

H.B. 143 and Related Concussion Legislation

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Ohio Legislative Service Commission

Final Analysis

Carol Napp

Sub. H.B. 143

129th General Assembly
(As Passed by the General Assembly)

Reps. Stinziano and O'Brien, Grossman, Mallory, Milkovich, R. Hagan, Foley, Clyde, Letson, Yuko, Reece, Combs, Murray, Garland, Antonio, Henne, Sears, Ashford, Boyce, Carney, Celebrezze, Celeste, Goyal, Hackett, Newbold, Pillich, Ramos, Sprague, Williams

Sens. Tavares, Bacon, Beagle, Brown, Cafaro, Eklund, Faber, Gentile, Hite, Hughes, Jones, Kearney, LaRose, Lehner, Manning, Niehaus, Obhof, Oelslager, Patton, Peterson, Sawyer, Schaffer, Seitz, Skindell, Turner, Wagoner, Widener

Effective date: April 26, 2013; requirements that Department of Health post information sheet and links to online training effective March 27, 2013

ACT SUMMARY

- Prohibits a school authority from allowing a student to practice for or compete in interscholastic athletics until the student has submitted a signed form stating that the student and the student's parent or other guardian have received a concussion and head injury information sheet created by the Department of Health.
- Requires a youth sports organization to provide to the parent or other guardian of an individual who wishes to practice for or compete in an athletic activity the Department's concussion and head injury information sheet.
- Prohibits a school authority from allowing an individual to coach interscholastic athletics without holding a pupil-activity program permit for coaching interscholastic athletics from the State Board of Education.
- Prohibits a school authority from allowing an individual to referee interscholastic athletics without holding a pupil-activity program permit or successfully completing a specified training program.
- Prohibits an individual from acting as a coach or referee for a youth sports organization without holding a pupil-activity program permit or successfully completing a specified training program.

- Requires a coach or referee of interscholastic athletics or a coach, referee, or official of a youth sports organization to remove a student or individual exhibiting signs, symptoms, or behaviors consistent with having sustained a concussion or head injury from practice or competition.
- Prohibits a coach or referee of interscholastic athletics or a coach, referee, or official of a youth sports organization from allowing a student or individual to return to the practice or competition from which the student or individual was removed, or to participate in any other practice or competition for which the coach, referee, or official is responsible, until the student or individual has been assessed and cleared for return by a physician or by any other licensed health care provider authorized by the school authority or youth sports organization.
- Provides that a school authority that is subject to the rules of an interscholastic conference is considered to be in compliance with the act, as long as the requirements of those rules are substantially similar to the act's requirements.
- Requires the State Board of Education to (1) require each individual applying for a pupil-activity program permit to coach interscholastic athletics to successfully complete training on brain trauma and brain injury management and (2) require each individual renewing a pupil-activity program permit to coach interscholastic athletics to successfully complete a specified training program.
- Requires the Department of Health to create a concussion and head injury information sheet for participants in interscholastic activities and youth sports organizations.
- Requires the Department to provide a link on its web site to one or more free online training programs in recognizing the symptoms of concussions and head injuries that are appropriate for coaches or referees of schools or youth sports organizations.

CONTENT AND OPERATION

Concussions and head injuries in interscholastic and other youth sports

The act establishes several prohibitions and requirements related to concussions and other head injuries in interscholastic athletics and in youth sports that are conducted by entities other than schools. The act includes provisions that apply to all of the following entities:

(1) Public schools, including schools operated by school districts, community schools, and science, technology, engineering, and math (STEM) schools;

(2) All private schools, including both chartered and nonchartered nonpublic schools;

(3) "Youth sports organizations," which are defined by the act as public or nonpublic entities that organize athletic activities in which the athletes are not more than 19 years old and are required to pay a fee to participate in the athletic activity or whose cost to participate is sponsored by a business or nonprofit organization.¹

Information sheet

The act prohibits a school district board of education or other public or nonpublic school governing authority from allowing a student to practice for or compete in interscholastic athletics until the student has submitted to a designated school official a form signed by the parent, guardian, or other person having care or charge of the student acknowledging receipt of a concussion and head injury information sheet created by the Department of Health (see "**Department of Health: Concussion and head injury information sheet**," below). A completed form must be submitted each school year for each sport or other category of interscholastic athletics for or in which the student practices or competes.²

A youth sports organization also must provide the Department's concussion and head injury information sheet to the parent, guardian, or other person having care or charge of an individual who wishes to practice for or compete in an athletic activity organized by the sports organization. The information sheet must be provided annually for each sport or other category of athletic activity for or in which the individual practices or competes.³

Training for coaches and referees

The act prohibits a district board or other school governing authority from allowing an individual to coach interscholastic athletics unless the individual holds a pupil-activity program permit for coaching interscholastic athletics issued by the State Board of Education (see "**Pupil-activity program permit**," below).⁴ It also prohibits a district board or other school governing authority from allowing an individual to referee interscholastic athletics unless the individual either (1) holds a pupil-activity program permit or (2) presents evidence that the individual has successfully completed,

¹ R.C. 3707.51.

² R.C. 3313.539(B), 3314.03(A)(11)(d), and 3326.11.

³ R.C. 3707.511(B).

⁴ R.C. 3313.539(C)(1), 3314.03(A)(11)(d), and 3326.11.

within the previous three years, an online training program in recognizing the symptoms of concussions and head injuries that is linked on the Department of Health's web site (see "**Department of Health: Online training program**," below) or a training program authorized and required by an organization that regulates interscholastic conferences or events.⁵

In the case of a youth sports organization, the act prohibits an individual from acting as a coach or referee unless the individual either (1) holds a pupil-activity program permit or (2) presents evidence that the individual has successfully completed, within the previous three years, an online training program in recognizing the symptoms of concussions and head injuries that is linked on the Department's web site. The organization for which the individual intends to act as a coach or referee must inform the individual of this requirement.⁶

Removal from practice or competition

Under the act, a student or an individual exhibiting signs, symptoms, or behaviors consistent with having sustained a concussion or head injury while practicing for or competing in an interscholastic athletic event or an athletic event organized by a youth sports organization must be removed from the practice or competition by specified individuals. In the case of interscholastic athletics, a student must be removed by the individual serving as the student's coach during that practice or competition or an individual serving as a referee during that practice or competition.⁷ In the case of a youth sports organization, an individual must be removed by the individual serving as the individual's coach during that practice or competition, an individual serving as a referee during that practice or competition, or an official of the sports organization who is supervising that practice or competition.⁸

After the student or individual is removed, the coach, referee, or official who removed the student or individual is prohibited from allowing the student or individual, on the same day the student or individual is removed, to return to that practice or competition or to participate in any other practice or competition for which the coach, referee, or official is responsible.⁹

⁵ R.C. 3313.539(C)(2), 3314.03(A)(11)(d), and 3326.11.

⁶ R.C. 3707.511(C).

⁷ R.C. 3313.539(D), 3314.03(A)(11)(d), and 3326.11.

⁸ R.C. 3707.511(D).

⁹ R.C. 3313.539(E)(1), 3314.03(A)(11)(d), 3326.11, and 3707.511(E)(1).

Assessment and clearance to return

The coach, referee, or official who removed a student or individual from practice or competition is prohibited from allowing the student or individual to return to that practice or competition, or to participate in any other practice or competition for which the coach, referee, or official is responsible, until *both* of the following conditions are satisfied:

(1) The student athlete's or individual's condition is assessed by either of the following:

(a) A physician authorized to practice medicine and surgery or osteopathic medicine and surgery; or

(b) Any other licensed health care provider the district board, school governing authority, or youth sports organization authorizes to assess a student or individual who has been removed from practice or competition; and

(2) The student or individual receives written clearance that it is safe to return to practice or competition from a physician or authorized licensed health care provider.¹⁰

The act specifies that a physician or other licensed health care provider who makes an assessment or grants a clearance may be a volunteer.¹¹

Authorization of licensed health care providers other than physicians

The act permits a district board, other school governing authority, or youth sports organization to authorize a licensed health care provider who is not a physician to make an assessment or grant a clearance, as described above, only if the provider is acting in accordance with one of the following, as applicable to the provider's authority to practice in Ohio:

- (1) In consultation with a physician;
- (2) Pursuant to the referral of a physician;
- (3) In collaboration with a physician;
- (4) Under the supervision of a physician.¹²

¹⁰ R.C. 3313.539(E)(1), 3314.03(A)(11)(d), 3326.11, and 3707.511(E)(1).

¹¹ R.C. 3313.539(E)(3), 3314.03(A)(11)(d), 3326.11, and 3707.511(E)(1).

¹² R.C. 3313.539(E)(2)(a) to (d), 3314.03(A)(11)(d), 3326.11, and 3707.511(E)(2).

Schools subject to interscholastic conference rules

The act provides that a district board or other school governing authority that is subject to the rules of an interscholastic conference or an organization that regulates interscholastic conferences or events is to be considered to be in compliance with the act's provisions, as long as the requirements of those rules are "substantially similar" to the act's requirements.¹³

Qualified immunity from liability

The act provides that certain school authorities, employees, and volunteers generally are not liable in damages in a civil action for injury, death, or loss to person or property allegedly arising from providing services or performing duties required by the act. However, that immunity does not apply if an authority's, employee's, or volunteer's action or omission constitutes willful or wanton misconduct. This qualified immunity extends to all of the following:

(1) A school district, member of a school district board of education, or school district employee or volunteer, including a coach or referee;

(2) A chartered or nonchartered nonpublic school or any officer, director, employee, or volunteer of the school, including a coach or referee;

(3) A community school, member of a community school governing authority, community school employee or volunteer, community school operator, or employee or volunteer of a community school operator, including a coach or referee;

(4) A STEM school, member of a STEM school governing body, or STEM school employee or volunteer, including a coach or referee.¹⁴

The act also provides that a youth sports organization or official, employee, or volunteer of a youth sports organization is not liable in damages in a civil action for injury, death, or loss to person or property allegedly arising from providing services or performing duties required by the act, again unless the action or omission constitutes willful or wanton misconduct.¹⁵

Moreover, the act specifies that its qualified immunity from liability does not eliminate, limit, or reduce any other immunity or defense that a public entity, public

¹³ R.C. 3313.539(F), 3314.03(A)(11)(d), and 3326.11.

¹⁴ R.C. 3313.539(G), 3314.142(A), and 3326.27(A).

¹⁵ R.C. 3707.511(F)(1).

official, or public employee may be entitled to under the Political Subdivision Tort Liability Law or any other provision of the Revised Code or under the common law of Ohio.¹⁶

Pupil-activity program permit

Under the act, as a condition of issuing a first-time pupil-activity program permit to coach interscholastic athletics, the State Board of Education must require each individual applying on or after the act's effective date to successfully complete a training program specifically focused on brain trauma and brain injury management. As a condition of renewing a pupil-activity program permit to coach interscholastic athletics, the State Board must require each individual applying on or after the act's effective date to present evidence that the individual has successfully completed, within the previous three years, an online training program in recognizing the symptoms of concussions and head injuries that is linked on the Department of Health's web site or a training program authorized and required by an organization that regulates interscholastic conferences or events.¹⁷

Department of Health

Concussion and head injury information sheet

The act requires the Department of Health to create a concussion and head injury information sheet for participants in interscholastic activities and youth sports organizations and to make the information sheet available on its web site in a format suitable for easy downloading and printing. The Department must include pertinent information to inform and educate coaches, athletes, and the parents, guardians, or other persons having care or charge of athletes of the signs and symptoms of a concussion or head injury and the risks of continuing to practice for or compete in an athletic event or activity after sustaining a concussion or head injury. The Department must periodically review and update the information sheet.¹⁸

Online training program

The act also requires the Department to provide a link on its web site to one or more free online training programs in recognizing the symptoms of concussions and

¹⁶ R.C. 3313.539(G)(1), 3314.142(B), and 3326.27(B).

¹⁷ R.C. 3319.303(C).

¹⁸ R.C. 3707.52(A).

head injuries. The Department must include one or more programs that are appropriate for coaches or referees of schools or youth sports organizations.¹⁹

Effective date

Only the requirements that the Department of Health post the concussion and head injury information sheet and links to online training programs take effect March 27, 2013 (the act's effective date). The rest of the act's provisions take effect April 26, 2013 (30 days later).²⁰

HISTORY

ACTION	DATE
Introduced	03-08-11
Reported, H. Health and Aging	06-12-12
Passed House (84-4)	06-13-12
Reported, S. Health, Human Services & Aging	12-04-12
Passed Senate (32-0)	12-04-12
House concurred in Senate amendments (91-2)	12-05-12

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¹⁹ R.C. 3707.52(B).

²⁰ Section 3.





Ohio Legislative Service Commission

Final Analysis

Elizabeth Molnar

Am. S.B. 26

130th General Assembly
(As Passed by the General Assembly)

Sens. Schaffer, Gardner, Brown, Tavares, Eklund, Hite, Jones, Kearney, Manning, Obhof, Oelslager, Peterson, Turner

Reps. Bishoff, Brown, Hottinger, Amstutz, Anielski, Antonio, Ashford, Barborak, Beck, Boose, Budish, Carney, Celebrezze, Cera, Curtin, Derickson, DeVitis, Dovilla, Grossman, Hackett, C. Hagan, Hayes, Henne, Johnson, Letson, Mallory, McClain, Milkovich, Perales, Pillich, Ruhl, Scherer, Schuring, Sears, Smith, Sprague, Stebelton, Stinziano, Winburn, Batchelder

Effective date: Emergency, May 28, 2013

ACT SUMMARY

- Provides that youth sports organizations and their coaches, referees, and officials are not subject to criminal penalties for violating a law regarding concussions and head injuries in youth sports.
- Modifies certain statutory descriptions of organizations that regulate interscholastic athletics.

CONTENT AND OPERATION

H.B. 143 and concussions in youth sports

Sub. H.B. 143 of the 129th General Assembly established requirements related to providing information on concussions and head injuries that occur during youth sports activities and removing participants with those conditions from athletic practice or competition. The requirements that apply to schools and youth sports organizations and their coaches, officials, and referees became effective April 26, 2013. Effective 30 days before (March 27, 2013), the Ohio Department of Health (ODH) was required to post on its website a concussion and head injury information sheet, along with links to free training programs.

Under H.B. 143, a youth sports organization is any entity that organizes an athletic activity in which the athletes are not more than 19 years of age and (1) are required to pay a fee to participate or (2) have the cost of participating sponsored by a business or nonprofit organization.

Removal of criminal penalties

H.B. 143's provisions relating to youth sports organizations and ODH are located in R.C. 3707.51, 3707.511, and 3707.52. These provisions fell within the scope of the following prohibition under preexisting law: "[n]o person shall violate [R.C.] 3707.01 to 3707.53 . . .".¹ Violation of the prohibition in its continuing form is a minor misdemeanor on a first offense and a misdemeanor of the fourth degree on each subsequent offense, either of which can result in criminal penalties.²

The act removes H.B. 143's provisions relating to youth sports organizations and ODH from the scope of the prohibition described above.³ Accordingly, the revised prohibition and its accompanying criminal penalties are no longer applicable. Schools are not addressed by the act since there were no criminal penalties associated with failing to perform their H.B. 143 duties.

Organizations that regulate interscholastic athletics

The act replaces references to "an organization that regulates interscholastic conferences or events" with "an organization that regulates interscholastic athletic competition and conducts interscholastic athletic events" in H.B. 143's provisions that do the following: (1) allow an individual who referees interscholastic athletics to fulfill the requirement for training regarding concussions and head injuries by completing a training program authorized and required by such an organization and (2) deem a school board or other school governing authority subject to the rules of such an organization to be in compliance with H.B. 143 if the rules are substantially similar to H.B. 143's requirements.⁴

¹ R.C. 3707.48.

² R.C. 3707.99, not in the act.

³ R.C. 3707.48.

⁴ R.C. 3313.359(C) and (F) and 3319.303(C).



HISTORY

ACTION	DATE
Introduced	02-12-13
Reported, S. Medicaid, Health & Human Services	03-12-13
Passed Senate (33-0)	03-13-13
Reported, H. Health & Aging	05-08-13
Passed House (98-0)	05-15-13
Senate concurred in House amendments (33-0)	05-22-13

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****Ohio's return-to-play law goes into effect on April 26th, 2013****

Ohio's Return to Play Law – Frequently Asked Questions

Updated: 5/30/2013



1. When does the law go into effect?

Ohio's return to play law goes into effect on April 26th, 2013.

2. What are the requirements for interscholastic (school-based) athletics?

As of April 26th, 2013, Ohio's return-to-play law (ORC 3313.539 and ORC 3314.03) requires the following for interscholastic athletics:

- Prohibits a school from allowing a student to practice for or compete in interscholastic athletics until the student has submitted a signed form stating that the student's parent, guardian or other person having care or charge of the student has received a concussion and head injury information sheet created by the Department of Health.
- Requires a coach or referee to remove a student athlete exhibiting signs, symptoms, or behaviors consistent with having sustained a concussion or head injury from practice or competition.
- Prohibits an athlete to return to play on the same day as he/she is removed.
- Prohibits a coach or referee from allowing a student to return to practice or competition from which the student was removed, or to participate in any other practice or competition for which the coach or referee is responsible, until the student has been assessed and cleared for return by a physician or by any other licensed health care provider authorized by the school.
- Institutes new training requirements for coaches and referees of interscholastic athletics (**see Questions 9 & 10**).

3. What are the requirements for youth sports organizations?

As of April 26th, 2013, Ohio's return-to-play law (ORC 3707.511) requires the following for youth sports organizations:

- Requires a youth sports organization to provide to the parent or other guardian of an individual who wishes to practice for or compete in an athletic activity organized by the organization, a concussion and head injury information sheet created by the Department of Health.
- Prohibits an individual from acting as a coach or referee for a youth sports organization without successfully completing a free online training program every three years in recognizing the symptoms of concussions [posted to the Ohio Department of Health's web site](#) **or** holding a pupil-activity program permit from the State Board of Education.
- The youth sports organization for which the individual intends to act as a coach or referee shall inform the individual of the training requirements.

www.healthyohioprogram.org/concussion

****Ohio's return-to-play law goes into effect on April 26th, 2013****

- Requires a coach, referee, or official of a youth sports organization to remove an athlete exhibiting signs, symptoms, or behaviors consistent with having sustained a concussion or head injury from practice or competition.
- Prohibits a coach, referee or official of a youth sports organization from allowing an athlete to return to play on the same day as he/she is removed.
- Prohibits a coach, referee, or official of a youth sports organization from allowing an individual to return to the practice or competition from which the individual was removed or to participate in any other practice or competition for which the coach, referee, or official is responsible until the individual has been assessed and cleared for return by a physician or by any other licensed health care provider authorized by the youth sports organization.

4. Who can clear an athlete to return-to-play?

Under Ohio law (R.C. 3313.539 and R.C. 3707.511), a physician must provide **WRITTEN** clearance for an athlete to return to play. A school district or youth sports organization may also authorize a licensed health care provider who is not a physician to make an assessment or grant clearance to return to play **if** the provider is acting in accordance with one of the following, as applicable to the provider's authority to practice in Ohio:

1. In consultation with a physician;
2. Pursuant to the referral of a physician;
3. In collaboration with a physician;
4. Under the supervision of a physician.

It is important to review your school or youth sports organization's policy regarding what health care providers are authorized to clear an athlete to return-to-play.

5. Can a child return to play on the same day if he/she is cleared to return by a physician or other authorized health care provider?

No. Ohio law prohibits a child to return to play (practice or competition) on the same day that he/she is removed on suspicion of having sustained a concussion, regardless of whether he/she has been cleared by a physician or other authorized health care provider. He/she may return the following day if cleared **in writing** by a physician (MD or DO) or other authorized health care provider that they did not sustain a concussion. If they sustained a concussion, then they should complete the recommended [5 Phase Exercise Progression](#) before returning.

6. How is a Youth Sports Organization defined under the law?

Under the law (ORC 3707.51), youth sports organizations are defined as public or nonpublic entities that organize athletic activities in which the athletes are not more than nineteen (19) years old and are required to pay a fee to participate in the athletic activity or whose cost to participate is sponsored by a business or nonprofit organization.

****Ohio's return-to-play law goes into effect on April 26th, 2013****

7. What schools must comply with Ohio's return-to-play law?

The prohibitions and requirements for interscholastic athletics apply to public schools, including schools operated by school districts, community schools, and science, technology, engineering, and math (STEM) schools. They also apply to all private schools, including both chartered and nonchartered nonpublic schools. (ORC 3313.539, ORC 3314.03, ORC 3326.27.)

8. What are the training requirements for coaches, referees and officials of youth sports organizations?

Individuals who wish to coach or referee in a youth sports organization will be required to successfully complete, every three years, [a free online training program in recognizing the symptoms of concussions and head injuries provided by the Ohio Department of Health](#) if they do not already hold a [Pupil Activity Permit](#) for coaching interscholastic sports from the Ohio Department of Education. (ORC 3707.511) (see Questions 11 & 12 for more information on Pupil Activity Permits).

9. What are the training requirements for referees of interscholastic (school-based athletics)?

Individuals who wish to referee interscholastic athletics must either:

- 1) hold a [Pupil Activity Permit](#) (see Questions 10 & 11) for coaching interscholastic athletics
- OR-
- 2) successfully complete an online training program, every three years, in recognizing the symptoms of concussions and head injuries that is [linked on the Department of Health's web site](#) or a training program authorized and required by an organization that regulates interscholastic conferences or events.

(ORC 3313.539)

10. What are the training requirements for coaches of interscholastic (school-based) athletics?

Those wishing to coach interscholastic athletics must hold a Pupil Activity Permit (PAP) issued by the [Ohio Department of Education](#). Coaches who already have a current PAP will be required to present evidence that they have successfully completed a training program in recognizing the symptoms of concussions and head injuries that [is linked on the Department of Health's web site](#) **or** a training program authorized and required by an organization that regulates interscholastic conferences or events in order to renew their permit (permit renewal occurs every three years). (ORC 3319.303)

Those who apply for a first-time Pupil Activity Permit to coach interscholastic athletics will be required to successfully complete a training program that is specifically focused on concussion management as part of their application requirements. (ORC 3319.303)

11. What is a Pupil Activity Permit?

****Ohio's return-to-play law goes into effect on April 26th, 2013****

Ohio Revised Code section 3319.303 of the Revised Code requires the State Board of Education to adopt rules establishing standards and requirements for obtaining a [Pupil Activity Permit](#). The Pupil Activity Permit is necessary for all individuals who wish to direct, supervise or coach a program in the schools of Ohio involving athletics, routine or regular physical activity, or health and safety considerations, whether it is done on a paid or volunteer basis. For more information on the pupil activity permits, please visit the [Ohio Department of Education's web site](#).

12. I have a Pupil Activity Permit. Do I need to take the online concussion training?

Under the law (ORC 3319.303), individuals who possess a current permit will be required, as a condition of renewing their Pupil Activity Permit, to present evidence that the individual has successfully completed, within the previous three years, a training program in recognizing the symptoms of concussions and head injuries [that is linked on the Department of Health's web site](#) or a training program authorized and required by an organization that regulates interscholastic conferences or events.

Those who apply for a first-time Pupil Activity Permit to coach interscholastic athletics will be required to successfully complete a training program that is specifically focused on concussion management as part of their application requirements. (ORC 3319.303)

13. Where can I download the concussion information sheet?

The forms can be accessed by using the links below or visiting:
www.healthyohioprogram.org/concussion

[Student Athlete Concussion Information Sheet \(for Interscholastic Activities\)](#) – Starting April 26th, 2013, Ohio law (ORC 3313.539) prohibits schools from allowing a student to practice for or compete in interscholastic athletics until the student has submitted this signed form stating that the student and the student's parent or guardian have received the information contained in the information sheet.

[Youth Sports Organization Concussion Information Sheet \(for Youth Sports Organizations\)](#) – Starting April 26th, 2013, Ohio law (ORC 3707.511) requires a youth sports organization to provide this sheet to the parent or other guardian of an individual who wishes to practice for or compete in an athletic activity organized by the organization.

14. What are the approved online training courses?

The following free online trainings have been approved by the Ohio Department of Health for coaches and referees:

[National Federation of State High School Associations Concussion in Sports - What you Need to Know:](#)

<http://www.nfhslearn.com/electiveDetail.aspx?courseID=38000>

www.healthyohioprogram.org/concussion

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(This free on-line course is available through the NFHS. You will need to click the "order here" button and complete a brief registration form to take the course. However, you do not need to be a member of NFHS to access this course.) Follow these steps to complete the course:

- 1) Click on the button that says, please login to order. In the window that appears, click Register Now.
- 2) When your registration is complete you may "order" the free concussion course offered along the left hand side of the page. Continue following prompts. Although it may look like you'll be charged for the course, there is no cost.
- 3) Once you've completed "checkout," you'll be able to take the free online course.
- 4) When you've completed and passed the course, you have the option of printing a certificate of completion.

[Centers for Disease Control and Prevention Heads Up Concussion in Youth Sports On-Line Training Program:](http://www.cdc.gov/concussion/HeadsUp/online_training.html)

http://www.cdc.gov/concussion/HeadsUp/online_training.html

PLEASE NOTE: Both courses offer a "certificate of completion" upon successful passage. The NFHS course allows organizations [to search for and track coaches who have completed the course](#) while the CDC course does not.

15. How often are student athletes (interscholastic athletics) required to submit the signed Concussion Information Sheet?

Students are required to submit a completed form each school year for each sport or other category of interscholastic athletics for which the student practices or competes. (ORC 3313.539)

16. If a student submits the signed concussion information sheet for an activity in the fall and would like to participate in another interscholastic athletic activity during the same school year, does he or she have to turn in another concussion information sheet?

Yes. Student athletes are required to submit the form for each sport or other category of interscholastic athletics for which the student practices or competes. (ORC 3313.539)

17. How often are youth sports organizations required to provide the ODH concussion information sheet?

Youth sports organizations are required to provide the information sheet annually for each sport or other category of athletic activity. (ORC 3707.511)

18. What if a coach or referee thinks a player should be removed from practice or a game after a head injury, but the player's parent/guardian disagrees and thinks the player should continue playing – who makes the final decision?

www.healthyohioprogram.org/concussion

****Ohio's return-to-play law goes into effect on April 26th, 2013****

Ideally, parents who have received and reviewed the ODH concussion information sheet will recognize the signs and symptoms of a possible concussion. However, coaches, referees (and officials in the case of youth sports organizations) are responsible for removing an athlete from play if he or she shows the signs and symptoms of a concussion – even if a parent or the player disagrees (ORC 3313.539 and ORC 3707.511). The athlete is not permitted to return to play on the same day as he/she is removed.

19. What are the signs, symptoms, or behaviors consistent with having sustained a concussion or head injury?

Athletes do not have to be “knocked out” to have a concussion. In fact, less than 1 out of 10 concussions result in loss of consciousness. Concussion symptoms can develop right away or up to 48 hours after the injury. *Ignoring any signs or symptoms of a concussion puts a child's health at risk!*

Signs Observed by Parents of Guardians:

- Appears dazed or stunned.
- Is confused about assignment or position.
- Forgets plays.
- Is unsure of game, score or opponent.
- Moves clumsily.
- Answers questions slowly.
- Loses consciousness (even briefly).
- Shows behavior or personality changes (irritability, sadness, nervousness, feeling more emotional).
- Can't recall events before or after hit or fall.

Symptoms Reported by Athlete:

- Any headache or “pressure” in head. (How badly it hurts does not matter.)
- Nausea or vomiting.
- Balance problems or dizziness.
- Double or blurry vision.
- Sensitivity to light and/or noise
- Feeling sluggish, hazy, foggy or groggy.
- Concentration or memory problems.
- Confusion.
- Does not “feel right.”
- Trouble falling asleep.
- Sleeping more or less than usual.

20. Are there any resources available for health care providers on clearing an athlete to return to play?

****Ohio's return-to-play law goes into effect on April 26th, 2013****

The Centers for Disease Control and Prevention (CDC) have a number of resources to assist health care providers in helping to identify, diagnose and manage concussions. These resources can be accessed here: www.cdc.gov/concussion/clinician.html

21. Are there any resources available for parents, coaches, teachers and school administrators to help students return to school after sustaining a concussion?

Nationwide Children's Hospital offers a number of resources to educate parents, coaches, teachers and school administrators about the signs, symptoms, treatment and management of concussions. These materials can be accessed here: <http://www.nationwidechildrens.org/concussion-toolkit>

22. Does the law apply to out of state coaches and referees?

If an individual from out-of-state is to coach or referee for an Ohio youth sports organization in Ohio, then that individual must comply with Ohio law, including successfully completing the concussion and head injury recognition training program identified by the Ohio Department of Health and removing an athlete from practice or play if they exhibit the signs and symptoms of a concussion.

23. What do youth sports organizations have to do to comply with the training requirements under the law?

The youth sports organization for which the individual intends to act as a coach or referee shall inform the individual of the requirement described in Ohio law.

24. Is physician defined under the law?

"Physician" means a person authorized under [Chapter 4731](#) of the Revised Code to practice medicine and surgery (MD) or osteopathic medicine and surgery (DO).

25. Does an out-of-state coach or referee have to take the online training if they completed a concussion awareness training in their own state?

If an out-of-state coach or referee took the one of the two [ODH identified training courses](#) to meet the requirements in their own state within the past three years, then they do not have to re-take the training. If they took another course that has not been approved by ODH, then they would have to take [one of the two identified trainings](#) to ensure compliance with Ohio law.

26. If my youth sports organization is part of a larger youth sports organization, who is responsible for providing the concussion information sheet to parents/guardians?

Which ever organizational unit or entity that has direct contact with the athlete is the most reasonably appropriate entity to distribute the concussion information sheet. Several organizations are incorporating the sheet into their registration procedures.

www.healthyohioprogram.org/concussion

****Ohio's return-to-play law goes into effect on April 26th, 2013****

27. Is there a form that health care providers must sign to permit an athlete to return to practice or play after they are removed?

For school sports that are members of the Ohio High School Athletic Association, there is an OHSAA sanctioned form available here: <http://ohsaa.org/medicine/AuthorizationToReenter.pdf>

For youth sports organizations and schools that are not part of the OHSAA, there is no specific form that must be filled out by a healthcare provider authorizing an athlete to return to play. The law only requires that the athlete must present evidence in writing by a physician (MD or DO) or other authorized health care provider that they have been cleared to return.

Disclaimer: *This document is intended to serve as guidance for Ohio's "Return to Play" Law and should not be construed as legal advice or legal opinion on specific facts or circumstances. You should consult an attorney with respect to any particular issue or concern.*

INFORMATION ON CONCUSSION MANAGEMENT

CONCUSSION REGULATIONS – UPDATED FOR 2013-14

DATE OF IMPLEMENTATION – APRIL 26, 2013

Implementation of State Law and NFHS Playing Rules Related to Concussion and Concussed Athletes and Return to Play Protocol

Notwithstanding the leading role that the Ohio High School Athletic Association has played in the area of developing policies concerning concussion prevention, recognition and management, in December of 2012, Ohio's Governor Kasich signed into law legislation that was passed by Ohio's 129th General Assembly which incorporated much of what the OHSAA regulations previously mandated. This law adds several aspects to previous OHSAA regulations. Therefore, in order to be fully compliant with this law as signed by our Governor, modifications have been made to OHSAA policy. These modifications are set forth in these updated Concussion Regulations.

It is important for all individuals involved in interscholastic athletics to recognize the potential for catastrophic injury and even death from concussions. Thus it is extremely important that each coach, administrator, contest official and medical support personnel review their responsibilities in protecting students. Further both students and parents have responsibilities in this area as well.

Note: It has always been the ultimate responsibility of the coaching staff, in all sports, to ensure that students are only put into practice or contests if they are physically capable of performing. However, all individuals involved in the conduct of interscholastic competition have responsibilities in this endeavor.

In January 2011, the OHSAA Board of Directors adopted a sports regulation which incorporated the National Federation of State High School Associations (NFHS) playing rules related to concussion recognition and management. On April 26, 2013, legislation adopted by Ohio's General Assembly on concussion and head injuries in youth sports became effective. On February 14, 2013, the OHSAA Board of Directors mandated that these regulations become effective on April 26, 2013 for the remainder of the spring sports season and thereafter. This OHSAA regulation, as amended to incorporate this recent legislation, now reads:

Any student, while practicing for or competing in an interscholastic contest, who exhibits signs, symptoms or behaviors consistent with having sustained a concussion or head injury (such as loss of consciousness, headache, dizziness, confusion or balance problems) shall be immediately removed from the practice or contest by either of the following:

- 1) The individual who is serving as the student's coach during that practice or competition.
- 2) An individual who is serving as a contest official or referee during that practice or competition.

RETURN TO PLAY PROTOCOL

If a student is removed from practice or competition due to a suspected concussion or head injury, the coach or referee who removes the student shall not permit the student, **ON THE SAME DAY THE STUDENT IS REMOVED**, to return to that practice or competition or to participate in any other practice or competition for which the coach or contest official is responsible. Thereafter, which means no earlier than the next day, the coach or contest officials shall not permit the student to return to practice or competition until both of the following conditions are satisfied:

- 1) The student's condition is assessed by either of the following:
 - a. A physician, who is a person authorized under Chapter 4731 of the Ohio Revised Code (OCR) to practice medicine and surgery or osteopathic medicine or surgery (M.D. or D.O.)
 - b. Any other licensed health care provider that the school district board of education or other governing authority of a chartered or non-chartered nonpublic school, authorizes to assess the student who has been removed from practice or competition.
- 2) The student receives **written authorization** that it is safe for the student to return to practice or competition from a physician or other licensed health care provider authorized to grant the clearance. Click here <http://ohsaa.org/medicine/AuthorizationToReenter.pdf> to retrieve the OHSAA's Medical Authorization to Return To Play (RTP) form.

A school district board of education or governing authority of a chartered or non-chartered nonpublic school may authorize a licensed health care provider who is NOT a PHYSICIAN to make an assessment and grant authorization for a student to return to participation ONLY if the provider is acting in accordance with one of the following as applicable to the provider's authority to practice in Ohio:

- 1) In consultation with a physician;
- 2) Pursuant to the referral of a physician;
- 3) In collaboration with a physician, or
- 4) Under the supervision of a physician.

Note: A physician or other licensed health care provider who makes an assessment or grants clearance for a student to return to participation may be a volunteer.

COACHES REQUIREMENTS

All coaches, paid and volunteer, must possess a current Department of Education-issued Pupil Activity Program/Coaching Permit. When renewing this permit, the coach will be required to complete an online concussion education course as stipulated in the section entitled **Approved Online Concussion Education Course**. This course is valid for three years and expires at the time the Pupil Activity Program/Coaching Permit expires.

CONTEST OFFICIALS REQUIREMENTS

New legislation signed into law by the Governor provides that no school "shall permit" an individual to referee interscholastic athletic contests unless the individual holds a Pupil Activity Program/Coaching Permit or has successfully completed within the last three years a training program in concussion recognition. Therefore, all OHSAA licensed officials shall possess either a current Department of Education-issued Pupil Activity Program/Coaching Permit or **show evidence of completing an approved online concussion education course** as stipulated in the section entitled **Approved Online Concussion Education Courses**. This course is valid for three years from the date of completion.

STUDENT AND PARENT REQUIREMENTS

All students and their parents or legal guardians shall review and sign the "Concussion Information Sheet" which has been developed by the Ohio Department of Health and which shall be distributed by OHSAA member schools to all students and their parents prior to each sports season. Students and parents shall review and sign this form each year and should keep a copy of the form. In addition, parents and students are encouraged to complete an approved concussion education course. The Concussion Information Sheet can be found here:

http://www.healthyohiprogram.org/~/_media/HealthyOhio/ASSETS/Files/injury%20prevention/concussion/Interscholastic%20Concussion%20Form%20-%20ODH%20Revised%202.ashx

APPROVED ONLINE CONCUSSION EDUCATION COURSES

THE FOLLOWING FREE ONLINE TRAINING COURSES HAVE BEEN APPROVED BY THE OHIO DEPARTMENT OF HEALTH FOR COACHES AND CONTEST OFFICIALS:

National Federation of State High School Associations Concussion in Sports - What you Need to Know:

<http://www.nfhslearn.com/electiveDetail.aspx?courseID=38000>

(This free online course is available through the NFHS. Click the "order here" button, and complete a brief registration form to take the course. Follow these steps to complete the course:

1. Click on the button that says "Please Login to Order." In the window that appears, click "Register Now."
2. When your registration is complete, you may "order" the free concussion course offered along the left-hand side of the page. Continue following prompts. Although it may look like you will be charged for the course, there is no cost.
3. Once you've completed "Checkout," you will be able to take the free online course.
4. When you have completed and passed the course, you have the option of printing a certificate of completion.
5. All Ohio Officials should select this option to print, retain a copy of the certificate and carry it with them to all contests.

Centers for Disease Control and Prevention Heads Up Concussion in Youth Sports On-Line Training

Program: http://www.cdc.gov/concussion/HeadsUp/online_training.html -

PLEASE NOTE: Both courses offer a "certificate of completion" upon successful passage. The NFHS course allows organizations to search for and track coaches and other individuals such as contest officials who have completed the course, while the CDC course does not.

FREQUENTLY ASKED QUESTIONS

1. **What are the "signs, symptoms, or behaviors consistent with a concussion?"** The National Federation rule lists some of the signs, symptoms and behaviors consistent with a concussion. The U.S. Department of Health and Human Services, Centers for Disease Control and Prevention has published the following list of signs, symptoms and behaviors that are consistent with a concussion:

SIGNS OBSERVED BY OTHERS	SYMPTOMS REPORTED BY ATHLETE
<ul style="list-style-type: none">• Appears dazed or stunned• Is confused about assignment• Forgets plays• Is unsure of game, score, or opponent• Moves clumsily• Answers questions slowly• Loses consciousness• Shows behavior or personality changes• Cannot recall events prior to hit• Cannot recall events after hit	<ul style="list-style-type: none">• Headache• Nausea• Balance problems or dizziness• Double or fuzzy vision• Sensitivity to light or noise• Feeling sluggish• Feeling foggy or groggy• Concentration or memory problems• Confusion

2. **Who is responsible for administering this rule?**

All individuals who have responsibilities and duties in the interscholastic athletics environment are responsible: coaches, contest officials, administrators, students, parents and medical personnel.

3. What is the role of coaches in administering this rule?

- Coaches are to review and know the signs and symptoms of concussion and to prohibit any athlete who displays these signs or symptoms from participating in a practice or a contest.
- Coaches are not medical professionals and have no authority to determine whether or not a student has sustained a concussion. The coach is responsible for insuring that the student's parents are notified and the student is referred to a medical professional.
- Coaches shall be aware that any student removed from a practice or a contest due to a suspected concussion or head injury **shall not return to participation on the same day as the removal.**
- Coaches shall possess a current Pupil Activity Program/Coaching Permit and shall take one of the approved online concussion courses upon renewal of the permit.

4. What is the role of contest officials in administering the rule?

- Officials are to review and know the signs and symptoms of concussion and to direct immediate removal of any student who displays these signs or symptoms. When informing the head coach about removal of an athlete, the official shall be accompanied by another (second) official if possible.
- An official **shall not permit the athlete who has been removed under this rule to return to competition that same day.**
- If a contest official is aware that a student has been permitted to return to competition on the same day as removal, that official shall immediately stop play and remove that student from competition and report the incident to the OHSAA.
- Note that officials are not medical professionals and have no authority to determine whether or not a student has sustained a concussion. The official is responsible for directing removal when he or she observes signs and symptoms that may indicate a student is concussed.
- All Officials shall possess either a current Pupil Activity Program/Coaching Permit or shall complete one of the online concussion courses which are valid for three years from the date of completion.
- At initial licensure or renewal of the OHSAA officiating permit, the official shall indicate that he or she has either a current Pupil Activity Program/Coaching Permit or has completed one of the approved online concussion courses.
- All officials should carry with them evidence of completion of one of these options at all times while officiating a contest.
- Officials are required to submit to the OHSAA the "OHSAA Concussion Report" within 48 hours whenever a student has been removed from a contest under this regulation.

5. What are the expectations of student-athletes in concussion management?

- **While all individuals involved in the interscholastic athletics program have a responsibility to recognize the potential for catastrophic injury and even death from concussions, it is also the responsibility of student-athletes to recognize the signs, symptoms and behaviors consistent with a concussion.**
- **Student-athletes who exhibit symptoms such as loss of consciousness, headache, dizziness, confusion or balance problems, have the responsibility to report these immediately to their coach and/or health care professional. Teammates also share the responsibility to report these symptoms when they are exhibited by a fellow student-athlete.**
- **Student-athletes shall review and sign, on an annual basis, along with their parents or**

legal guardians, the Ohio Department of Health's Concussion Information Sheet found on the OHSAA website and at this link

<http://www.healthyohioprogram.org/~media/HealthyOhio/ASSETS/Files/injury%20prevention/concussion/Interscholastic%20Concussion%20Form%20-%20ODH%20Revised%202.ashx>

6. Who decides if an athlete has not been concussed and/or who has recovered from a concussion?

- **Only an M.D. (Medical Doctor), D.O. (Doctor of Osteopathy), or another health care provider approved by the school's Board of Education or other governing body who is acting in accordance with one of the following as applicable to the provider's authority to practice in Ohio:**

- 1) In consultation with a physician;
- 2) Pursuant to the referral of a physician;
- 3) In collaboration with a physician;
- 4) Under the supervision of a physician.

is empowered to make the on-site determination that an athlete has **not** received a concussion.

Even if that determination has been made, however, the student may not return to practice or competition on the same day he/she has been removed from a practice or competition (see No. 7 below).

- If any one of these physicians or authorized medical providers has answered that "yes" there has been a concussion, that decision is final.

7. Can an athlete return to play on the same day as he/she has been removed from a practice or competition for a suspected concussion?

- No, under no circumstances can that athlete return to play that day.
- No coach or contest official shall allow a student to return to practice or to competition on any day after the initial removal until that student has been assessed and cleared for return with **written authorization** by a physician or licensed health care provider authorized by the school.
- If the event continues over multiple days, then the designated event physician has ultimate authority over return to play decisions.

8. Once the day has concluded, who can issue authorization to return to practice/competition in the sport for a student who has diagnosed with a concussion?

- Once a concussion has been diagnosed by a physician or other approved health care provider, only a physician or approved provider can authorize subsequent Return To Play (RTP), and such authorization shall be in writing to the administration of the school. This written **RTP authorization shall be kept at the school indefinitely** as a part of that student's permanent record. Click here <http://ohsaa.org/medicine/AuthorizationToReenter.pdf> to access the OHSAA "Medical Authorization to Return to Play" Form.
- School administration shall then notify the coach as to the permission to return to practice or play.

9. What should be done after the student is cleared by an appropriate health care professional?

- After a clearance has been issued, the student's actual return to practice and play should follow a graduated protocol.
- The National Federation of State High School Associations has included the following graduated protocol in its Suggested Guidelines for Management of Concussion in Sports:

(Note: This is simply a suggested protocol. The appropriate health care professional who issues the clearance may wish to establish a different graduated protocol.)

NFHS SUGGESTED MEDICAL CLEARANCE RETURN TO PLAY PROTOCOL

1. No exertional activity until asymptomatic.
2. When the athlete appears clear, begin low-impact activity such as walking, stationary bike, etc.
3. Initiate aerobic activity fundamental to specific sport such as running or skating, and may also begin progressive strength training activities.
4. Begin non-contact skill drills specific to sport such as dribbling, fielding, batting, etc.
5. Full contact in practice setting.
6. Game play/competition.
 - Athlete must remain asymptomatic to progress to the next level. (It is often suggested that an athlete not be allowed to progress more than one level per day.)
 - If symptoms recur, athlete must return to previous level and should be reevaluated by an appropriate health care professional.
 - Medical check should occur before contact. (Final written clearance from the medical professional shall be obtained before the athlete engages in any unrestricted or full contact activity.)

QUICK LINKS FROM THE OHIO DEPARTMENT OF HEALTH

OHIO DEPARTMENT OF HEALTH CONCUSSION INFORMATION SHEET

[HTTP://WWW.HEALTHYOHIOPROGRAM.ORG/~MEDIA/HEALTHYOHIO/ASSETS/FILES/INJURY%20PREVENTION/CONCUSSION/INTERSCHOLASTIC%20CONCUSSION%20FORM%20-%20ODH%20REVISED%202.ASHX](http://www.healthyohioprogram.org/~media/HealthyOhio/ASSETS/FILES/INJURY%20PREVENTION/CONCUSSION/INTERSCHOLASTIC%20CONCUSSION%20FORM%20-%20ODH%20REVISED%202.ASHX)

[Online Concussion Management Training - http://www.healthyohioprogram.org/concussion.aspx#Training](http://www.healthyohioprogram.org/concussion.aspx#Training)

[Ohio's Return to Play Law: Frequently Asked Questions -](http://www.healthyohioprogram.org/~media/HealthyOhio/ASSETS/FILES/injury%20prevention/concussion/Frequently%20Asked%20Questions%20Updated%202513.ashx)

<http://www.healthyohioprogram.org/~media/HealthyOhio/ASSETS/FILES/injury%20prevention/concussion/Frequently%20Asked%20Questions%20Updated%202513.ashx>

[Ohio's Return to Play Law: What Coaches and Referees Need to Know -](http://www.healthyohioprogram.org/~media/HealthyOhio/ASSETS/FILES/injury%20prevention/concussion/Return%20to%20Play%20-%20What%20Coaches%20Need%20to%20Know%20-%20School%20Sports%20-%20Final.ashx)

<http://www.healthyohioprogram.org/~media/HealthyOhio/ASSETS/FILES/injury%20prevention/concussion/Return%20to%20Play%20-%20What%20Coaches%20Need%20to%20Know%20-%20School%20Sports%20-%20Final.ashx>

[Ohio's Return to Play Law: What Parent/Guardians Need to Know -](http://www.healthyohioprogram.org/~media/HealthyOhio/ASSETS/FILES/injury%20prevention/concussion/Return%20to%20Play%20-%20What%20Parents-Guardians%20Need%20to%20Know%20-%20School%20Sports%20-%20Final.ashx)

<http://www.healthyohioprogram.org/~media/HealthyOhio/ASSETS/FILES/injury%20prevention/concussion/Return%20to%20Play%20-%20What%20Parents-Guardians%20Need%20to%20Know%20-%20School%20Sports%20-%20Final.ashx>

ADDITIONAL CONCUSSION RESOURCES

[Ohio Department of Health, Violence and Injury Prevention Program - Sports/Recreation Traumatic Brain Injuries -](http://www.healthyohioprogram.org/vipp/child/tbi.aspx)

<http://www.healthyohioprogram.org/vipp/child/tbi.aspx>

[CDC Heads Up: Concussion in Youth Sports](#)

Nationwide Children's Hospital – Concussion Information Toolkit - <http://www.nationwidechildrens.org/concussion-toolkit>

CDC Materials on Returning to School for Parents, School Nurses and Educators - <http://www.cdc.gov/concussion/HeadsUp/schools.html>

Ohio Legislative Service Commissioner HB 143 Bill Analysis - <http://www.lsc.state.oh.us/analyses129/12-hb143-129.pdf>

Brain Injury Association of Ohio – www.biaoh.org