Regular Session, 2011

HOUSE BILL NO. 364

BY REPRESENTATIVE ROY

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

ATHLETICS: Creates a comprehensive sports injury management program for student athletics

AN ACT

To enact Part XXXVII-A of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1299.181, relative to health and safety of students who participate in school-sanctioned athletics; to provide for a sports injury management program; to require the presence of licensed athletic trainers at certain football games; to authorize promulgation of rules; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Part XXXVII-A of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, comprised of R.S. 40:1299.181, is hereby enacted to read as follows:

PART XXXVII-A. COMPREHENSIVE SPORTS INJURY MANAGEMENT PROGRAM

§1299.181. Comprehensive sports injury management program for student athletics

A. Each elementary or secondary school that sponsors or sanctions any athletic activity in this state and which requires a participating student to regularly practice or train and compete, is subject to the terms of the injury management program provided for in Subsections C through G of this Section.

B. Any elementary or secondary school which sponsors organized tackle football shall ensure that at least one licensed athletic trainer is present at every inter-school game of tackle football.

C. The injury management program shall:

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(1) Establish a set of injuries to be classified as "serious injuries" for the purposes of the program and define the signs and symptoms of such injuries.

(2) Require that any coach, athletic trainer, or official remove a student from practice, training, or competition if any of the following circumstances occur:

(a) The student reports any defined sign or symptom of a serious injury.

(b) The coach, athletic trainer, or official determines that the student exhibits any defined sign or symptom of a serious injury.

(c) The coach or official is notified that the student has reported or exhibited any defined sign or symptom of a serious injury by any of the following persons:

(i) A licensed, registered, or certified medical practitioner operating within their respective scope of practice.

(ii) A licensed athletic trainer.

(iii) Any other licensed, registered, or certified individual whose scope of practice includes the recognition of symptoms associated with serious injuries.

(3) Ensure that any student who, in accordance with the provisions of this Part, is removed from practice, training, or competition:

(a) Shall, as soon as practicable after reporting or exhibiting any sign or symptom of a serious injury, be examined by a health professional duly licensed in this state to provide health care services or medical treatment.

(b) May be allowed to return to practice, training, or competition only after the student provides to the coach or athletic trainer written authorization from a health professional duly licensed in this state to provide health care services or medical treatment.

(4) Require that each coach or official in school-sponsored or school-sanctioned athletic activities receive biennial training regarding the nature and risks of serious sports related injuries.

D. The school shall ensure that before a student is allowed to participate in any school-sponsored or school-sanctioned athletic activity, the student and the parent or guardian of the student shall document that they have viewed information,

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provided in written or verifiable electronic form by the school or school district, regarding risks of serious sports related injuries.

E. This Section does not create any liability for, or create a cause of action against, a school, its officers, or its employees.

F. To carry out the duties prescribed in this Part, a school may contract for and accept private contributions, gifts, and grants, or in-kind aid from the federal government, the state, or any other source.

G. The Board of Elementary and Secondary Education shall promulgate, in accordance with the Administrative Procedure Act, any rules necessary to implement the provisions of this Part.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Roy HB No. 364

Abstract: Creates a comprehensive sports injury management program for student athletics.

Proposed law requires each school that sponsors or sanctions any athletic activity and which requires a participating student to regularly practice or train and compete to implement a sports injury management program.

Proposed law requires any elementary or secondary school which sponsors organized tackle football to ensure that at least one licensed athletic trainer is present at every inter-school game of tackle football.

Proposed law requires the sports injury management program to:

(1) Establish a set of injuries to be classified as "serious injuries" for the purposes of the program, and define the signs and symptoms of such injuries.

(2) Require that any coach, athletic trainer, or official remove a student from practice, training, or competition if any of the following circumstances occur:

(a) The student reports any defined sign or symptom of a serious injury.

(b) The coach, athletic trainer, or official determines that the student exhibits any defined sign or symptom of a serious injury.

(c) The coach or official is notified that the student has reported or exhibited any defined sign or symptom of a serious injury by a licensed, registered, or certified medical practitioner operating within their respective scope of practice, or any other licensed, registered, or certified individual whose scope

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of practice includes the recognition of symptoms associated with serious injuries.

Proposed law provides that any student who is removed from practice, training, or competition due to a serious injury:

(1) Shall, as soon as practicable after reporting or exhibiting any sign or symptom of a serious injury, be examined by a health professional duly licensed in this state to provide health care services or medical treatment.

(2) May be allowed to return to practice, training, or competition only after the student provides to the coach or athletic trainer written authorization from a health professional duly licensed in this state to provide health care services or medical treatment.

Proposed law requires that each coach or official in school-sponsored or school-sanctioned athletic activities receive biennial training regarding the nature and risk of serious sports-related injuries.

Proposed law requires that prior to a student participating in athletic activities, the student and student's parent or guardian must document that they have viewed information provided by the school district regarding risks of serious sports-related injuries.

Proposed law provides that provisions of proposed law do not create any liability for, or create a cause of action against, a school, its officers, or its employees.

Proposed law authorizes a school to contract for and accept private contributions, gifts, and grants, or in-kind aid from the federal government, the state, or any other source to implement the sports injury management program.

Proposed law requires BESE to promulgate rules in accordance with the APA to implement provisions of proposed law.

(Adds R.S. 40:1299.181)

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