

AMENDMENTS TO 260

Introduced by Lathrop

1 1. Strike sections 3 to 5 and all amendments thereto and
2 insert the following new sections:

3 Sec. 3. For purposes of the Concussion Awareness Act:

4 (1) Chief medical officer means the chief medical officer
5 as designated in section 81-3115; and

6 (2) Licensed health care professional means a physician
7 or licensed practitioner under the direct supervision of a
8 physician, a certified athletic trainer, a neuropsychologist, or
9 some other qualified individual who (a) is registered, licensed,
10 certified, or otherwise statutorily recognized by the State of
11 Nebraska to provide health care services and (b) is trained in
12 the evaluation and management of traumatic brain injuries among a
13 pediatric population.

14 Sec. 4. (1) Each approved or accredited public, private,
15 denominational, or parochial school shall:

16 (a) Make available training approved by the chief medical
17 officer on how to recognize the symptoms of a concussion or brain
18 injury and how to seek proper medical treatment for a concussion or
19 brain injury to all coaches of school athletic teams; and

20 (b) Require that concussion and brain injury information
21 be provided on an annual basis to students and the students'
22 parents or guardians prior to such students initiating practice or
23 competition. The information provided to students and the students'

1 parents or guardians shall include, but need not be limited to:

2 (i) The signs and symptoms of a concussion;

3 (ii) The risks posed by sustaining a concussion; and

4 (iii) The actions a student should take in response to
5 sustaining a concussion, including the notification of his or her
6 coaches.

7 (2) (a) A student who participates on a school athletic
8 team shall be removed from a practice or game when he or she
9 is reasonably suspected of having sustained a concussion or brain
10 injury in such practice or game after observation by a coach
11 or a licensed health care professional who is professionally
12 affiliated with or contracted by the school. Such student shall
13 not be permitted to participate in any school supervised team
14 athletic activities involving physical exertion, including, but
15 not limited to, practices or games, until the student (i) has
16 been evaluated by a licensed health care professional, (ii) has
17 received written and signed clearance to resume participation in
18 athletic activities from the licensed health care professional, and
19 (iii) has submitted the written and signed clearance to resume
20 participation in athletic activities to the school accompanied
21 by written permission to resume participation from the student's
22 parent or guardian.

23 (b) If a student is reasonably suspected after
24 observation of having sustained a concussion or brain injury and is
25 removed from an athletic activity under subdivision (2) (a) of this
26 section, the parent or guardian of the student shall be notified by
27 the school of the date and approximate time of the injury suffered

1 by the student, the signs and symptoms of a concussion or brain
2 injury that were observed, and any actions taken to treat the
3 student.

4 (c) Nothing in this subsection shall be construed to
5 require any school to provide for the presence of a licensed health
6 care professional at any practice or game.

7 (d) The signature of an individual who represents that
8 he or she is a licensed health care professional on a written
9 clearance to resume participation that is provided to a school
10 shall be deemed to be conclusive and reliable evidence that the
11 individual who signed the clearance is a licensed health care
12 professional. The school shall not be required to determine or
13 verify the individual's qualifications.

14 Sec. 5. (1) Any city, village, business, or nonprofit
15 organization that organizes an athletic activity in which the
16 athletes are nineteen years of age or younger and are required to
17 pay a fee to participate in the athletic activity or whose cost to
18 participate in the athletic activity is sponsored by a business or
19 nonprofit organization shall:

20 (a) Make available training approved by the chief medical
21 officer on how to recognize the symptoms of a concussion or brain
22 injury and how to seek proper medical treatment for a concussion or
23 brain injury to all coaches; and

24 (b) Provide information on concussions and brain injuries
25 to all coaches and athletes and to a parent or guardian of each
26 athlete that shall include, but need not be limited to:

27 (i) The signs and symptoms of a concussion;

1 (ii) The risks posed by sustaining a concussion; and
2 (iii) The actions an athlete should take in response to
3 sustaining a concussion, including the notification of his or her
4 coaches.

5 (2) (a) An athlete who participates in an athletic
6 activity under subsection (1) of this section shall be removed
7 from a practice or game when he or she is reasonably suspected
8 of having sustained a concussion or brain injury in such practice
9 or game after observation by a coach or a licensed health care
10 professional. Such athlete shall not be permitted to participate
11 in any supervised athletic activities involving physical exertion,
12 including, but not limited to, practices or games, until the
13 athlete (i) has been evaluated by a licensed health care
14 professional, (ii) has received written and signed clearance to
15 resume participation in athletic activities from the licensed
16 health care professional, and (iii) has submitted the written and
17 signed clearance to resume participation in athletic activities
18 to the city, village, business, or nonprofit organization that
19 organized the athletic activity accompanied by written permission
20 to resume participation from the athlete's parent or guardian.

21 (b) If an athlete is reasonably suspected after
22 observation of having sustained a concussion or brain injury and is
23 removed from an athletic activity under subdivision (2) (a) of this
24 section, the parent or guardian of the athlete shall be notified by
25 the coach or a representative of the city, village, business, or
26 nonprofit organization that organized the athletic activity of the
27 date and approximate time of the injury suffered by the athlete,

1 the signs and symptoms of a concussion or brain injury that were
2 observed, and any actions taken to treat the athlete.

3 (c) Nothing in this subsection shall be construed to
4 require any city, village, business, or nonprofit organization to
5 provide for the presence of a licensed health care professional at
6 any practice or game.

7 (d) The signature of an individual who represents that
8 he or she is a licensed health care professional on a written
9 clearance to resume participation that is provided to a city,
10 village, business, or nonprofit organization shall be deemed to
11 be conclusive and reliable evidence that the individual who signed
12 the clearance is a licensed health care professional. The city,
13 village, business, or nonprofit organization shall not be required
14 to determine or verify the individual's qualifications.