

SENATE BILL REPORT

EHB 1824

As Reported by Senate Committee On:
Early Learning & K-12 Education, March 19, 2009

Title: An act relating to requiring the adoption of policies for the management of concussion and head injury in youth sports.

Brief Description: Requiring the adoption of policies for the management of concussion and head injury in youth sports.

Sponsors: Representatives Rodne, Quall, Anderson, Lias, Walsh, Pettigrew, Priest, Simpson, Kessler, Rolfes, Johnson, Sullivan and Morrell.

Brief History: Passed House: 3/04/09, 94-0.

Committee Activity: Early Learning & K-12 Education: 3/18/09, 3/19/09 [DPA].

SENATE COMMITTEE ON EARLY LEARNING & K-12 EDUCATION

Majority Report: Do pass as amended.

Signed by Senators McAuliffe, Chair; Kauffman, Vice Chair, Early Learning; Oemig, Vice Chair, K-12; King, Ranking Minority Member; Hobbs, Holmquist, Jarrett and McDermott.

Staff: Brandon Roche (786-7405)

Background: School districts are encouraged to allow private nonprofit youth programs to serve an area's youth by allowing the use of the school district facilities. In order to further this end, school districts are provided with limited immunity from liability for injury to youth participating in an activity offered by a private nonprofit group. This immunity only applies if the private nonprofit group provides proof of accident and liability insurance to the school district.

The Department of Health must provide guidelines and training information on head injuries to educational service districts.

Summary of Bill (Recommended Amendments): In order for a school district to maintain immunity for acts of a private nonprofit youth program, the school district must require a statement of compliance from the program in regards to policies for managing concussions and head injuries.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Each school district must work in concert with the Washington Interscholastic Activities Association to develop guidelines and inform coaches, athletes, and parents of the dangers of concussions and head injuries. A concussion and head injury information sheet must be signed by the youth athletes and their parent/guardians before initiating practice or competition.

A youth athlete who is suspected of sustaining a concussion or head injury must be removed from the practice or game. That athlete cannot return to play until the athlete has been evaluated by a licensed health care provider and receives written clearance to play.

EFFECT OF CHANGES MADE BY EARLY LEARNING & K-12 EDUCATION COMMITTEE (Recommended Amendments): The information sheet need only be signed on a yearly basis. The licensed health care provider may be a volunteer and is free from civil liability for clearing an athlete to return to play.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony on Engrossed House Bill: PRO: This is the result of a tragedy that happened to Zackery Lystedt and is designed to ensure that a tragedy like this does not happen again. The supporters of this bill include a wide variety of interest groups. We commend this bill to you for consideration and passage.

Persons Testifying: PRO: Representative Rodne, prime sponsor; Lisa Thatcher, Brain Injury Association.