
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1176 Session of
2017

INTRODUCED BY D. MILLER, JOZWIAK, D. COSTA, BOYLE, MILLARD,
SOLOMON, RYAN, DRISCOLL, O'BRIEN, KINSEY, V. BROWN, GAINNEY
AND FARRY, APRIL 24, 2017

REFERRED TO COMMITTEE ON HEALTH, APRIL 24, 2017

AN ACT

1 Providing for a concussion protocol to protect law enforcement
2 officers in Pennsylvania.

3 The General Assembly of the Commonwealth of Pennsylvania
4 hereby enacts as follows:

5 Section 1. Short title.

6 This act shall be known and may be cited as the Law
7 Enforcement Concussion Safety Act.

8 Section 2. Definitions.

9 The following words and phrases when used in this act shall
10 have the meanings given to them in this section unless the
11 context clearly indicates otherwise:

12 "Concussion protocol." A plan that:

13 (1) requires education on concussions for law
14 enforcement officers;

15 (2) specifies law enforcement officer responsibilities
16 when a head impact or head injury occurs while on the job;

17 (3) specifies the required supportive actions of police

1 departments after a head impact or head injury occurs; and

2 (4) supports the subsequent medical recommendations of
3 medical staff regarding a head impact or head injury.

4 "Correctional institution." A State correctional institution
5 or a county correctional institution.

6 "Corrections officer." A person employed at a correctional
7 institution to provide a security or custodial service for
8 inmates.

9 "County correctional institution." A correctional facility,
10 prison or jail owned or operated by a county.

11 "Inmate." An individual committed to a term of imprisonment
12 or otherwise confined under the custody of the Commonwealth or a
13 county in a correctional institution in accordance with law.

14 "Law enforcement officer." Any of the following:

15 (1) A member of the Pennsylvania State Police.

16 (2) A sheriff or deputy sheriff.

17 (3) A constable or deputy constable.

18 (4) A police officer for a municipality.

19 (5) A peace officer.

20 (6) A public servant concerned in the official detention
21 of an individual.

22 (7) A corrections officer.

23 (8) Any other individual classified as a law enforcement
24 officer of the Commonwealth or a political subdivision of the
25 Commonwealth.

26 "Municipality." A county, city, borough, incorporated town
27 or township.

28 "Official detention." As defined under 18 Pa.C.S. § 5121
29 (relating to escape).

30 "Peace officer." As defined under 18 Pa.C.S. § 501 (relating

1 to definitions).

2 "Police department." A public agency of the Commonwealth or
3 a political subdivision of the Commonwealth having general
4 police powers and charged with making arrests in connection with
5 the enforcement of criminal or traffic laws.

6 "Police officer." A full-time or part-time employee assigned
7 to criminal or traffic law enforcement duties of a police
8 department of a municipality.

9 "State correctional institution." A correctional facility,
10 prison or jail owned or operated by the Commonwealth.

11 Section 3. Concussion protocol.

12 (a) Requirement.--Each law enforcement officer employed by a
13 police department shall abide by the concussion protocol
14 formalized under this section.

15 (b) Development.--

16 (1) The Pennsylvania State Police shall develop a
17 concussion protocol which will be used by each police
18 department to protect each law enforcement officer who
19 suffers or may have suffered from a head impact or head
20 injury while on the job.

21 (2) The concussion protocol shall be developed in
22 consultation with:

23 (i) The Pennsylvania Sheriffs' Association.

24 (ii) The Pennsylvania Chiefs of Police Association.

25 (iii) Union representatives of law enforcement
26 officers.

27 (iv) Appropriate State agencies that have expertise
28 in the area of traumatic brain injury.

29 (c) Deadline.--The concussion protocol shall be developed
30 and made public no later than 180 days after the effective date

1 of this act.

2 Section 4. Duties of Pennsylvania State Police.

3 (a) Accessibility.--The Pennsylvania State Police shall post
4 and maintain the concussion protocol formalized under section 3
5 in a downloadable format on the publicly accessible Internet
6 website of the Pennsylvania State Police.

7 (b) Updates.--The Pennsylvania State Police shall review the
8 concussion protocol for possible medical update at least once
9 every five years and:

10 (1) at the discretion of the Commissioner of the
11 Pennsylvania State Police; or

12 (2) upon receipt of a written request by any of the
13 following:

14 (i) The Pennsylvania Sheriffs' Association.

15 (ii) The Pennsylvania Chiefs of Police Association.

16 (iii) Union representatives of law enforcement
17 officers.

18 (iv) The Physician General of the Commonwealth.

19 Section 5. Minimum standard.

20 Nothing in this act is intended to limit the implementation
21 of additional protections for law enforcement officers regarding
22 head impacts or head injuries while on the job.

23 Section 6. Effective date.

24 This act shall take effect immediately.