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H.708

Introduced by Representatives Till of Jericho, Andrews of Rutland City,  
Bissonnette of Winooski, Botzow of Pownal, Bray of New  
Haven, Canfield of Fair Haven, Cheney of Norwich, Clarkson  
of Woodstock, Courcelle of Rutland City, Devereux of Mount  
Holly, Donovan of Burlington, Frank of Underhill, French of  
Shrewsbury, French of Randolph, Geier of South Burlington,  
Greshin of Warren, Head of South Burlington, Jerman of Essex,  
Krebs of South Hero, Lanpher of Vergennes, Macaig of  
Williston, Manwaring of Wilmington, Marek of Newfane,  
Martin of Springfield, Martin of Wolcott, McCullough of  
Williston, Milkey of Brattleboro, Miller of Shaftsbury, Minter  
of Waterbury, Mitchell of Barnard, Mook of Bennington,  
Nuovo of Middlebury, O'Brien of Richmond, Orr of Charlotte,  
Pellett of Chester, Ram of Burlington, Savage of Swanton,  
Smith of Mendon, South of St. Johnsbury, Spengler of  
Colchester, Stevens of Waterbury, Sweaney of Windsor, Taylor  
of Barre City, Townsend of Randolph, Turner of Milton,  
Waite-Simpson of Essex, Webb of Shelburne, Wilson of  
Manchester, Wizowaty of Burlington, Young of St. Albans City  
and Zenie of Colchester

1 Referred to Committee on

2 Date:

3 Subject: Education; sports; injury; concussions

4 Statement of purpose: This bill proposes to ensure that a student suffering or  
5 suspected to be suffering from a concussion does not participate in school  
6 athletic activities until one day after (1) all symptoms disappear and (2)  
7 receiving an examination by and written permission to participate from a  
8 licensed medical professional.

9 An act relating to students with concussions participating in school athletic  
10 activities

11 It is hereby enacted by the General Assembly of the State of Vermont:

12 Sec. 1. FINDINGS

13 The general assembly finds:

14 (1) Concussions are a type of brain injury that can range from mild to  
15 severe and can disrupt the way the brain normally works.

16 (2) A concussion is caused by a blow to or motion of the head or body  
17 that causes the brain to move rapidly inside the skull.

18 (3) Most concussions occur without the loss of consciousness.

19 (4) The risks of catastrophic injuries or death are significant when a  
20 concussion or other head injury is not properly evaluated and managed.

1           (5) Concussions can occur during any organized or unorganized athletic  
2           or recreational activity and can result from a fall or from two or more players  
3           colliding.

4           (6) The Centers for Disease Control and Prevention estimate that as  
5           many as 3,900,000 athletic- and recreation-related concussions occur in the  
6           United States each year.

7           (7) Concussions are one of the most commonly reported injuries in  
8           children and adolescents who participate in athletic and recreational activities.

9           (8) Continuing to participate in athletic and recreational activities with a  
10          concussion or symptoms of a head injury causes an individual to be vulnerable  
11          to greater injury or to death.

12          (9) Some children and adolescents with a concussion or symptoms of a  
13          head injury are prematurely permitted to participate in athletic and recreational  
14          activities.

15          Sec. 2. 16 V.S.A. chapter 31, subchapter 3 is added to read:

16                   Subchapter 3. Health and Safety Generally

17          § 1431. CONCUSSIONS AND OTHER HEAD INJURIES

18          (a) In this section, “coach” means a person who instructs or trains  
19          elementary or secondary students on a school athletic team.

20          (b) A coach shall not permit a student to participate or to continue  
21          participating in any athletic activity on the same day that the student:

1           (1) exhibits symptoms or behaviors consistent with a concussion after  
2           the student has had or is suspected to have had a blow to the head or body; or

3           (2) has been diagnosed with a concussion or other head injury.

4           (c) A coach may permit a student who was prohibited from participation  
5           under subsection (b) of this section to participate in an athletic activity no  
6           sooner than one day after the student:

7           (1) no longer exhibits symptoms or behaviors consistent with a  
8           concussion or other head injury; and

9           (2) has been examined by and received written permission to participate  
10          in athletic activities from a licensed health care professional trained in the  
11          evaluation and management of concussions and other head injuries.

12          (d) The commissioner shall:

13           (1) ensure that all coaches receive annual training on how to recognize  
14           the symptoms of a concussion or other head injuries and seek appropriate  
15           medical evaluation of and treatment for a student suspected of having a  
16           concussion or other head injury; and

17           (2) work with the Vermont principals association to develop guidelines,  
18           model policies, protocols, and other materials to educate coaches, students, and  
19           the parents and guardians of students regarding:

20           (A) the nature and risks of concussions and other head injuries;

1           (B) the risks of premature participation in athletic activities after  
2           receiving a concussion or other head injury; and

3           (C) the importance of obtaining a medical evaluation of a suspected  
4           concussion or other head injury and receiving treatment when necessary.

5           (e) The state board shall adopt any rules necessary to implement the  
6           requirements of this section.

7           Sec. 3. EFFECTIVE DATE

8           This act shall take effect on passage and shall be implemented beginning no  
9           later than the 2010–2011 academic year.