

HOUSE BILL No. 2744

By Committee on Appropriations

3-18

9 AN ACT concerning school districts; enacting the school sports brain
10 injury prevention act.

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12 *Be it enacted by the Legislature of the State of Kansas:*

13 Section 1. (a) This section shall be known and may be cited as the
14 school sports brain injury prevention act.

15 (b) As used in this section:

16 (1) "School" means any public or accredited private high school, mid-
17 dle school or junior high school.

18 (2) "Health care provider" means a person licensed to practice med-
19 icine and surgery, a licensed professional nurse, a licensed practical nurse,
20 a physician assistant who has successfully completed an American medical
21 association approved training program and has successfully completed the
22 national board examination for physician assistants of the American board
23 of medical examiners, any licensed athletic trainer, any person who holds
24 a valid attendant's certificate under K.S.A. 65-6129, and amendments
25 thereto, any person who holds a valid certificate for the successful com-
26 pletion of a course in first aid offered or approved by the American red
27 cross, by the American heart association, by the mining enforcement and
28 safety administration of the bureau of mines of the department of interior,
29 by the national safety council or by any instructor-coordinator, as defined
30 in K.S.A. 65-6112, and amendments thereto, and any person engaged in
31 a postgraduate training program approved by the state board of healing
32 arts.

33 (c) The state board of education, in cooperation with the Kansas state
34 high school activities association, shall compile information on the nature
35 and risk of concussion and head injury including the dangers and risks
36 associated with the continuation of playing or practicing after a person
37 suffers a concussion or head injury. Such information shall be provided
38 to school districts for distribution to coaches, school athletes and the par-
39 ents or guardians of school athletes.

40 (d) A school athlete may not participate in any sport competition or
41 practice session unless such athlete and the athlete's parent or guardian
42 has signed, and returned to the school, a concussion and head injury
43 information release form. A release form shall be signed and returned

1 each school year that a student athlete participates in sport competitions
2 or practice sessions.

3 (e) If a school athlete suffers, or is suspected of having suffered, a
4 concussion or head injury during a sport competition or practice session,
5 such school athlete immediately shall be removed from the sport com-
6 petition or practice session.

7 (f) Any school athlete who has been removed from a sport competi-
8 tion or practice session shall not return to competition or practice until
9 the athlete is evaluated by a licensed health care provider trained in the
10 evaluation and management of concussion injuries and the health care
11 provider provides such athlete a written clearance to return to play or
12 practice. If the health care provider who provides the clearance to return
13 to play or practice is not an employee of the school district, such health
14 care provider shall not be liable for civil damages resulting from any act
15 or omission in the rendering of such care, other than acts or omissions
16 constituting gross negligence or willful or wanton misconduct.

17 Sec. 2. This act shall take effect and be in force from and after its
18 publication in the statute book.