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**SENATE BILL 5238**

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**State of Washington 66th Legislature 2019 Regular Session**

**By** Senators Carlyle, Randall, Wilson, C., Das, Frockt, and Keiser

AN ACT Relating to concussions and head injuries in all participants of youth sports; amending RCW 28A.600.190; and adding a new section to chapter 28B.20 RCW.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

**Sec.**  RCW 28A.600.190 and 2009 c 475 s 2 are each amended to read as follows:

(1)((~~(a)~~)) 1.1 to 1.9 million youth sustain concussions ((~~are one of the most commonly reported injuries in children and adolescents who participate in~~)) related to sports and recreational ((~~activities. The centers for disease control and prevention estimates that as many as three million nine hundred thousand sports-related and recreation-related concussions occur~~)) activity annually in the United States ((~~each year~~)).

(2)(a) A concussion is caused by a blow or motion to the head or body that causes the brain to move rapidly inside the skull. The risk of catastrophic injuries or death are significant when a concussion or head injury is not properly evaluated and managed.

(b) Concussions are a type of brain injury that can range from mild to severe and can disrupt the way the brain normally works. Concussions can occur in any organized or unorganized sport or recreational activity and can result from a fall or from players colliding with each other, the ground, or with obstacles. Concussions occur with or without loss of consciousness, but the vast majority occurs without loss of consciousness.

(c) Continuing to play with a concussion or symptoms of head injury leaves the young athlete especially vulnerable to greater injury and even death. The legislature recognizes that, despite having generally recognized return to play standards for concussion and head injury, some affected youth athletes are prematurely returned to play resulting in actual or potential physical injury or death to youth athletes in the state of Washington.

((~~(2)~~)) (3)(a) Sports concussions affect both boys and girls, with recent research demonstrating significant rates of injury occurring in young female athletes. Local, state, and national data shows that concussions among youth female athletes occur more frequently than in their male counterparts. Certainly in sports where boys and girls play by the same rules, the reported concussion rate is consistently higher in the female athletes.

(b) Research shows the teenage years are a particularly vulnerable time for both boys and girls to have persistent symptoms after concussion, and that risk is greater for girls. Therefore, the legislature intends to strengthen awareness of head injuries caused by youth sports for all athletes, including specific issues related to female athletes, to promote the best identification and management of these injuries. Because concussions can occur in any sport, this awareness should extend to those sports not traditionally thought of as significant contributors to the problem of youth concussions.

(4) The legislature intends to improve recognition, management, and education regarding these injuries in our youth by creating a comprehensive repository of the latest scientific research and best practices and protocols for:

(a) Recognition of concussions in youth athletes;

(b) Intervention by parents, teachers, coaches, and other supervising adults when it is suspected that a youth has suffered a concussion; and

(c) Comprehensive medical management of sports concussions to help youth safely return to school and then return to sports.

(5) Each school district's board of directors shall work in concert with the Washington interscholastic activities association to develop the guidelines and other pertinent information and forms to inform and educate coaches, youth athletes, and their parents and/or guardians of the nature and risk of concussion and head injury including continuing to play after concussion or head injury. On a yearly basis, a concussion and head injury information sheet shall be signed and returned by the youth athlete and the athlete's parent and/or guardian prior to the youth athlete's initiating practice or competition.

((~~(3)~~)) (6) Pursuant to section 2 of this act, the University of Washington must maintain a web site of up-to-date, concussion-related information and resources.

(7) A youth athlete who is suspected of sustaining a concussion or head injury in a practice or game shall be removed from competition at that time.

((~~(4)~~)) (8) A youth athlete who has been removed from play may not return to play until the athlete is evaluated by a licensed health care provider trained in the evaluation and management of concussion and receives written clearance to return to play from that health care provider. The health care provider may be a volunteer. A volunteer who authorizes a youth athlete to return to play is not liable for civil damages resulting from any act or omission in the rendering of such care, other than acts or omissions constituting gross negligence or willful or wanton misconduct.

((~~(5)~~)) (9) This section may be known and cited as the Zackery Lystedt law.

NEW SECTION. **Sec.**  A new section is added to chapter 28B.20 RCW to read as follows:

(1) The University of Washington medicine sports health and safety institute and the harborview injury prevention and research center must collect and synthesize:

(a) The most current scientific research, data, evidence-based best practices to:

(i) Improve concussion recognition for all youth athletes; and

(ii) Educate parents, teachers, coaches, and other supervising adults to intervene when a sports concussion is suspected;

(b) The most current research and data on the impact of concussions to:

(i) Female youth athletes; and

(ii) Youth athletes participating in sports other than high-impact contact sports; and

(c) Materials for licensed health care providers regarding concussion care including:

(i) How to best plan with school officials and others for youth athletes returning to school after a sports concussion; and

(ii) Information and strategies to help prevent youth athletes from prematurely returning to the field of play once they have suffered a concussion or are suspected to have suffered a concussion.

(2) The University of Washington medicine sports health and safety institute must:

(a) Develop and maintain a web site available to the public to serve as a repository for the information collected under subsection (1) of this section; and

(b) Work in conjunction with the Washington interscholastic activities association to promote the web site developed under (a) of this subsection to interested parties including student athletes, parents, teachers, coaches, athletic directors, and health care providers in public and private school districts throughout the state.

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