

House Bill 284 (AS PASSED HOUSE AND SENATE)

By: Representatives Pruett of the 149th, Kaiser of the 59th, Mitchell of the 88th, Cooper of the 43rd, Coleman of the 97th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Part 15 of Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia
2 Annotated, relating to miscellaneous provisions under the "Quality Basic Education Act,"
3 so as to enact the "Return to Play Act of 2013"; to require public and private schools which
4 provide youth athletic activities to provide information to parents on the nature and risk of
5 concussion and head injury and to establish concussion management and return to play
6 policies; to require public recreation facilities to provide information to parents on the nature
7 and risk of concussion and head injury; to provide for definitions; to provide for the
8 endorsement of concussion recognition education courses; to provide for limited liability; to
9 provide for related matters; to provide for an effective date; to repeal conflicting laws; and
10 for other purposes.

11 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

12 style="text-align:center">**SECTION 1.**

13 This Act shall be known and may be referred to as the "Return to Play Act of 2013."

14 style="text-align:center">**SECTION 2.**

15 Part 15 of Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated,
16 relating to miscellaneous provisions under the "Quality Basic Education Act," is amended
17 by adding a new Code section to read as follows:

18 "20-2-324.1.

19 (a) As used in this Code section, the term:

20 (1) 'Health care provider' means a licensed physician or another licensed individual under
21 the supervision of a licensed physician, such as a nurse practitioner, physician assistant,
22 or certified athletic trainer who has received training in concussion evaluation and
23 management.

24 (2) 'Public recreation facility' means a public facility that conducts an organized youth
25 athletic activity in which a participation fee and registration are required.

26 (3) 'Youth athlete' means a participant in a youth athletic activity who is seven years of
27 age or older and under 19 years of age.

28 (4) 'Youth athletic activity' means an organized athletic activity in which the majority of
29 the participants are youth athletes and are engaging in an organized athletic game or
30 competition against another team, club, or entity or in practice or preparation for an
31 organized game or competition against another team, club, or entity. This term shall not
32 include college or university activities or an activity which is entered into for
33 instructional purposes only, an athletic activity that is incidental to a nonathletic program,
34 youth athletic activities offered through a church or synagogue, or a lesson; provided,
35 however, that colleges, universities, churches, and synagogues, and any other entities that
36 conduct youth athletic activities but are not subject to this Code section are strongly
37 encouraged to establish and implement a concussion management and return to play
38 policy.

39 (b) Each local board of education, administration of a nonpublic school, and governing
40 body of a charter school shall adopt and implement a concussion management and return
41 to play policy comprising not less than the following components:

42 (1) Prior to the beginning of each athletic season of a youth athletic activity, provide an
43 information sheet to all youth athletes' parents or legal guardians which informs them of
44 the nature and risk of concussion and head injury;

45 (2) If a youth athlete participating in a youth athletic activity exhibits symptoms of
46 having a concussion, that athlete shall be removed from the game, competition, tryout,
47 or practice and be evaluated by a health care provider; and

48 (3) If a youth athlete is deemed by a health care provider to have sustained a concussion,
49 the coach or other designated personnel shall not permit the youth athlete to return to play
50 until the youth athlete receives clearance from a health care provider for a full or
51 graduated return to play.

52 (c) Each public recreation facility shall, at the time of registration for a youth athletic
53 activity, provide an information sheet to all youth athletes' parents or legal guardians which
54 informs them of the nature and risk of concussion and head injury; provided, however, that
55 public recreation facilities are strongly encouraged to establish and implement a concussion
56 management and return to play policy.

57 (d) The Department of Public Health shall endorse one or more concussion recognition
58 education courses to inform Georgia citizens of the nature and risk of concussions in youth
59 athletics, at least one of which shall be available online. Such course or courses may
60 include education and training materials made available, at no charge, by the federal
61 Centers for Disease Control and Prevention or other training materials substantively and
62 substantially similar to such materials.

63 (e) This Code section shall not create any liability for, or create a cause of action against,
64 a local board of education, the governing body of a nonpublic school, the governing body
65 of a charter school, or a public recreation facility or the officers, employees, volunteers, or
66 other designated personnel of any such entities for any act or omission to act related to the
67 removal or nonremoval of a youth athlete from a game, competition, tryout, or practice
68 pursuant to this Code section; provided, however, that for purposes of this subsection, other
69 designated personnel shall not include health care providers unless they are acting in a
70 volunteer capacity."

71 **SECTION 3.**

72 This Act shall become effective on January 1, 2014.

73 **SECTION 4.**

74 All laws and parts of laws in conflict with this Act are repealed.