

FIRST REGULAR SESSION

[TRULY AGREED TO AND FINALLY PASSED]

SENATE COMMITTEE SUBSTITUTE FOR

HOUSE COMMITTEE SUBSTITUTE FOR

# HOUSE BILL NOS. 300, 334 & 387

## 96TH GENERAL ASSEMBLY

1025S.07T

2011

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### AN ACT

To amend chapter 167, RSMo, by adding thereto two new sections relating to student athlete brain injuries.

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*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Chapter 167, RSMo, is amended by adding thereto two new sections, to be known as sections 167.765 and 167.775, to read as follows:

**167.765. 1. The provisions of this section shall be known as the "Interscholastic Youth Sports Brain Injury Prevention Act". No later than December 31, 2011, the department of health and senior services shall work with a statewide association of school boards, a statewide activities association that provides oversight for athletic or activity eligibility for students and school districts, and an organization named by the department of health and senior services that specializes in support services, education, and advocacy of those with brain injuries to promulgate rules which develop guidelines, pertinent information, and forms to educate coaches, youth athletes, and parents or guardians of youth athletes of the nature and risk of concussion and brain injury including continuing to play after concussion or brain injury. The primary focus of rules promulgated under this section shall be the safety and protection against long-term injury to the youth athlete.**

**2. On a yearly basis, each school district shall distribute a concussion and brain injury information sheet to each youth athlete participating in the district's athletic program. The information form shall be signed by the youth athlete's parent or guardian and submitted to the school district prior to the youth athlete's participation in any athletic practice or competition.**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

17           **3. A youth athlete who is suspected of sustaining a concussion or brain injury in a**  
18 **practice or game shall be removed from competition at that time and for no less than**  
19 **twenty-four hours.**

20           **4. A youth athlete who has been removed from play shall not return to competition**  
21 **until the athlete is evaluated by a licensed health care provider trained in the evaluation**  
22 **and management of concussions as defined in the guidelines developed under subsection**  
23 **1 of this section and receives written clearance to return to competition from that health**  
24 **care provider.**

25           **5. Any rule or portion of a rule, as that term is defined in section 536.010 that is**  
26 **created under the authority delegated in this section shall become effective only if it**  
27 **complies with and is subject to all of the provisions of chapter 536, and, if applicable,**  
28 **section 536.028. This section and chapter 536 are nonseverable and if any of the powers**  
29 **vested with the general assembly pursuant to chapter 536, to review, to delay the effective**  
30 **date, or to disapprove and annul a rule are subsequently held unconstitutional, then the**  
31 **grant of rulemaking authority and any rule proposed or adopted after August 28, 2011,**  
32 **shall be invalid and void.**

**167.775. 1. Any statewide athletic organization with a public school district as a**  
2 **member shall be required to publish an annual report relating to the impact of concussions**  
3 **and head injuries on student athletes which details efforts that may be made to minimize**  
4 **damages from injuries sustained by students participating in school sports. The annual**  
5 **report shall be distributed to the joint committee on education, the house committee on**  
6 **elementary and secondary education or any other education committee designated by the**  
7 **speaker of the house of representatives, and the senate committee on education or any**  
8 **other education committee designated by the president pro tem of the senate. The first**  
9 **report required under this section shall be completed and distributed no later than**  
10 **January 31, 2012. Such report shall be made available to school districts and to parents**  
11 **of students.**

12           **2. Notwithstanding any other law, no public school shall be a member of any**  
13 **statewide athletic organization failing to comply with the provisions of subsection 1 of this**  
14 **section.**

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