

**LEGISLATIVE EDUCATION STUDY COMMITTEE
BILL ANALYSIS**

Bill Number: CS/SB 1a

49th Legislature, 2nd Session, 2010

Tracking Number: .181618.1

Short Title: School Athlete Head Injury Safety Protocols

Sponsor(s): Senator Michael S. Sanchez and Others

Analyst: James Ball

Date: February 15, 2010

SENATE EDUCATION COMMITTEE SUBSTITUTE FOR SENATE BILL 1

AS AMENDED

The Senate Public Affairs Committee amendments:

- **require the New Mexico Activities Association, rather than the Public Education Department, to consult with the Brain Injury Advisory Council and school districts to promulgate rules;**
- **remove a reference to the scalp in defining the term “brain injury”;**
- **remove activities overseen by a school district in defining the term “school athletic activity”;**
- **change the term “athletic event” to “athletic activity” in defining the term “student athlete” (see “Technical Issues,” below); and**
- **add to the definition of the term “licensed health care professional” a practicing athletic trainer licensed under the *Athletic Trainer Practice Act*.**

Original Bill Summary:

CS/SB 1 adds a new section to the *Public School Code* to establish school athletics safety protocols for students who have sustained brain injuries while involved in junior or senior high athletic activities.

Among its provisions, CS/SB 1:

- prohibits athletic coaches from allowing student athletes to participate in school athletic events for one week after a student athlete has received a brain injury;
- sets forth procedures that a coach must follow in order to allow a student athlete to resume participation in athletic activities after an athlete has received a brain injury;
- requires school districts to ensure that all coaches participating in school athletic activities receive training on the protocols;
- requires the Public Education Department (PED) to promulgate rules concerning the protocols and coaches training on brain injuries; and

- requires school districts to provide brain injury information to student athletes and their parents or guardians at the beginning of each academic year or prior to participation in school athletic activities through forms that must be signed by the athlete and the parent/guardian before the student may participate in school athletic activities for that year or athletic activity.

Fiscal Impact:

CS/SB 1 makes no appropriation.

According to the PED analysis of the original SB 1, school districts could incur costs for the required coaches training and some additional obligations for the development and printing of required forms. PED states that, according to the New Mexico Activities Association website, current online training for coaches ranges from \$20 to \$75 per person. There are 7,257 individuals licensed to coach in New Mexico, making the approximate cost of statewide training, based on an average of \$50 per person, \$362,850 (\$50 x 7,257). In most cases this cost would be paid by public school districts.

Substantive Issues:

According to the Department of Health (DOH), each year hospital emergency departments (ED) in the United States treat an estimated 135,000 sports- and recreation-related traumatic brain injuries, including concussions, among children ages 5 to 18, which accounts for an estimated 65 percent of ED visits for sports-related injuries. Persons in this age group are at increased risk for subsequent concussions and long-term after-effects, delayed recovery, and cumulative consequences of multiple injuries.

DOH further states that rest is important after a concussion. Because the brain needs time to heal, it is important not to allow a student athlete to participate in school athletic events on the same day that a concussion or head injury occurs. Additionally, before a student athlete is allowed to resume play a health care professional, experienced in evaluating concussion should indicate that the student athlete is symptom-free and is cleared for further participation in sports.

Technical Issues:

Language throughout CS/SB 1 consistently refers to “school athletic activities,” and defines the term on page 4, lines 12-18. However, the term “school athletic event” is used on page 4, line 22, a vestige of the original version of SB 1. To provide consistent language in CS/SB 1, this term should be changed to “school athletic activity.”

Related Bill(s):

None as of 2-15-2010.