

**Proposed Substitute  
Bill No. 7048**

January Session, 2017

LCO No. 5474

**AN ACT PROTECTING YOUTH AND STUDENT ATHLETES FROM  
CONCUSSIONS.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 21a-432 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective July 1, 2017*):

3 (a) For purposes of this section:

4 (1) "Youth athletic activity" means an organized athletic activity  
5 involving participants of not less than seven years of age and not more  
6 than nineteen years of age, who (A) (i) engage in an organized athletic  
7 game or competition against another team, club or entity or in practice  
8 or preparation for an organized game or competition against another  
9 team, club or entity, or (ii) attend an organized athletic camp or clinic  
10 the purpose of which is to train, instruct or prepare such participants  
11 to engage in an organized athletic game or competition, and (B) (i) pay  
12 a fee to participate in such organized athletic game or competition or  
13 attend such camp or clinic, or (ii) whose cost to participate in such  
14 athletic game or competition or attend such camp or clinic is  
15 sponsored by a municipality, business or nonprofit organization.  
16 "Youth athletic activity" does not include any college or university  
17 athletic activity, or an athletic activity that is incidental to a nonathletic

18 program or lesson; and

19 (2) "Operator" means any municipality, business or nonprofit  
20 organization that conducts, coordinates, organizes or otherwise  
21 oversees any youth athletic activity or any entity that is authorized or  
22 allowed by a municipality, business or nonprofit organization to  
23 conduct, coordinate, organize or otherwise oversee any youth athletic  
24 activity on property owned or controlled by the municipality, business  
25 or nonprofit organization, but shall not include any municipality,  
26 business or nonprofit organization solely providing access to, or use of,  
27 any field, court or other recreational area to such an entity, whether for  
28 compensation or not.

29 (b) (1) Not later than January 1, [2016] 2018, and annually thereafter,  
30 each operator of a youth athletic activity shall make available a written  
31 or electronic [statement] information and consent form regarding  
32 concussions to each youth athlete participating in the youth athletic  
33 activity and to a parent or legal guardian of [each] any such youth  
34 athlete [participating in the youth athletic activity] under the age of  
35 eighteen. Such written or electronic [statement] information and  
36 consent form shall be (A) made available upon registration of each  
37 youth athlete, and [shall be] (B) consistent with the most recent  
38 information provided by the National Centers for Disease Control and  
39 Prevention regarding concussions. Such written or electronic  
40 [statement] information or consent form shall include educational  
41 content addressing, at a minimum: [(1)] (i) The recognition of signs or  
42 symptoms of a concussion, [(2)] (ii) the means of obtaining proper  
43 medical treatment for a person suspected of sustaining a concussion,  
44 [(3)] (iii) the nature and risks of concussions, including the danger of  
45 continuing to engage in youth athletic activity after sustaining a  
46 concussion, and [(4)] (iv) the proper procedures for allowing a youth  
47 athlete who has sustained a concussion to return to athletic activity.

48 [(c) No operator, or designee of such operator, shall be subject to

49 civil liability for failing to make available the written or electronic  
50 statement regarding concussions pursuant to subsection (b) of this  
51 section.]

52 (2) Not later than January 1, 2018, and annually thereafter, each  
53 operator of a youth athletic activity shall obtain the signature of each  
54 youth athlete eighteen years of age or older and the signature of the  
55 parent or legal guardian of each youth athlete under the age of  
56 eighteen, attesting to the fact that such youth athlete, parent or legal  
57 guardian has received a copy of the information and consent form and  
58 consents to participate in the athletic activity or authorizes the youth  
59 athlete to participate in the athletic activity.

60 (c) Not later than January 1, 2018, and annually thereafter, each  
61 operator of a youth athletic activity shall ensure that any individual  
62 coaching a youth athletic activity completes a training course  
63 regarding concussions (1) provided by the National Centers for  
64 Disease Control and Prevention or an entity offering such a course  
65 with requirements that are substantially similar to or more rigorous  
66 than the course provided by the National Centers for Disease Control  
67 and Prevention, as determined by the operator, and (2) prior to  
68 permitting such individual to coach a youth athletic activity.

69 (d) (1) Any individual coaching a youth athletic activity shall  
70 immediately remove a youth athlete from participating in the youth  
71 athletic activity who (A) is observed to exhibit signs, symptoms or  
72 behaviors consistent with a concussion following an observed or  
73 suspected blow to the head or body, or (B) is diagnosed with a  
74 concussion, regardless of when such concussion may have occurred.  
75 Upon such removal, the individual coaching the youth athletic activity  
76 shall notify the parent or legal guardian of any such youth athlete  
77 under the age of eighteen that the youth athlete has exhibited such  
78 signs, symptoms or behaviors consistent with a concussion or has been  
79 diagnosed with a concussion. Such individual shall provide such

80 notification not later than twenty-four hours after such removal and  
81 shall make a reasonable effort to provide such notification immediately  
82 after such removal.

83 (2) The individual coaching a youth athletic activity shall not permit  
84 a youth athlete who was removed from a youth athletic activity under  
85 subdivision (1) of this subsection to participate in any youth athletic  
86 activity involving physical exertion, including, but not limited to,  
87 practices, games or competitions, until such youth athlete receives  
88 written clearance to participate in such youth athletic activity  
89 involving physical exertion from a licensed health care professional  
90 trained in the evaluation and management of concussions.

91 (3) Following clearance pursuant to subdivision (2) of this  
92 subsection, the individual coaching the youth athletic activity shall not  
93 permit such youth athlete to participate in any full, unrestricted  
94 supervised youth athletic activity without limitations on contact or  
95 physical exertion, including, but not limited to, practices, games or  
96 competitions, until such youth athlete (A) no longer exhibits signs,  
97 symptoms or behaviors consistent with a concussion at rest or with  
98 exertion, and (B) receives written clearance to participate in such full,  
99 unrestricted supervised youth athletic activity from a licensed health  
100 care professional trained in the evaluation and management of  
101 concussions.

102 (e) For purposes of this section, "licensed health care professional"  
103 means a physician licensed pursuant to chapter 370, a physician  
104 assistant licensed pursuant to chapter 370, an advanced practice  
105 registered nurse licensed pursuant to chapter 378, an athletic trainer  
106 licensed pursuant to chapter 375a or a chiropractor licensed pursuant  
107 to chapter 372 of the general statutes.

108 Sec. 2. Subsection (c) of section 10-149c of the general statutes is  
109 repealed and the following is substituted in lieu thereof (*Effective July*  
110 *1, 2017*):

111 (c) For purposes of this section, "licensed health care professional"  
112 means a physician licensed pursuant to chapter 370, a physician  
113 assistant licensed pursuant to chapter 370, an advanced practice  
114 registered nurse licensed pursuant to chapter 378, [or] an athletic  
115 trainer licensed pursuant to chapter 375a or a chiropractor licensed  
116 pursuant to chapter 372.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2017</i>	21a-432
Sec. 2	<i>July 1, 2017</i>	10-149c(c)