



SPONSOR: Sen. Hall-Long & Sen. Booth, Reps. Walker, & Lee
Sens. Henry, Blevins, Sokola, Ennis, Sorenson, Simpson, Katz,
Bushweller, Reps. Ramone, Bennett, Jaques, B. Short, Mitchell,
Briggs King, Hudson, Viola, Manolakos, Osienski, Heffernan

DELAWARE STATE SENATE

146th GENERAL ASSEMBLY

SENATE BILL NO. 111
AS AMENDED BY
SENATE AMENDMENT NO. 1

AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE DELAWARE INTERSCHOLASTIC ATHLETICS ASSOCIATION.

WHEREAS, a concussion is a type of brain injury which changes the way the brain normally functions; and

WHEREAS, recognizing and responding to concussions when they first occur helps to aid recovery and to prevent prolonged concussion symptoms, chronic brain damage or even death; and

WHEREAS, a recent study estimated that more than 40 percent of high school athletes return to participate in school athletics before they have fully recovered from these serious head injuries; and

WHEREAS, an estimated 400,000 high school athletes sustained concussions while participating in five major male and four major female sports during the 2005-2008 school years; and

WHEREAS, the number of youth athletes taken to emergency rooms with sports-related concussions has doubled during the 10 year period from 1997 to 2007; and

WHEREAS, among youth aged 14 to 19, emergency room visits for concussions sustained during team sports more than tripled over the same period; and

WHEREAS, eight states have adopted similar concussion-awareness and prevention laws; and

WHEREAS, the National Football League and the National Athletic Trainers' Association have announced a joint effort to promote legislation to raise awareness and protect youth athletes from the risk of concussions; and

WHEREAS, the Center for Disease Control and Prevention (CDC) estimates 1.6 to 3.8 million sports and recreation related concussions occur in the United States each year; and

WHEREAS, an athlete should return to sports activities under the supervision of an appropriate health care professional; and

WHEREAS, the State Council for Persons with Disabilities (SCPD) Brain Injury Committee's mission is to promote a consumer-oriented, effective injury and prevention service delivery system; and

WHEREAS, the Department of Education and the SCPD regularly work in consultation regarding regulations and policies that impact students; and

WHEREAS, the Department of Education has worked in consultation with the SCPD Brain Injury Committee in reviewing the Delaware Interscholastic Athletic Association's (DIAA) current concussion policy; and

WHEREAS, the Department is encouraged to continue to work in consultation with recognized experts including the SCPD Brain Injury Committee and the Brain Injury Association of Delaware in developing, reviewing, and updating their concussion policies;

NOW THEREFORE:

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

Section 1. AMEND §303, Chapter 3, Title 14 of the Delaware Code by inserting a new subsection (d) as follows:

“(d) The Association shall adopt rules and regulations applicable to member schools regarding the appropriate recognition and management of student athletes exhibiting signs or symptoms consistent with a concussion. The rules and regulations shall include, but not be limited to, the following requirements which shall be effective no later than the 2012-2013 school year:

(1) Each student athlete and the athlete’s parent or guardian shall annually sign and return a concussion information sheet designed by the Association prior to the athlete initiating practice or competition.

(2) Each coach shall complete concussion training consistent with a timetable and curriculum established by the Association.

(3) A student athlete shall be promptly removed from play if the athlete is suspected of sustaining a concussion or exhibits signs or symptoms of concussion until completion of assessment by a qualified healthcare professional or medical clearance.

(4) Written clearance for return to play after a concussion shall be from a qualified physician (Doctor of Medicine or Doctor of Osteopathic Medicine) only.”