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## A BILL FOR AN ACT

RELATING TO TRAUMATIC BRAIN INJURY.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. The legislature finds that youth sports, while  
2 relatively safe, carry the risk of potential traumatic brain  
3 injuries. The legislature also finds that students who suffer  
4 traumatic brain injuries or concussions often do not receive the  
5 proper care due to coaches' inadequate medical training in  
6 recognizing symptoms. The legislature finds that to lessen long  
7 term harm to student athletes, coaches must undertake annual  
8 classes to identify signs of traumatic brain injuries.

9           SECTION 2. Chapter 302A, Hawaii Revised Statutes, is  
10 amended by adding a new section to be appropriately designated  
11 and to read as follows:

12           "§302A-       Student athlete traumatic brain injury  
13 prevention. (a) The department, in consultation with the  
14 Hawaii Athletic Trainers Association and the Hawaii High School  
15 Athletic Association, shall establish a student athlete  
16 traumatic brain injury program to educate coaches and student  
17 athletes and their parents or guardians of the nature and risk  
18 of traumatic brain injury.



1        (b) The department shall adopt rules pursuant to chapter  
2 91, to implement the program; provided that the rules shall  
3 require, at a minimum, that:

4        (1) Coaches of student athletes receive annual training to  
5 recognize the symptoms of a traumatic brain injury and  
6 learn how to obtain timely and appropriate medical  
7 treatment for a student athlete suspected of having a  
8 traumatic brain injury;

9        (2) On a yearly basis, prior to the student athlete  
10 participating in athletic practice or competition, a  
11 traumatic brain injury information sheet be  
12 distributed to each student athlete and returned to  
13 the school with the signature of the student athlete's  
14 parent or guardian to acknowledge receipt of the  
15 information sheet;

16        (3) A student athlete who is suspected of sustaining a  
17 traumatic brain injury in a school-supervised athletic  
18 practice or competition be removed from participation  
19 in the practice or competition immediately; and

20        (4) A student athlete who has been removed from  
21 participation in practice or competition due to a  
22 traumatic brain injury shall not participate in



1           practice or competition earlier than the day after the  
2           removal and may participate in practice or competition  
3           only after the student athlete:

4           (A) No longer exhibits signs, symptoms, or behaviors  
5           consistent with a traumatic brain injury; and

6           (B) Receives a medical release from a licensed  
7           physician, licensed neuropsychologist, or as  
8           determined by the department, other appropriately  
9           trained or licensed health care professional.

10          (c) As used in this section:

11          "Physician" means a person licensed as a physician or  
12          osteopathic physician under part I of chapter 453 or exempt from  
13          licensure by section 453-2(b)(3).

14          "Student athlete" means a student of a private or public  
15          school who participates in a school-supervised athletic  
16          activity.

17          "Traumatic brain injury" means an alteration in brain  
18          function, or other evidence of brain pathology, caused by an  
19          external force."

20          SECTION 3. This Act does not create any liability for, or  
21          create any cause of legal action against, a school, a school



1 district, or any officer or employee of a school or school  
2 district.

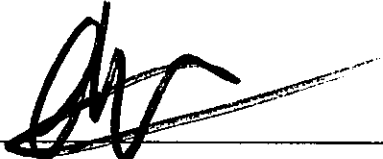

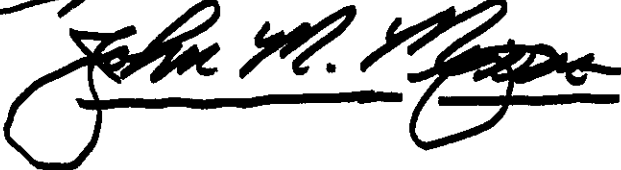
3 SECTION 4. This Act does not affect rights and duties that  
4 matured, penalties that were incurred, and proceedings that were  
5 begun before its effective date.

6 SECTION 5. New statutory material is underscored.

7 SECTION 6. This Act shall take effect upon its approval;  
8 provided that the rules required by this Act shall be adopted no  
9 later than January 1, 2013.

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INTRODUCED BY:

  
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Karen Auana  
  
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John M. [unclear]  
  
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JAN 20 2012



# H.B. NO. 2315

**Report Title:**

Youth Sports; Concussion; Department of Education

**Description:**

Requires the Department of Education to implement a student athlete traumatic brain injury program.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

