

HMSA



An Independent Licensee of the Blue Cross and Blue Shield Association

January 27, 2012

The Honorable Ryan I. Yamane, Chair
The Honorable Dee Morikawa, Vice Chair

House Committee on Health

Re: HB 2273 – Relating to Concussions

Dear Chair Yamane, Vice Chair Morikawa and Members of the Committee:

The Hawaii Medical Service Association (HMSA) appreciates the opportunity to testify in support of HB 2273, which requires the Department of Education and the Hawaii High School Athletic Association to develop a concussion awareness program for public and private schools.

According to the Hawaii Department of Education, concussions represent up to 8 percent of all injuries per year. HMSA believes that the best way to prevent episodes of brain injury is through education, and has participated in events such as our Kaimana Coaches clinic to educate coaches on symptoms of and injuries associated with concussions. We also believe that requiring a licensed health care provider to determine when a student may return to play is necessary to prevent further injury.

We believe that HB 2273 would help to promote the safety and well-being of all student athletes in Hawaii in regards to the dangers of concussions. We ask that you consider passing HB 2273. Thank you.

Sincerely,

A handwritten signature in black ink that reads "Mark K. Oto".

Mark K. Oto
Director
Government Relations



HAWAII MEDICAL ASSOCIATION

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Friday, January 27, 2012

9:00 A.M.

Conference Room 329

To: COMMITTEE ON HEALTH
Rep. Ryan I. Yamane, Chair
Rep. Dee Morikawa, Vice Chair

From: Hawaii Medical Association
Dr. Roger Kimura, MD, President
Linda Rasmussen, MD, Legislative Co-Chair
Dr. Joseph Zobian, MD, Legislative Co-Chair
Dr. Christopher Flanders, DO, Executive Director
Lauren Zirbel, Community and Government Relations

Re: HB 2273

In Support

Chairs & Committee Members:

Hawaii Medical Association strongly supports this measure.

The Hawaii Medical Association stands in strong support of the need for the state of Hawaii to develop guidelines for the management of student athletic concussive events. While many of our student athletes may appear physically mature, the human brain lags in development, continuing to develop well into a person's 20's. It is estimated that over 40,000 youth concussions occur annually, and over 40% of high school athletes return to action prematurely. Concussions account for nearly 10% of sport injuries, and are the second leading cause of brain injury for young people ages 15–24. Injuries of this type to the brain can be permanent, and are cumulative in effect.

The HMA favors the development of a concussion management program based on established evidence-based criteria, such as those developed by the American Academy of Neurology, the Colorado Medical Society, or the Cantu guidelines.

Thank you for the opportunity to provide this testimony.

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**TESTIMONY OF AMY JORGENSEN
MANAGER OF GOVERNMENT RELATIONS AND PUBLIC POLICY
NATIONAL FOOTBALL LEAGUE
BEFORE THE
COMMITTEE ON HEALTH OF THE
HAWAII HOUSE OF REPRESENTATIVES
JANUARY 27, 2012 AT 9 A.M.
H.B. 2273**

Chairman Yamane and Members of the Committee:

My name is Amy Jorgensen. I am Manager of Government Relations and Public Policy for the National Football League.

Thank you, Chairman Yamane, for your leadership in introducing House Bill 2273 to address the public health issue of youth concussion. The NFL appreciates the opportunity to share our views on the importance of youth concussion laws.

The National Football League follows strict guidelines to appropriately manage concussions in NFL players. These policies increase concussion awareness and include strict return-to-play guidelines.

The NFL's commitment to health and safety is not confined to the league. We accept the responsibility that comes with our popularity. We know that athletes at all levels of sport look to us to set the right example. We take that responsibility seriously. That is why we have made it a league priority to advocate for the passage of state laws governing youth concussion.

Youth athletes are most susceptible to the risks associated with concussion. While best practices are followed in the care of NFL players, it is important that similar policies are followed in all levels of sport.

The NFL has made a commitment to support passage of youth concussion legislation in all fifty states. The Zackery Lystedt law passed in Washington state in 2009 has served as an exemplary model for this legislation. HB 2273 contains the three key principles found in the Lystedt law: (1) Athletes, parents and coaches must be educated about the dangers of concussions each year; (2) If a young athlete is suspected of suffering a concussion, he/she must be removed from a game or practice; and (3) A licensed health care professional must clear the young athlete to return to play.

As of today, laws containing these provisions have been enacted in 31 states, as well as the District of Columbia. These laws make youth sports safer and raise the awareness of this dangerous injury. We are hopeful Hawaii will join those states soon.

Concussion occurs in all sports, in both genders, and at all levels. As currently written, this legislation protects athletes age fourteen to eighteen. In order to protect the greatest number of

youth athletes in Hawaii, we encourage you to broaden it to younger age athletes, as has been done in other states.

Further, after suffering a concussion it is important that athletes are returned to play by appropriate health care professionals. For this reason, we encourage you to use the term “licensed health care professional” as defined in section two, consistently throughout the legislation to avoid any unintended confusion.

Thank you for your work to protect youth athletes in Hawaii.

Testimony of Cindy Clivio on behalf of the Hawaii Association of Athletic Trainers in **support HB 2273**

January 27, 2012

To: Chairman Ryan Yamane and Members of the House Committee on Health:

My name is Cindy Clivio and I am testifying for the members of the Hawaii Association of Athletic Trainers (HATA) in **support of HB 2273**

The Hawaii Athletic Trainers Association (HATA) is the professional membership association for Certified Athletic Trainers in our state. Certified Athletic Trainers are health care providers who specialize in the prevention, assessment, treatment and rehabilitation of injuries and illnesses of athletes participating in various athletic events in Hawaii. Athletic Trainers are employed in all Hawaii's public schools, some private schools, colleges, Universities, hospitals, physician offices, clinics, and by the military.

Over the past few years over 30 states have enacted concussion legislation. Most have been modeled after the state of Washington's Zachary Lystedt law which was the first such law enacted in 2009. The Lystedt law was created after a middle school interscholastic football player sustained a concussion which was not recognized and continued to play. He suffered a catastrophic traumatic brain injury and although he survived he has been left with permanent disability and decreased mental capacity. After his injury the first question asked was why he was allowed to continue to play. The answer was that coaches, parents and students themselves are not trained to recognize the signs and symptoms of concussions and in his case

there were no medical personnel trained in the management of concussion on site. At the time of his injury, at his school there were no doctors, no ambulance, no athletic trainers to provide appropriate medical care.

Hawaii is unique and is well known as a leader in athletic health care. We are the only state that provides Certified Athletic Trainers in all of its public schools. The Hawaii Department of Education has created and successfully implemented a concussion management plan that greatly exceeds the requirements of any of the 30+ state laws. In cooperation with the State Department of Health the DOE is gathering head injury epidemiology data. Unfortunately not all schools have the same standards. While many private schools employ athletic trainers and many follow the same protocol, not all do. This bill would require that all member schools of the Hawaii High School Athletic Association create a concussion awareness plan and the hope is that eventually all leagues and schools would follow the similar policies.

As the DOE has implemented its policy, athletic trainers found that there is a lack of understanding of the serious risks associated with head injuries and there remains a culture in athletics where student athletes feel they need to "tough it out" and many athletes are reluctant to report symptoms. The proper management of concussions requires that those injured have a period of cognitive rest. School staff including counselors, teachers, and administrators need to have a greater understanding of the importance of a gradual return to school and academic activities. Teachers need to become part of the team that helps evaluate

when students are able to resume full activity. Educating students, parents, coaches and school personnel is the critical element in hoping to provide meaningful change.

We would like to note that traumatic brain injuries including concussions are not only an athletics issue. These injuries are happening on playgrounds, at skate parks, in the ocean and during elementary recess. Providing educational awareness at the interscholastic athletics level is a first step and ideally an educational program needs to be developed and implemented to elementary level and to youth leagues. We would suggest that when the economy improves and funding could become available that the legislature consider a more expansive program that would provide education for all school aged students, their parents and youth leagues.

Thank you for the opportunity to testify on this measure.

morikawa2 - Grant

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, January 25, 2012 11:53 AM
To: HLTtestimony
Cc: jenybissell@hawaii.rr.com
Subject: Testimony for HB2273 on 1/27/2012 9:00:00 AM

Testimony for HLT 1/27/2012 9:00:00 AM HB2273

Conference room: 329
Testifier position: Support
Testifier will be present: No
Submitted by: Jeny Bissell
Organization: Individual
E-mail: jenybissell@hawaii.rr.com
Submitted on: 1/25/2012

Comments:
Change language from Advanced Practice Registered Nurse to Registered Nurse.