

SENATE BILL REPORT

ESHB 2731

As Passed Senate, March 6, 2020

Title: An act relating to reporting of student head injury information sustained during athletics and other activities.

Brief Description: Reporting of information about diagnosed concussions of students sustained during athletics and other activities.

Sponsors: House Committee on Education (originally sponsored by Representatives Irwin, Doglio, Davis, Pollet and Leavitt).

Brief History: Passed House: 2/18/20, 97-0.

Committee Activity: Early Learning & K-12 Education: 2/26/20 [DP-WM, w/oRec].

Ways & Means: 2/28/20, 3/02/20 [DP].

Floor Activity:

Passed Senate: 3/06/20, 49-0.

Brief Summary of Engrossed First Substitute Bill

- Requires public schools to annually report information about each diagnosed concussion sustained by a student during athletic and other activities to the Department of Health (DOH), beginning with the 2020-21 school year.
- Directs DOH to develop a procedure on collecting student concussion information and submit an annual report to the Legislature and the Office of the Superintendent of Public Instruction, beginning October 1, 2021.

SENATE COMMITTEE ON EARLY LEARNING & K-12 EDUCATION

Majority Report: Do pass and be referred to Committee on Ways & Means.

Signed by Senators Wellman, Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Holy, Hunt, McCoy, Mullet, Pedersen, Salomon and Wagoner.

Minority Report: That it be referred without recommendation.

Signed by Senator Padden.

Staff: Benjamin Omdal (786-7442)

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.

SENATE COMMITTEE ON WAYS & MEANS

Majority Report: Do pass.

Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Becker, Billig, Carlyle, Conway, Darneille, Hasegawa, Hunt, Keiser, Lias, Muzzall, Pedersen, Schoesler, Van De Wege, Wagoner, Warnick and Wilson, L..

Staff: Travis Sugarman (786-7446)

Background: According to DOH, concussions are a type of brain injury, caused by a blow or jolt to the head or body, that disrupt the way the brain normally works. The consequences of, and treatments for, concussions and other head injuries vary greatly and depend on the cause and severity of the injury.

In Washington, policies for the management of concussion and head injury in youth sports have been in place since 2009, with the enactment of the Zackery Lystedt Law. This law requires that coaches, youth athletes, and parents be informed about the dangers of sports-related head injuries and that a youth athlete who has been suspected of getting a head injury be cleared by a trained and licensed health care provider before returning to play.

Since the early 1990s, the DOH has required trauma care providers to submit information on the incidents, severity, and causes of trauma, including traumatic brain injury, to a state-wide registry.

In 2018, the federal Centers for Disease Control and Prevention began developing a National Concussion Surveillance System. One stated goal of the system is to provide national estimates of sports-related concussions among youth that occur both in and outside of organized sports. Reporting requirements are to-be-determined, including whether youth coaches or schools will be required reporters.

Summary of Engrossed First Substitute Bill: Public School Concussion Reporting. Beginning with the 2020-21 school year, public schools must annually report information about each diagnosed concussion sustained by a student during athletic and other activities using a procedure developed by DOH.

At a minimum, public schools must report:

- the student's grade and gender;
- whether the student had a previous concussion;
- the event date and location of the diagnosed concussion, including when during the activity the injury occurred and on what type of surface;
- the type and level of activity that the student was participating in at the time of the event and whether it was a practice or competition;
- any known cause of the event;
- whether protective equipment was worn;
- who initially examined the student and whether the student was removed from the activity at the time of the event; and

- follow-up information related to whether the student was given a written authorization to return to the activity and the amount of time before the student was authorized to return to the learning environment.

Department of Health Procedure. DOH must develop a procedure to collect concussion reporting information from public schools, beginning in the 2020-21 school year. Beginning October 1, 2021, and by October 1st annually thereafter, DOH must report a summary of the diagnosed concussion information received in the prior school year to the appropriate committees of the Legislature and the Office of the Superintendent of Public Instruction. The report must include rates, patterns, trends, and other relevant information.

Appropriation: None.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

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

Staff Summary of Public Testimony (Early Learning & K-12 Education): PRO: Head injuries to youth athletes is an important issue, and more data should be gathered to understanding the extent of the issue.

Persons Testifying (Early Learning & K-12 Education): PRO: Senator Lisa Wellman.

Persons Signed In To Testify But Not Testifying (Early Learning & K-12 Education): No one.

Staff Summary of Public Testimony (Ways & Means): None.

Persons Testifying (Ways & Means): No one.

Persons Signed In To Testify But Not Testifying (Ways & Means): No one.