- 1 3. The school district shall ensure that before a student is allowed to participate in the
2 athletic activity, the student and the student's parent or guardian shall document that
3 they have viewed information, made available in written or verifiable electronic form by
4 the student's school or school district, regarding concussions incurred by students
5 participating in athletic activities.
- 6 4. This section does not create any liability for, or create a cause of action against, a
7 school district, its officers, or its employees.
- 8 5. To carry out its duties under this section, a school district may contract for and accept
9 private contributions, gifts, and grants, or in-kind aid from the federal government, the
10 state, or any other source.
- 11 6. For the purposes of this section, "licensed health care provider" means an individual
12 who is registered, licensed, certified, or otherwise statutorily recognized in this state to
13 provide health care services or treatment within the individual's scope of practice and
14 who is trained and experienced in the evaluation, management, and care of
15 concussions.