

March 29, 2011

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2281

Page 1, line 1, after "15.1-18.2" insert "and a new section to chapter 23-12"

Page 1, line 7, remove "district"

Page 1, line 8, remove the first underscored comma

Page 1, line 13, remove "that student exhibits or reports any sign or symptom of"

Page 1, replace line 14 with ":

- (1) That student reports any defined sign or symptom of a concussion;
- (2) The coach, athletic trainer, or official determines that the student exhibits any defined sign or symptom of a concussion;
- (3) If the coach or official is notified that the student has reported or exhibited any defined sign or symptom of a concussion by:
  - (a) A licensed, registered, or certified medical practitioner operating within the individual's scope of practice; or
  - (b) Any other licensed, registered, or certified individual whose scope of practice includes the recognition of concussion symptoms;"

Page 1, line 16, after "after" insert "reporting or"

Page 1, line 19, remove "a licensed"

Page 1, replace lines 20 and 21 with "the student provides to the student's coach or athletic trainer written authorization from a licensed health care provider; and"

Page 1, line 22, after "coach" insert "or official"

Page 1, line 22, replace "to educate the coach about" with "regarding"

Page 2, line 1, remove "district"

Page 2, line 7, remove "district"

Page 2, line 8, remove "district"

Page 2, line 13, replace "and" with an underscored period

Page 2, replace lines 14 and 15 with:

**"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;
  - b. Provide that a coach, athletic trainer, or official shall remove a student from practice, training, or competition if:
    - (1) That child reports any defined sign or symptom of a concussion;
    - (2) The coach, athletic trainer, or official determines that the child exhibits any defined sign or symptom of a concussion;
    - (3) If the coach or official is notified that the child has reported or exhibited any listed sign or symptom of a concussion by:
      - (a) A licensed, registered, or certified medical practitioner operating within the individual's scope of practice; or
      - (b) Any other licensed, registered, or certified individual whose scope of practice includes the recognition of concussion symptoms;
  - c. Require that any child 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 listed sign or symptom of a concussion;
  - d. Provide that any child who is removed in accordance with this subsection may be allowed to return to practice, training, or competition only after the child provides to the child's coach or athletic trainer written authorization from a licensed health care provider; and
  - e. Require that each coach receive biennial training to educate the coach about the nature and risk of concussion, including the risk of play after a concussion or head injury.
3. The sponsoring body of the activity shall ensure that before a child is allowed to participate, the child and the child's parent or guardian shall document that they have viewed information, made available in written or verifiable electronic form by the activity's sponsoring body, regarding concussions incurred by children participating in athletic activities.
4. This section does not create any liability for, or create a cause of action against, the sponsoring body of an activity.
5. To carry out its duties under this section, the sponsoring body of an activity may contract for and accept private contributions, gifts, and grants, or in-kind aid from the federal government, the state, or any source.
6. For the purpose 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.

7. This section does not apply to schools that are governed by section 1 of this Act or to any other political subdivision."

Renumber accordingly