



GOV. MSG. NO. 1300

EXECUTIVE CHAMBERS
HONOLULU

NEIL ABERCROMBIE
GOVERNOR

July 03, 2012

The Honorable Shan Tsutsui, President
and Members of the Senate
Twenty-Sixth State Legislature
State Capitol, Room 409
Honolulu, Hawaii 96813

The Honorable Calvin Say, Speaker
and Members of the House
Twenty-Sixth State Legislature
State Capitol, Room 431
Honolulu, Hawaii 96813

Dear President Tsutsui, Speaker Say and Members of the Legislature:

This is to inform you that on July 03, 2012, the following bill was signed into law:

HB2273 SD1

RELATING TO CONCUSSIONS.
Act 197 (12)

Sincerely,


NEIL ABERCROMBIE
Governor, State of Hawaii

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 concussions or mild
2 traumatic brain injuries sustained by children and adolescents
3 frequently occur in a variety of sports and recreational
4 activities, including football, soccer, bicycling, and
5 skateboarding. In October 2011, the Centers for Disease Control
6 and Prevention reported that the number of traumatic brain
7 injury-related emergency department visits in this country by
8 persons nineteen years old or younger that were related to
9 sports and recreational activities increased from 153,375 in
10 2001 to 248,418 in 2009. In this State, the department of
11 education's athletic health care trainers program also noted an
12 increase in the number of reported concussions, from two hundred
13 thirteen in the 2007-2008 school year to four hundred forty-six
14 in the 2010-2011 school year.

15 The marked increase in national and state concussion
16 statistics may be attributed, at least in part, to an increased
17 awareness of the dangers of concussions by the people involved
18 in sports activities. The department of education began its



1 concussion management program in 2011 to educate coaches,
2 parents, and athletic trainers, and provide care for students.
3 The legislature finds, however, that a statewide concussion
4 educational program is necessary to ensure that public and
5 private high school students, school personnel, and parents are
6 provided with consistent and up-to-date information on
7 concussions and management of symptoms and injuries relating to
8 a concussion.

9 The purpose of this Act is to require the department of
10 education and the Hawaii High School Athletic Association to
11 develop a concussion educational program for students and
12 student athletes who are fourteen to eighteen years old. The
13 program shall include:

- 14 (1) Education of students, student athletes, parents,
15 sports officials, school faculty and staff, and school
16 administrators of the signs and symptoms of a
17 concussion and what to do if someone demonstrates any
18 of these signs or symptoms;
- 19 (2) An annual educational session for coaches and athletic
20 trainers about the signs and symptoms of a concussion;
- 21 (3) The need for the mandatory removal of a student from
22 the athletic activity that the student is



1 participating in if the student demonstrates any signs
2 or symptoms of a concussion; and

3 (4) The need for a concussed student's physician to
4 evaluate the student and determine whether the student
5 is able to return to a particular athletic activity.

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

8 "Coach" means a paid or volunteer coach.

9 "Concussion" means a pathophysiological process affecting
10 the brain, caused by traumatic biomechanical forces.

11 "Licensed health care provider" means an advanced practice
12 registered nurse, certified or registered athletic trainer,
13 neuropsychologist, physician assistant, physician, or
14 osteopathic physician trained in the management of sports
15 concussions.

16 SECTION 3. The department of education and the Hawaii High
17 School Athletic Association shall develop a concussion
18 educational program that shall include:

19 (1) Educating students, parents, sports officials, school
20 faculty, coaches, staff, and school administrators
21 about the signs and symptoms of a concussion and the

- 1 procedures to follow if a person displays any of the
2 signs or symptoms of a concussion;
- 3 (2) Annual educational sessions about the signs and
4 symptoms of a concussion for coaches and athletic
5 trainers;
- 6 (3) The need for the mandatory removal of a student from
7 the athletic activity that the student is
8 participating in, if the student demonstrates any
9 signs and symptoms of a concussion;
- 10 (4) The need for a concussed student's licensed health
11 care provider to evaluate the student and determine
12 whether the student is able to return to a particular
13 athletic activity; and
- 14 (5) The monitoring of a student's return to physical
15 activity by the school's certified athletic trainer,
16 if an athletic trainer is employed by the school.
17 This return to activity plan is to be based upon peer-
18 review scientific evidence, such as that from the
19 National Athletic Trainer Association or Centers for
20 Disease Control and Prevention.

21 SECTION 4. Educational guidelines for development of a
22 high school concussion awareness program. There shall be an



1 educational program developed for every public and private
2 school that is a member of the Hawaii High School Athletic
3 Association on how to develop a school's concussion awareness
4 plan. Every program shall require:

- 5 (1) Annual concussion awareness training for coaches,
6 administrators, faculty, staff, and sports officials,
7 including:
- 8 (A) The signs and symptoms of a concussion;
 - 9 (B) The need to obtain proper medical attention for a
10 person suspected of having a concussion; and
 - 11 (C) Information on the nature and risk of
12 concussions, including the danger of continuing
13 to play after sustaining a concussion and the
14 proper method of allowing a student who has
15 sustained a concussion to return to activity;
- 16 (2) Annual concussion awareness education for parents and
17 students who participate in a school's athletic team
18 or programs or both. The parents and students shall
19 sign a concussion information sheet that they have
20 attended and received this concussion awareness
21 education;



- 1 (3) Immediate removal from a game, practice, or other
- 2 activity of any student who exhibits signs, symptoms,
- 3 or behaviors consistent with a concussion, such as
- 4 loss of consciousness, headache, dizziness, confusion,
- 5 or balance problems. The student shall not return to
- 6 the activity until cleared to do so by a licensed
- 7 health care provider; and
- 8 (4) The student to obtain written clearance from a
- 9 licensed health care provider prior to returning to
- 10 academics and athletics, which:
- 11 (A) States that the student is capable of resuming
- 12 participation in a particular sport;
- 13 (B) May require the student to follow a plan designed
- 14 to aid the student to recover and resume
- 15 participation in school and athletic activities
- 16 that:
- 17 (i) Includes, as appropriate, periods of
- 18 cognitive and physical rest while symptoms
- 19 of a concussion persist; and
- 20 (ii) Reintroduces cognitive and physical demands
- 21 on the student on a progressive basis to



1 prevent the reemergence or worsening of
2 symptoms of a concussion; and

3 (C) Requires that the student's return to physical
4 activity be monitored by the school's certified
5 athletic trainer, if an athletic trainer is
6 employed by the school.

7 SECTION 5. The department of education shall submit a
8 report to the legislature no later than twenty days prior to the
9 convening of the regular session of 2013 on the development and
10 implementation of the concussion educational program.

11 SECTION 6. This Act shall take effect upon its approval.



Report Title:

Concussions; Concussion Awareness Program; School Athletics

Description:

Requires the DOE and the Hawaii High School Athletic Association to develop a concussion awareness program to provide guidelines for public and private schools. (SD1)

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

