

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

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**SENATE BILL****No. 200** Session of  
2011

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INTRODUCED BY BROWNE, COSTA, PILEGGI, DINNIMAN, FONTANA,  
BREWSTER, SOLOBAY, ERICKSON, RAFFERTY, ALLOWAY, TARTAGLIONE,  
PIPPY, BOSCOLA, YAW, YUDICHAK, WILLIAMS, GREENLEAF, FERLO,  
LEACH, WARD, BRUBAKER, EARLL, FARNESE, WASHINGTON AND BLAKE,  
FEBRUARY 1, 2011

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SENATOR CORMAN, APPROPRIATIONS, RE-REPORTED AS AMENDED, JUNE 14,  
2011

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## AN ACT

1 Establishing standards for managing concussions and traumatic  
2 brain injuries to student athletes; assigning duties to the  
3 Department of Health and the Department of Education; and  
4 imposing penalties.

5 The General Assembly of the Commonwealth of Pennsylvania  
6 hereby enacts as follows:

7 Section 1. Short title.

8 This act shall be known and may be cited as the Safety in  
9 Youth Sports Act.

10 Section 2. Definitions.

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

14 "Appropriate medical professional." All of the following:

15 (1) A licensed physician who is trained in the  
16 evaluation and management of concussions.

17 (2) A certified athletic trainer who is trained in the

1 evaluation and management of concussions and is working under  
2 the direction of a licensed physician.

3 (3) A licensed psychologist neuropsychologically trained  
4 in the evaluation and management of concussions or who has  
5 postdoctoral training in neuropsychology and specific  
6 training in the evaluation and management of concussions.

7 "Athletic activity." All of the following:

8 (1) Interscholastic athletics.

9 (2) An athletic contest or competition, other than  
10 interscholastic athletics, that is sponsored by or associated  
11 with a school entity, including cheerleading, club-sponsored  
12 sports activities and sports activities sponsored by school-  
13 affiliated organizations.

14 (3) Noncompetitive cheerleading that is sponsored by or  
15 associated with a school entity.

16 (4) Practices, interschool practices and scrimmages for  
17 all of the activities listed under paragraphs (1), (2) and  
18 (3).

19 "Interscholastic athletics." As defined in section 1602-A of  
20 the act of March 10, 1949 (P.L.30, No.14), known as the Public  
21 School Code of 1949.

22 "School entity." As defined in section 1602-A of the act of  
23 March 10, 1949 (P.L.30, No.14), known as the Public School Code  
24 of 1949.

25 Section 3. Concussions and traumatic brain injuries.

26 (a) Educational materials.--The Department of Health and the  
27 Department of Education shall develop and post on their Internet  
28 websites guidelines and other relevant materials to inform and  
29 educate students participating in or desiring to participate in  
30 an athletic activity, their parents and their coaches, about the

1 nature and risk of concussion and traumatic brain injury,  
2 including the risks associated with continuing to play or  
3 practice after a concussion or traumatic brain injury. In  
4 developing the guidelines and materials, the departments shall  
5 utilize existing materials developed by the Centers for Disease  
6 Control and Prevention. A student participating in or desiring  
7 to participate in an athletic activity and the student's parent  
8 or guardian shall each school year, prior to participation by  
9 the student in an athletic activity, sign and return to the  
10 student's school an acknowledgment of receipt and review of a  
11 concussion and traumatic brain injury information sheet  
12 developed under this subsection.

13 (b) Informational meeting.--A school entity may hold an  
14 informational meeting prior to the start of each athletic season  
15 for all ages of competitors regarding concussions and other head  
16 injuries, the importance of proper concussion management and how  
17 preseason baseline assessments can aid in the evaluation,  
18 management and recovery process. In addition to students,  
19 parents, coaches and other school officials, informational  
20 meetings may include physicians, neuropsychologists, athletic  
21 trainers and physical therapists.

22 (c) Removal from play.--A student who, as determined by a  
23 game official, coach from the student's team, certified athletic  
24 trainer, licensed physician, licensed physical therapist or  
25 other official designated by the student's school entity,  
26 exhibits signs or symptoms of a concussion or traumatic brain  
27 injury while participating in an athletic activity shall be  
28 ~~removed by the coach from participation at that time. The~~ ←  
29 ~~student shall not return~~ REMOVED BY THE COACH FROM PARTICIPATION ←  
30 AT THAT TIME.

1 (D) RETURN TO PLAY.--THE COACH SHALL NOT RETURN A STUDENT to  
2 participation until the student is evaluated and cleared for  
3 return to participation in writing by an appropriate medical  
4 professional. THE GOVERNING BODY OF A SCHOOL ENTITY MAY ←  
5 DESIGNATE A SPECIFIC PERSON OR PERSONS, WHO MUST BE APPROPRIATE  
6 MEDICAL PROFESSIONALS, TO PROVIDE WRITTEN CLEARANCE FOR RETURN  
7 TO PARTICIPATION. In order to help determine whether a student  
8 is ready to return to ~~play,~~ the PARTICIPATION, AN appropriate ←  
9 medical professional may consult any other licensed or certified  
10 medical professionals.

11 ~~(d)~~ (E) Training course.--Once each school year, a coach ←  
12 shall complete the concussion management certification training  
13 course offered by the Centers for Disease Control and  
14 Prevention, the National Federation of State High School  
15 Associations or another provider approved by the Department of  
16 Health. A coach shall not coach an athletic activity until the  
17 coach completes the training course required under this  
18 subsection.

19 ~~(e)~~ (F) Penalties.--The governing body of a school entity ←  
20 shall establish the following minimum penalties for a coach  
21 found in violation of the requirements under subsection (c) OR ←  
22 (D), which penalties shall take effect two years following the  
23 effective date of this section:

24 (1) For a first violation, suspension from coaching any  
25 athletic activity for the remainder of the season.

26 (2) For a second violation, suspension from coaching any  
27 athletic activity for the remainder of the season and for the  
28 next season.

29 (3) For a third violation, permanent suspension from  
30 coaching any athletic activity.

1     ~~(f)~~ (G) Other youth athletic activities.--The sponsors of     ←  
2 youth athletic activities not specifically addressed by this act  
3 are encouraged to follow the guidance set forth in this act.

4     ~~(g)~~ (H) Construction.--Nothing in this act shall be     ←  
5 construed to abridge or limit any rights provided under a  
6 collective bargaining agreement or any rights provided under the  
7 act of July 23, 1970 (P.L.563, No.195), known as the Public  
8 Employe Relations Act.

9     ~~(h) Civil liability. Nothing in this act shall be construed~~     ←

10     (I) CIVIL LIABILITY.--     ←

11             (1) EXCEPT AS PROVIDED UNDER PARAGRAPH (2), NOTHING IN  
12 THIS ACT SHALL BE CONSTRUED to create, establish, expand,  
13 reduce, contract or eliminate any civil liability on the part  
14 of any school entity or school employee.

15             (2) ANY COACH ACTING IN ACCORDANCE WITH SUBSECTIONS (C)     ←  
16 AND (D) SHALL BE IMMUNE FROM ANY CIVIL LIABILITY.

17 Section 4. Effective date.

18 This act shall take effect in 60 days.