

SENATE BILL NO. 304

INTRODUCED BY R. DRISCOLL

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4 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE DYLAN STEIGERS PROTECTION OF YOUTH  
5 ATHLETES ACT; PROVIDING PROTOCOL FOR REMOVING A YOUTH SUSPECTED OF SUSTAINING A  
6 CONCUSSION FROM SPORTS PARTICIPATION UNTIL CLEARANCE; REQUIRING THAT A HEALTH CARE  
7 PROFESSIONAL'S SCOPE OF PRACTICE INCLUDE THE EVALUATION AND MANAGEMENT OF  
8 CONCUSSIONS; PROVIDING FOR THE INCLUSION OF SPORTS ACTIVITIES SANCTIONED BY A SCHOOL  
9 OR SCHOOL DISTRICT; AMENDING SECTIONS 20-7-1302, 20-7-1303, AND 20-7-1304, MCA; AND  
10 PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

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14 **Section 1.** Section 20-7-1302, MCA, is amended to read:  
15 **"20-7-1302. Definitions.** As used in this part, the following definitions apply:  
16 (1) "Concussion" means an injury to the brain arising from blunt trauma, an acceleration force, or a  
17 deceleration force, which may include one of the following observed or self-reported conditions attributable to the  
18 injury:  
19 (a) transient confusion, disorientation, or impaired consciousness;  
20 (b) dysfunction of memory;  
21 (c) loss of consciousness; or  
22 (d) signs of other neurological or neuropsychological dysfunction, including:  
23 (i) increased irritability;  
24 (ii) lethargy;  
25 (iii) vomiting;  
26 (iv) headache;  
27 (v) dizziness;  
28 (vi) fatigue;  
29 (vii) decreased balance; and  
30 (viii) seizures.

1 (2) "Licensed health care professional" means a registered, licensed, certified, or otherwise statutorily  
2 recognized health care professional whose training ~~includes~~ and scope of practice include the evaluation and  
3 management of concussions.

4 (3) "Organized youth athletic activity" means an athletic activity sponsored or sanctioned by a school or  
5 school district in which the participants are engaged in an athletic game or competition against another team,  
6 club, or entity, in practice, tryouts, training exercises, or sports camps, or in preparation for an athletic game or  
7 competition against another team, club, or entity.

8 (4) "Youth athlete" means an individual who is an active participant in an organized youth athletic  
9 activity."

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11 **Section 2.** Section 20-7-1303, MCA, is amended to read:

12 **"20-7-1303. Youth athletes -- concussion education requirements.** (1) Each school district in this  
13 state offering organized youth athletic activities shall adopt policies and procedures to inform athletic trainers,  
14 coaches, officials, youth athletes, and parents or guardians of the nature and risk of brain injuries, including the  
15 effects of continuing to play after a concussion. The policies, content, and protocols must be consistent with  
16 current medical knowledge and guidelines provided by the U.S. department of health and human services,  
17 centers for disease control and prevention, as to:

18 (a) the nature and risk of brain injuries associated with athletic activity;

19 (b) the signs, symptoms, and behaviors consistent with a brain injury;

20 (c) the need to alert a licensed health care professional for urgent recognition and treatment when a  
21 youth athlete exhibits signs, symptoms, or behaviors consistent with a concussion or is suspected to have  
22 sustained a concussion; and

23 (d) the need to follow proper medical direction and protocols for treatment and returning to play after a  
24 youth athlete sustains a concussion.

25 (2) A form documenting that educational materials referred to in subsection (1) have been provided to  
26 and viewed by each youth athlete and the youth athlete's parent or guardian must be signed by each youth  
27 athlete and the youth athlete's parent or guardian and returned to an official designated by the school or school  
28 district prior to the youth athlete's participation in organized youth athletic activities for the subsequent school  
29 year.

30 (3) School districts shall ensure access to a training program consistent with subsection (1). Each coach,

1 athletic trainer, and official participating in organized youth athletic activities shall complete the training program  
2 at least once each school year.

3 (4) School districts may invite the participation of appropriate advocacy groups and appropriate sports  
4 governing bodies to facilitate the requirements of subsections (1) through (3)."

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6 **Section 3.** Section 20-7-1304, MCA, is amended to read:

7 **"20-7-1304. Youth athletes -- removal from participation following concussion -- medical**  
8 **clearance required before return to participation.** (1) An athletic trainer, coach, or official shall remove a youth  
9 athlete from participation in any organized youth athletic activity at the time the youth athlete:

10 (a) exhibits signs, symptoms, or behaviors consistent with a concussion; or

11 (b) is suspected of sustaining a concussion.

12 (2) A youth athlete who has been removed from participation in an organized youth athletic activity ~~after~~  
13 ~~exhibiting~~ because the youth exhibited signs, symptoms, or behaviors consistent with a concussion or is  
14 suspected of sustaining a concussion may not return to organized youth athletic activities until the youth athlete:

15 (a) no longer exhibits signs, symptoms, or behaviors consistent with a concussion; and

16 (b) receives an evaluation by a licensed health care professional and receives written clearance to return  
17 to play from the licensed health care professional. The written clearance must state:

18 (i) that the licensed health care professional has evaluated the youth athlete; and

19 (ii) that in the licensed health care professional's opinion, the youth athlete is capable of safely resuming  
20 participation in organized youth athletic activities."

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22 NEW SECTION. **Section 4. Effective date.** [This act] is effective on passage and approval.

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