



Ohio Legislative Service Commission

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Fiscal Note & Local Impact Statement

Bill: [Sub. H.B. 143 of the 129th G.A.](#) **Date:** November 30, 2012
Status: As Reported by Senate Health, Human Services & Aging **Sponsor:** Rep. Stinziano

Local Impact Statement Procedure Required: No

Contents: Addresses concussions and head injuries in practices for and competition in interscholastic athletics and athletic activities involving youth sports organizations

State Fiscal Highlights

- The Ohio Department of Health (ODH) may incur a minimal increase in administrative costs to create and post on its web site an information sheet on concussion and head injury and to provide a link on its web site to at least one free online training program in recognizing the symptoms of concussions and head injuries.

Local Fiscal Highlights

- The bill is not likely to result in increased costs for school districts as it considers schools subject to the rules of an interscholastic conference, such as the Ohio High School Athletic Association (OHSAA), as in compliance with the bill's requirements and it states that employees and volunteers are not liable for civil damages related to its requirements, unless an act or omission constitutes willful or wanton misconduct.

Detailed Fiscal Analysis

Ohio Department of Health responsibilities

The bill requires the Ohio Department of Health (ODH) to create and post on its web site an information sheet on concussion and head injury. ODH must also provide a link on its web site to at least one free online training program in recognizing the symptoms of concussions and head injuries for coaches and referees of schools and youth sports organizations. Both the Ohio High School Athletic Association (OHSAA) and the Centers for Disease Control and Prevention (CDC) have similar information sheets on their web sites.¹ In addition, the National Federation of State High School Associations (NFHS) provides a free training course on concussion management called "Concussion in Sports – What You Need to Know" on its web site.² Because of the availability of these and possibly other free resources, ODH will likely incur only minimal administrative costs in meeting the bill's requirements.

Participation in athletic activities

The bill prohibits public and nonpublic schools as well as youth sports organizations from permitting a student to participate in athletic activities until the student submits a form verifying receipt of the information sheet developed by ODH. A coach or a referee in an interscholastic event or a coach, referee, or official of a youth sports organization must remove a student from practice or competition if the student exhibits signs, symptoms, or behaviors consistent with having sustained a concussion or head injury, and may not allow the student to return until assessed and cleared by a physician or other authorized licensed health care provider. The bill considers schools to be in compliance with these requirements if they are subject to the rules of an interscholastic conference and the requirements of the conference's rules, as it pertains to concussion management, are "substantially similar" to those specified in the bill. Presumably, members of the OHSAA, which regulates and administers the interscholastic athletic competitions of over 1,600 public and nonpublic middle and high schools in Ohio, would meet this requirement since they have already established a concussion management protocol. The bill states that employees and volunteers, including coaches and referees, of schools and youth sports organizations are not liable for civil damages related to assessing concussions or head injuries, clearing students for participation in athletics, and deciding whether to remove a student athlete from practice or competition for a concussion, unless an act or omission constitutes willful or

¹ OHSAA: <http://www.ohsaa.org/medicine/Concussions/ConcussionProtocol01111.pdf>.

CDC: http://www.cdc.gov/concussion/pdf/Parents_Fact_Sheet-a.pdf.

² NFHS: <http://www.nfhslearn.com/electiveDetail.aspx?courseID=15000>.

wanton misconduct. The bill, therefore, is not likely to result in increased costs for school districts.

Pupil-activity permit

The bill requires an individual applying to the State Board of Education for an initial pupil-activity permit that is required to coach³ interscholastic athletics to complete a training program that is specifically focused on brain trauma and brain injury management. The current curriculum required by the State Board to obtain the permit includes a two-hour first aid training which includes content on cranial-cerebral injury. An individual applying to renew their permit must show evidence of having completed one of the free online training programs linked to on the ODH web site or a training program authorized and required by an organization that regulates interscholastic conferences or events. Typically, the costs of obtaining permits are borne by the perspective permit holder, although a school may choose to cover some or all of these costs.

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³ The bill also requires referees to either hold a pupil-activity permit or to present evidence that they have completed, within the previous three years, one of the free online training programs linked to on the ODH web site or a training program authorized and required by an organization that regulates interscholastic conferences or events, in order to referee interscholastic activities.