

Dear Colleague

Recently, concussion management and return-to-play legislation has been enacted in our region. This important legislation is directly in line with, and responsive to, the most recognized authoritative guidelines on concussion management. The directives of the legislation are also consistent with the emerging accepted standard of care for concussion in youth sports as defined by similar laws already passed, or under consideration, in numerous other states. In order to assist all providers with implementing an appropriate and recognized standard of care for athletes who have incurred a sport-related concussion, we have developed a convenient collection of evaluation and return-to-play guidelines and materials. This new Sanford “Playbook” includes specific guidelines, office-based and sideline evaluation tools, patient home instruction, as well as explanations of the law pertaining to each state that will assist the provider in determining and implementing the best individualized sport concussion management plan, including progressive return to school and play.

What are the key elements of the new concussion-management and return-to-play legislation?

- Informing and educating coaches, youth athletes, and the athletes’ parents or guardians of the nature and risks of concussion, including continuing to play after sustaining a concussion.
- Immediately removing a youth athlete who is suspected of sustaining a concussion in a game, practice or other training activity.
- Allowing a youth athlete who has been removed from any athletic activity for a suspected concussion to return only after the athlete is evaluated by a licensed health care provider trained and experienced in the evaluation and management of concussion.

Please take the time to carefully review all of the enclosed materials, and feel free to make copies for your use as needed. We are anxious to collaborate with you and answer any questions that you might have in the evaluation and care of your sport concussion patients.

Regards,



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Explanation of Legislation

Background

- As many as 40 percent of youth athletes who sustain a concussion return to the field of play sooner than modern guidelines suggest.
- Athletes who are not fully recovered from an initial concussion are significantly more vulnerable to recurrent, cumulative, and potentially catastrophic consequences of a second concussive injury.
- Resting and avoiding physical and cognitive exertion are critical in the acute management of a sport-related concussion. No athlete should return to activity until asymptomatic at rest *and* with exertion.
- Concussions can occur in all athletes of any age and in any sport. Children and teens are more likely to get a concussion and take longer to recover than adults.
- To date, more than half of the states in the U.S. including SD, ND, MN, NE and IA, have enacted concussion legislation since 2009.
- Early anecdotal data suggest that the laws are having an immediate and positive impact, while helping to achieve the critical goal of preventing subsequent risk associated with brain injuries and making sports safer for youth.

The Law

- The primary goal of the law is getting youth athletes off the field of play after sustaining a concussion. It further provides any affected youth athlete proper time to heal from a concussion and significantly minimizes the risk for prolonged concussion symptoms, and the undue risk for further injury, including death.
- A student-athlete must sit out after receiving the concussion (or suspected concussion) and cannot return to athletic activity until s/he:
 1. No longer exhibit signs, symptoms or behaviors consistent with a concussion.
 2. Receives written clearance to return to play from a licensed health care provider trained in the evaluation and management of concussions.
- Other important features of the law include:
 1. The health care provider can be a volunteer.
 2. The law requires coaches to complete a short, concise, online training program, free of charge, to educate them on the nature and risk of concussion associated with athletic activity and how to recognize the signs, symptoms and behaviors consistent with a concussion.
 3. The law is intended to help educate parents and youth athletes about the nature and risk of concussions associated with athletic activity and how to recognize the signs, symptoms, and behaviors consistent with a concussion and how to appropriately respond and seek proper care.
 4. There is no liability attached to the legislation. It does not mandate any civil or criminal penalties, nor does it create greater liability for individuals and/or organizations. The education and awareness efforts, coupled with the requirement of medical clearance before return to play, have decreased the variability of care and overall liability.

Concussions in Youth Sports—Physician Guide

- South Dakota
- North Dakota
- Minnesota
- Nebraska
- Iowa

Resources

- Information regarding clinical services, concussion facts, and available resources can be viewed at sanfordhealth.org, enter keyword: concussion
- The Centers for Disease Control and Prevention (CDC) booklet of Facts for Physicians can be accessed at www.cdc.gov/concussion/HeadsUp/physicians_tool_kit.html
- A free tutorial is available on the CDC website at www.cdc.gov/concussion/HeadsUp/Training/HeadsUpConcussion.html

¹ Center for Injury Research and Policy at Nationwide Children's Hospital, Columbus, Ohio.

² American College of Sports Medicine – Youth Concussion Educational Awareness and Advocacy Packet.

³ 2010 AAP clinical report "Sport-Related Concussion in Children and Adolescents"

South Dakota Concussion Legislation

1. Who Does The Law Apply To?

Every coach, youth athlete, and their parent(s) or guardian(s) who seek to compete in activities sanctioned by the South Dakota High School Activities Association (SDHSAA).

2. Educational and Training Opportunities

Legal Requirements	SDHSAA Sports	Youth Sports
Requires SDHSAA and the SD Department of Education to develop and distribute guidelines and information including protocols and content consistent with current medical knowledge to each member school, coach, athlete, and the athlete's parent(s) or guardian(s) regarding: the nature and risks of concussions; the signs, symptoms, and behaviors consistent with concussions; the need to alert appropriate medical professionals for diagnosis and treatment; and the need to follow proper medical direction and protocols for treatment and return-to-play after an athlete sustains a concussion.	X	
Requires each coach participating in athletic activities, sanctioned by the SDHSAA, to complete a training program each academic year, developed by the SDHSAA and SD Department of Education.	X	
Requires the parent(s) or guardian(s) of a youth athlete to sign a consent form each academic year allowing the youth athlete to participate in an athletic activity. The form must include information about the nature and risks of concussions.	X	

3. Removal Guidelines

An athlete shall be removed from participation in any athletic activity sanctioned by the SDHSAA at the time the athlete (a) exhibits signs, symptoms, or behaviors consistent with a concussion or (b) is suspected of sustaining a concussion.

4. Return-To-Play

Once an athlete has been removed from participation in an athletic activity sanctioned by the SDHSAA, the youth athlete may not return to athletic activities until (a) the athlete no longer exhibits signs, symptoms, or behavior consistent with a concussion and (b) receives an evaluation by a licensed health care provider trained in the evaluation and management of concussions and (c) receives written clearance to return-to-play from such health care provider.

5. Scope of Legal Coverage

Under this provision, "health care provider" means a person who is registered, certified, licensed, or otherwise recognized in law, by the State of South Dakota, to provide medical treatment and is trained and experienced in the evaluation, management, and care of concussions.

For a complete list of SD legislative details, please visit:

<http://www.legis.state.sd.us/sessions/2011/Bills/SB149ENR.pdf>.

North Dakota Concussion Legislation

1. Who Does The Law Apply To?

Each school district and non-public school that sponsors or sanctions any athletic activity in ND and requires a participating student to regularly practice or train, and compete, is subject to the terms of a concussion management program.

2. Educational and Training Opportunities

Legal Requirements	Each School District and Non-public School	Youth Sports
The concussion management program must require that each official, coach, and athletic trainer receive biennial training regarding the nature and risk of concussion.	X	
The required information must be provided by the student's school district or non-public school and must be made available in a printed or verifiable electronic form.	X	
The concussion management program must set forth in clear and readily comprehensible language to signs and symptoms of concussion.	X	
The student and the student's parent shall document that they have viewed information regarding concussions incurred by students participating in athletic activities.	X	

3. Removal Guidelines

An official, coach, or athletic trainer must remove a student from competition, practice, or training if (a) the student shows any signs or symptoms of a concussion; (b) an official, coach, or athletic trainer determines that the student exhibits any signs or symptoms of a concussion; or (c) an official, coach, or athletic trainer is notified that the student has reported or exhibited any signs or symptoms of a concussion by a licensed, registered, or certified health care provider, whose scope of practice includes the diagnosis and treatment of concussion.

4. Return-To-Play

Any student who is removed from play must be examined as soon as practicable by a licensed, registered, or certified health care provider, whose scope of practice includes the diagnosis and treatment of concussion. A student who is removed from play may not be allowed to return to practice, training or competition until the student or the student's parent obtains written authorization from a licensed, registered, or certified health care provider, whose scope of practice includes diagnosis and treatment of concussion and provides that authorization to the student's coach or athletic trainer.

5. Scope of Legal Coverage

"Official" means an umpire, referee, judge, or any other individual formally officiating at an athletic event.

For a complete list of ND legislative details, please visit:

<http://www.legis.nd.gov/assembly/62-2011/documents/11-0620-05000.pdf>

Minnesota Concussion Legislation

1. Who Does The Law Apply To?

Coaches, officials, youth athletes and their parent(s) or guardian(s) involved in a youth athletic activity that are (a) organized by a city, business or nonprofit organization, and for which a fee is charged, or (b) an extracurricular activity sponsored by a public school, including charter schools.

2. Educational and Training Opportunities

Legal Requirements	School Sports	Organized Youth Sports
Make information accessible to all participating coaches, officials, youth athletes and their parent(s) or guardian(s) about the nature and risks of concussions; the signs and symptoms consistent with a concussion; the need to seek urgent medical care upon suspicion of a concussion; and the need for a concussed athlete to follow proper medical direction and treatment before returning to play.	X	X
Require all participating coaches and officials to receive initial online training and online training at least once every three calendar years thereafter, consistent with the Concussion in Youth Sports online training program available on the CDC's website.	X	X
If a parent of a youth athlete must sign a consent form to allow the youth athlete to participate in an athletic activity, the form must include information about the nature and risks of concussions.	X	

3. Removal Guidelines

A coach or official shall remove a youth athlete from participating in any youth athletic activity when the youth athlete (a) exhibits signs, symptoms, or behaviors consistent with a concussion or (b) is suspected of sustaining a concussion.

4. Return-To-Play

When a coach or official removes a youth athlete from participating in a youth athletic activity because of a concussion, the youth athlete may not again participate in the activity until the youth athlete (a) no longer exhibits signs, symptoms, or behaviors consistent with a concussion and (b) is evaluated by a provider trained and experienced in evaluating and managing concussions and (c) the provider gives the youth athlete written permission to again participate in the activity.

5. Scope of Legal Coverage

“Provider” means a health care provider who is registered, licensed, certified, or otherwise statutorily authorized by the state to provide medical treatment; trained and experienced in evaluating and managing pediatric concussions; and practicing within the person’s medical training and scope of practice. “Youth athlete” means a young person, through age 18, who actively participates in an athletic activity, including a sport. “Youth athletic activity” means any sport or other activity related to competition, practice, or training exercises which is intended for youth athletes and at which a coach or official is present in an official capacity as a coach or official. This section is effective September 1, 2011.

For a complete list of MN legislative details, please visit:

<http://www.revisor.mn.gov/data/revisor/law/2011/0/2011-090.pdf>

Iowa Concussion Legislation

1. Who Does The Law Apply To?

Coaches, students, and parent(s) or guardian(s) of students involved in activities organized by the Iowa High School Athletic Association and/or the Iowa Girls High School Athletic Union.

2. Educational and Training Opportunities

Legal Requirements	Each School District and Non-public School	Youth Sports
Annually provide the parent(s) or guardian(s) of each student a concussion and brain injury information sheet as provided by the Iowa High School Athletic Association and the Iowa Girl's High School Athletic Union.	X	
The student and the student's parent(s) or guardian(s) shall sign, and return, the concussion and brain injury information sheet to the student's school prior to the student's participation in any extracurricular interscholastic activity for grades 7 – 12.	X	

3. Removal Guidelines

A student shall be immediately removed if a coach or contest official observes signs, symptoms, or behaviors consistent with a concussion or brain injury in an extracurricular interscholastic activity.

4. Return-To-Play

A student who has been removed from participation shall not recommence such participation until the student has been evaluated by a licensed health care provider, trained in the evaluation and management of concussions and other brain injuries, and the student has received written clearance to return to participation from the health care provider.

5. Scope of Legal Coverage

A "health care provider" means a physician, PA, chiropractor, advanced registered nurse practitioner, nurse, physical therapist, or athletic trainer licensed by a board.

An "extracurricular interscholastic activity" means any extracurricular interscholastic activity, contest, or practice, including sports, dance, or cheerleading.

For a complete list of IA legislative details, please visit:

<http://coolice.legis.state.ia.us/Cool-ICE/default.asp?category=billinfo&service=billbook&GA=84&hbill=SF367>.

Nebraska Concussion Legislation

1. Who Does The Law Apply To?

Each approved or accredited public, private, denominational, or parochial schools, as well as any city, village, business, or nonprofit organization that organizes an athletic activity in which the athletes are 19 years of age or younger and are required to pay a fee to participate in the athletic activity or whose cost to participate in the athletic activity is sponsored by a business or nonprofit organization.

2. Educational and Training Opportunities

Legal Requirements	Each approved or accredited public, private, denominational, or parochial school	Youth Sports
Make available training approved by the chief medical officer on how to recognize the symptoms of a concussion or brain injury and how to seek proper medical treatment for a concussion or brain injury to all coaches.	X	X
Require that concussion and brain injury information be provided on an annual basis to students and the student's parent(s) or guardian(s) prior to such students initiating practice or competition.	X	X
Information provided to students and the student's parent(s) or guardian(s) shall include, but need not be limited to: the signs and symptoms of a concussion; the risks posed by sustaining a concussion; and the actions a student should take in response to sustaining a concussion, including the notification of his or her coaches.	X	X
If a student is reasonably suspected, after observation, of having sustained a concussion or brain injury and is removed from an athletic activity, the parent(s) or guardian(s) of the student shall be notified by the school of the date and approximate time of the injury suffered by the student, the signs and symptoms of a concussion or brain injury that were observed, and any actions taken to treat the student.	X	X

3. Removal Guidelines

Students who participate on a school athletic team shall be removed from a practice or game when he or she is reasonably suspected of having sustained a concussion or brain injury in such practice or game after observation by a coach or a licensed health care professional who is professionally affiliated with or contracted by the school.

4. Return-To-Play

Students shall not be permitted to participate in any school supervised team athletic activities involving physical exertion, including, but not limited to practices or games, until the student (a) has been evaluated by a licensed health care professional, (b) has received written and signed clearance to resume participation in athletic activities from the licensed health care professional, and (c) has submitted the written and signed clearance to resume participation in athletic activities to the school accompanied by written permission to resume participation from the student's parent(s) or guardian(s).

5. Scope of Legal Coverage

A "licensed health care professional" means a physician or licensed practitioner under the direct supervision of a physician, a certified athletic trainer, a neuropsychologist, or some other qualified individual who is (a) registered, licensed, certified, or otherwise statutorily recognized by the State of Nebraska to provide health care services and (b) is trained in the evaluation and management of traumatic brain injuries among a pediatric population. The chief medical officer shall be licensed to practice medicine and surgery in the State of Nebraska, shall serve at the pleasure of the Governor, and shall be subject to confirmation by a majority of the members of the Legislature. This act becomes operative on July 1, 2012.

For a complete list of NE legislative details, please visit:
<http://www.legislature.ne.gov/FloorDocs/Current/PDF/Slip/LB260.pdf>.