

SB2538

Relating to Concussions

Requires the DOE and Hawaii High School Athletic Association to develop a concussion awareness program to provide guidelines for public and private schools.

EDU/HTH, WAM

Date: 02/15/2012

Committee: Senate Education
Senate Health

Department: Education

Person Testifying: Kathryn S. Matayoshi, Superintendent of Education

Title of Bill: SB 2538 Relating to Concussions

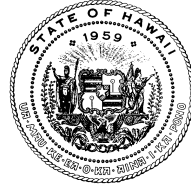
Purpose of Bill: Requires the DOE and the Hawaii High School Athletic Association to develop a concussion awareness program to provide guidelines for public and private schools.

Department's Position:

The Department of Education (Department) supports SB 2538 and a continued partnership with the Hawaii High School Athletic Association (HHSAA) in the development of educational programs and guidelines regarding concussion awareness for public and private schools. In implementing its Concussion Management Program (CMP), the Department has acknowledged the need for awareness education for students, parents, school staff, sports officials and school administrators regarding the signs and symptoms of a concussion in addition to the procedures that need to be followed. The Department's CMP addresses the concussion assessments and education of athletic trainers and coaches to ensure student athletes return to play safely. A partnership with the University of Hawaii's Kinesiology and Rehabilitation Science Department and the Department of Health (DOH) Neurotrauma Division assists the Department in providing our student athletes with baseline testing and follow-up testing for cognitive and postural stability. Through this partnership, the Department has been able to identify concussed student athletes and return them to participation safely, with a standardized return-to-activity plan.

A work group has begun to develop a comprehensive education program that includes the signs, symptoms and interventions of a concussion. This education program is intended particularly for student athletes and parents, but also for sports officials, school staff, and school administrators. Through other ongoing partnerships with the DOH, HHSAA and Hawaii Athletic Trainers Association, the Department will be able to develop an educational program for all of our schools, from small private schools to large public schools. The collective work has already allowed us to provide concussion clinics for coaches--six in total--on all islands over the last nine months. SB 2538 will allow the Department to focus its efforts on educational awareness of concussions for all key role groups.

The Department supports SB 2538 and welcomes the opportunity to continue its partnership with HHSAA and community agencies to ensure the safety and well-being for all of Hawaii's student athletes.



STATE OF HAWAII
DEPARTMENT OF HEALTH
P.O. Box 3378
HONOLULU, HAWAII 96801-3378

In reply, please refer to:
File:

**Committee on Education &
Committee on Health
SB 2538**

**Testimony of Loretta J. Fuddy, A.C.S.W., M.P.H.
Director of Health
February 15, 2012**

1 **Department's Position:** The Department of Health supports S.B. 2538, Relating to Concussions, and
2 defers to the Department of Education for any fiscal implications.

3 **Fiscal Implications:** None.

4 **Purpose and Justification:** S.B. 2538 is requiring the DOE and HHSAA to develop a concussion
5 awareness program and to provide guidelines to public and private schools. As of October 2011, there
6 are 31 states (plus the District of Columbia and the city of Chicago) that have adopted youth concussion
7 laws. This bill contains the main principles of the Lystedt Law model legislation enacted in Colorado
8 and supported by the NFL. Passage of S.B. 2538 will be a major step for Hawaii to enact a statute that
9 will promote education on concussion and implement return to play guidelines targeted at minimizing
10 the risk of Second-Impact Syndrome, resulting from a student athlete returning to play while still
11 experiencing symptoms of a concussion and suffering another concussion. The result of Second-
12 Impact Syndrome can be devastating and lead to life-long disabilities.

13 Thank you for this opportunity to testify.



THE QUEEN'S MEDICAL CENTER

1301 Punchbowl Street • Honolulu, Hawaii 96813 • Phone (808) 538-9011 • Fax: (808) 547-4646

Senator Jill N. Tokuda, Chair
Senator Michelle N. Kidani, Vice-Chair
COMMITTEE ON EDUCATION

Senator Josh Green, Chair
Senator Clarence K. Nishihara, Vice-Chair
COMMITTEE ON HEALTH

February 15, 2012 – 1:15 p.m.
State Capitol, Conference Room 225

In Support of S.B. 2538, Relating to Concussions

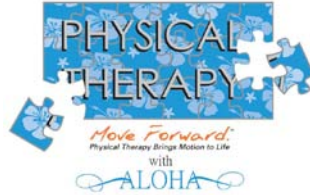
Chair Tokuda and Chair Green and Members of the Committees:

My name is Karen Seth, Director, Neuroscience Institute and Ancillary Services, of The Queens Medical Center. I would like to offer testimony in support of S.B. 2538 which requires the DOE and the Hawaii High School Athletic Association to develop a concussion awareness program to provide guidelines for public and private schools.

At Queen's, we care for children who have suffered traumatic brain injuries, and the impact on the victim and the family can be devastating. It is even more heart-wrenching when they are preventable injuries, such as repeated concussions in sports events and returning to play too soon.

A concussion awareness program in public and private schools, where students, parents, coaches, and school personnel would be educated on the signs and symptoms of concussions and how to manage them properly when they occur and on the need for "return to play" guidelines, would be an important step forward in preventing serious traumatic brain injuries.

Thank you for the opportunity to testify.



Senate Committee on Education and Senate Committee on Health
Wednesday, February 15, 2012
1:15 p.m.
Room 225

RE: SB 2538, RELATING TO CONCUSSIONS

Good afternoon, Chair Tokuda, Chair Green, Vice-Chair Kidani, Vice-Chair Nishihara and members of the Education and Health Committees. On behalf of the Hawaii Chapter, American Physical Therapy Association ("HAPTA"), we are in **support** of the intent of SB 2538, relating to concussions and ask that you please make an amendment to include physical therapists in the list of licensed health care professionals who care for students with concussions or traumatic brain injuries.

This measure requires the DOE and the Hawaii High School Athletic Association to develop a concussion awareness program to provide guidelines for public and private schools.

We believe that this measure is an important step toward ensuring that the risk of serious injuries is lessened. We do request that you include physical therapists in the definition of licensed health care professional in the bill, as we are often engaged in the treatment and care of injured athletes under the purview of this measure.

HAPTA is a non-profit professional organization serving more than 250 member Physical Therapists and Physical Therapist Assistants. Our mission is to be the principal membership organization that represents and promotes the profession of Physical Therapy in the State of Hawaii.

Mahalo,

Ann Frost, P.T.
Legislative Committee Chair

c/o 841 Bishop Street, Suite 2100, Honolulu, Hawaii 96813

Testimony of Cindy Clivio on behalf of the Hawaii Association of Athletic Trainers in **support SB2538**

February 15, 2012

To: Chairs Jill Tokuda, Josh Green and Members of the Senate Committees on Education and Health:

My name is Cindy Clivio and I am testifying for the members of the Hawaii Association of Athletic Trainers (HATA) in **support of SB 2538**

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 and youth sports. 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.

HMSA



An Independent Licensee of the Blue Cross and Blue Shield Association

February 15, 2012

The Honorable Jill N. Tokuda, Chair
The Honorable Josh Green, M.D., Chair

Senate Committees on Education and Health

Re: SB 2538 – Relating to Concussions

Dear Chair Tokuda, Chair Green, and Members of the Committees:

The Hawaii Medical Service Association (HMSA) appreciates the opportunity to testify in **support of SB 2538**, 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 SB 2538 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 SB 2538. Thank you.

Sincerely,

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

Mark K. Oto
Director
Government Relations



HAWAII MEDICAL ASSOCIATION

1360 S. Beretania Street, Suite 200, Honolulu, Hawaii 96814
Phone (808) 536-7702 Fax (808) 528-2376 www.hmaonline.net

Wednesday, February 15, 2012

1:15 P.M.

Conference Room 225

To: SENATE COMMITTEE ON EDUCATION
Sen. Jill N. Tokuda, Chair
Sen. Michelle N. Kidani, Vice Chair

SENATE COMMITTEE ON HEALTH
Sen. Josh Green, M.D., Chair
Sen. Clarence K. Nishihara, 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: SB 2538

In Support

Chairs & Committee Members:

The 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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SAFE KIDS Hawaii

February 15, 2012

To: Senator Jill N. Tokuda, Chair
Committee on Education
Senator Josh Green, M.D., Chair
Committee on Health

From: Susan LaFontaine, KIPC Co-Chair
Manager, Rehabilitation Department
Kapiolani Medical Center for Women and Children

RE: SB2538, Relating To Concussions

Honorable Senator Tokuda, Senator Green and Members of the Committees on Education and Health:

The Keiki Injury Prevention Coalition (KIPC) represents more than forty agencies and individuals who are committed to the protection of the children of Hawai'i from preventable injuries. **KIPC strongly supports SB2538**, which will require the DOE and the Hawai'i High School Athletic Association to develop an educational program for students and student athletes that addresses the prevention, recognition, and management of concussion or mild traumatic brain injury.

Training in concussion awareness is essential for all persons who are involved with youth sports and activities that place children at risk for biomechanical forces that may result in brain injury. Recognizing and responding properly to concussions when they first occur can help prevent further injury or event death. Because the results of these injuries are cumulative, it is essential that they be prevented at the youth level. While promoting physical activity as part of a healthy lifestyle is important; it is equally important to provide education on what constitutes safe play.

Thank you for the opportunity to provide testimony on this important measure.

SENATE COMMITTEE ON EDUCATION
SENATE COMMITTEE ON HEALTH

THE HONORABLE JILL TOKUDA, CHAIR
THE HONORABLE MICHELLE KIDANI, VICE CHAIR

THE HONORABLE JOSH GREEN, CHAIR
THE HONORABLE CLARENCE NISHIHARA, VICE CHAIR

S.B. 2538, RELATING TO CONCUSSIONS

Testimony of Neal Takamori
McKinley High School Athletic Director
Athletic Directors and Coaches Association, Pres.

Senators Tokuda and Kidani and members of the Senate Committee on Education,

My name is Neal Takamori, athletic director at McKinley High School and President of the Athletic Directors and Coaches Association. I'm representing the coaches and athletic directors of the more than 42 public high schools in the State of Hawaii. We are in full support of S.B. 2538, Relating to Concussions.

The public schools in the state of Hawaii are currently utilizing a concussion management program. The safety and health of our student-athletes are our major concern and our athletic trainers in the State of Hawaii are very pro active and have been working with various agencies and departments in developing a State wide concussion management program. We believe that educating coaches, parents, students, and faculty and staff about the effects of concussions and the criteria for "return to play" will help all parties better understand concussion management.

Erin Conner

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, February 05, 2012 10:15 PM
To: EDU Testimony
Cc: Brenda.Kosky@gmail.com
Subject: Testimony for SB2538 on 2/15/2012 1:15:00 PM

Testimony for EDU/HTH 2/15/2012 1:15:00 PM SB2538

Conference room: 225
Testifier position: Support
Testifier will be present: No
Submitted by: Brenda Kosky
Organization: Individual
E-mail: Brenda.Kosky@gmail.com
Submitted on: 2/5/2012

Comments: