

SUBSTITUTE SENATE BILL No. 33

By Committee on Public Health and Welfare

2-17

1 AN ACT concerning school districts; enacting the school sports head
2 injury prevention act.

3
4 *Be it enacted by the Legislature of the State of Kansas:*

5 Section 1. (a) This section shall be known and may be cited as the
6 school sports head injury prevention act.

7 (b) As used in this section:

8 (1) "School" means any public or accredited private high school,
9 middle school or junior high school.

10 (2) "Health care provider" means a person licensed to practice
11 medicine and surgery.

12 (c) The state board of education, in cooperation with the Kansas state
13 high school activities association, shall compile information on the nature
14 and risk of concussion and head injury including the dangers and risks
15 associated with the continuation of playing or practicing after a person
16 suffers a concussion or head injury. Such information shall be provided to
17 school districts for distribution to coaches, school athletes and the parents
18 or guardians of school athletes.

19 (d) A school athlete may not participate in any sport competition or
20 practice session unless such athlete and the athlete's parent or guardian
21 have signed, and returned to the school, a concussion and head injury
22 information release form. A release form shall be signed and returned
23 each school year that a student athlete participates in sport competitions
24 or practice sessions.

25 (e) If a school athlete suffers, or is suspected of having suffered, a
26 concussion or head injury during a sport competition or practice session,
27 such school athlete immediately shall be removed from the sport
28 competition or practice session.

29 (f) Any school athlete who has been removed from a sport
30 competition or practice session shall not return to competition or practice
31 until the athlete is evaluated by a health care provider and the health care
32 provider provides such athlete a written clearance to return to play or
33 practice. If the health care provider who provides the clearance to return
34 to play or practice is not an employee of the school district, such health
35 care provider shall not be liable for civil damages resulting from any act
36 or omission in the rendering of such care, other than acts or omissions

- 1 constituting gross negligence or willful or wanton misconduct.
- 2 Sec. 2. This act shall take effect and be in force from and after its
- 3 publication in the statute book.