
A BILL FOR AN ACT

RELATING TO CONCUSSIONS.

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

1 SECTION 1. The legislature finds that young athletes are
2 uniquely susceptible to head and brain trauma: their brains are
3 still developing, their necks are not as strong as those of
4 adult athletes, and their heads tend to be proportionately
5 larger relative to their bodies compared to those of adult
6 athletes. The legislature further finds that recent research in
7 clinical examinations has shown that exposure to the repeated
8 head trauma associated with contact sports at a young age leads
9 to significantly worse outcomes later in life.

10 Act 197, Session Laws of Hawaii 2012, required the
11 department of education and Hawaii High School Athletic
12 Association to develop a concussion educational program for
13 students ages fourteen to eighteen. Act 262, Session Laws of
14 Hawaii 2016, expanded the scope of the educational program,
15 covered students ages eleven to eighteen, and added additional
16 program requirements. The purpose of this Act is to further
17 expand the scope of the concussion educational program to cover



1 middle- and elementary-school students and to appropriate funds
2 for continuation of the program.

3 SECTION 2. Act 197, Session Laws of Hawaii 2012, as
4 amended by Act 262, Session Laws of Hawaii 2016, section 2, is
5 amended by amending section 2 to read as follows:

6 "SECTION 2. As used in this Act, the following definitions
7 apply:

8 "Coach" means a paid or volunteer individual working for,
9 assisting, or managing a sports team for school athletics or a
10 youth athletic activity.

11 "Concussion" means a pathophysiological process affecting
12 the brain, caused by direct or indirect traumatic biomechanical
13 forces.

14 "Licensed health care provider" means an advanced practice
15 registered nurse, certified or registered athletic trainer,
16 neuropsychologist, physician assistant, physician, osteopathic
17 physician, or physical therapist trained in the management of
18 sports concussions.

19 "School athletics" means athletic events sponsored by any
20 public or private school from grade [~~nine~~] three to grade
21 twelve.



1 "Youth athletic activity" means an organized athletic
2 activity where the majority of the participants are [~~eleven~~
3 eight years of age or older and under nineteen years of age, and
4 are engaging in an organized athletic game or competition
5 against another team, club, or other entity or in practice or
6 preparation for an organized game or competition against another
7 team, club, or other entity. The term does not include:

- 8 (1) A college or university activity;
9 (2) An activity that is entered into for instructional
10 purposes only; or
11 (3) An athletic activity that is incidental to a non-
12 athletic program or a lesson."

13 SECTION 3. There is appropriated out of the general
14 revenues of the State of Hawaii the sum of \$ or so much
15 thereof as may be necessary for fiscal year 2018-2019 for the
16 continuation of the concussion educational program for middle-
17 and elementary-school students.

18 The sum appropriated shall be expended by the department of
19 kinesiology and rehabilitation science of the University of
20 Hawaii for the purposes of this Act.



1 SECTION 4. Statutory material to be repealed is bracketed
2 and stricken. New statutory material is underscored.

3 SECTION 5. This Act shall take on June 30, 2050; provided
4 that section 3 shall take effect on July 1, 2050.



Report Title:

Concussions; Youth; Athletics; Appropriation

Description:

Further expands the concussion educational program established under Act 197, Session Laws of Hawaii 2012, and expanded under Act 262, Session Laws of Hawaii 2016, to include athletic events beginning from grade 3. Appropriates funds for the continuation of the concussion educational program. Effective 6/30/2050; except section 3 shall be effective 7/1/2050. (SD2)

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