

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011**

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**HOUSE BILL 792
Committee Substitute Favorable 4/20/11
Senate Health Care Committee Substitute Adopted 6/8/11**

Short Title: Gfeller-Waller Concussion Awareness Act.

(Public)

Sponsors:

Referred to:

April 7, 2011

1 A BILL TO BE ENTITLED
2 AN ACT TO ENACT THE GFELLER-WALLER CONCUSSION AWARENESS ACT.
3 The General Assembly of North Carolina enacts:

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5 **TITLE OF ACT**

6 **SECTION 1.** This act may be known and cited as the Gfeller-Waller Concussion
7 Awareness Act.

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9 **DEVELOPMENT OF AN ATHLETIC CONCUSSION SAFETY TRAINING**
10 **PROGRAM**

11 **SECTION 2.(a)** The Matthew A. Gfeller Sport-Related Traumatic Brain Injury
12 Research Center at UNC-Chapel Hill in consultation with the North Carolina Medical Society,
13 the North Carolina Athletic Trainers Association, the Brain Injury Association of North
14 Carolina, the North Carolina Neuropsychological Society, the North Carolina High School
15 Athletic Association, Inc., and the Department of Public Instruction shall develop an athletic
16 concussion safety training program. The program shall be developed for the use of coaches,
17 school nurses, school athletic directors, volunteers, students who participate in interscholastic
18 athletic activities in the public schools, and the parents of these students.

19 **SECTION 2.(b)** The program shall include, but not be limited to, the following:

- 20 (1) Written information detailing the recognition of the signs and symptoms of
21 concussions and other head injuries.
22 (2) A description of the physiology and the potential short-term and long-term
23 effects of concussions and other head injuries.
24 (3) The medical return-to-play protocol for postconcussion participation in
25 interscholastic athletic activities.
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27 **CONCUSSION SAFETY REQUIREMENTS FOR INTERSCHOLASTIC ATHLETIC**
28 **COMPETITION**

29 **SECTION 3.** G.S. 115C-12(23) reads as rewritten:

30 "(23) Power to Adopt Eligibility Rules for Interscholastic Athletic Competition. –
31 The State Board of Education ~~may~~shall adopt rules governing
32 interscholastic athletic activities conducted by local boards of education,
33 including eligibility for student participation. With regard to middle schools
34 and high schools, the rules shall provide for the following:



1 a. All coaches, school nurses, athletic directors, first responders,
2 volunteers, students who participate in interscholastic athletic
3 activities, and the parents of those students shall receive, on an
4 annual basis, a concussion and head injury information sheet. School
5 employees, first responders, volunteers, and students must sign the
6 sheet and return it to the coach before they can participate in
7 interscholastic athletic activities, including tryouts, practices, or
8 competition. Parents must sign the sheet and return it to the coach
9 before their children can participate in any such interscholastic
10 athletic activities. The signed sheets shall be maintained in
11 accordance with sub-subdivision d. of this subdivision.

12 For the purpose of this subdivision, a concussion is a traumatic
13 brain injury caused by a direct or indirect impact to the head that
14 results in disruption of normal brain function, which may or may not
15 result in loss of consciousness.

16 b. If a student participating in an interscholastic athletic activity
17 exhibits signs or symptoms consistent with concussion, the student
18 shall be removed from the activity at that time and shall not be
19 allowed to return to play or practice that day. The student shall not
20 return to play or practice on a subsequent day until the student is
21 evaluated by and receives written clearance for such participation
22 from (i) a physician licensed under Article 1 of Chapter 90 of the
23 General Statutes with training in concussion management, (ii) a
24 neuropsychologist licensed under Article 18A of Chapter 90 of the
25 General Statutes with training in concussion management and
26 working in consultation with a physician licensed under Article 1 of
27 Chapter 90 of the General Statutes, (iii) an athletic trainer licensed
28 under Article 34 of Chapter 90 of the General Statutes, (iv) a
29 physician assistant, consistent with the limitations of G.S. 90-18.1, or
30 (v) a nurse practitioner, consistent with the limitations of
31 G.S. 90-18.2.

32 c. Each school shall develop a venue specific emergency action plan to
33 deal with serious injuries and acute medical conditions in which the
34 condition of the patient may deteriorate rapidly. The plan shall
35 include a delineation of roles, methods of communication, available
36 emergency equipment, and access to and plan for emergency
37 transport. This plan must be (i) in writing, (ii) reviewed by an athletic
38 trainer licensed in North Carolina, (iii) approved by the principal of
39 the school, (iv) distributed to all appropriate personnel, (v) posted
40 conspicuously at all venues, and (vi) reviewed and rehearsed
41 annually by all licensed athletic trainers, first responders, coaches,
42 school nurses, athletic directors, and volunteers for interscholastic
43 athletic activities.

44 d. Each school shall maintain complete and accurate records of its
45 compliance with the requirements of this subdivision pertaining to
46 head injuries.

47 The State Board of Education may authorize a designated organization to
48 apply and enforce the Board's rules governing participation in interscholastic
49 athletic activities at the high school level."

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51 **EFFECTIVE DATE**

1 **SECTION 4.** This act is effective when it becomes law and applies beginning with
2 the 2011-2012 school year.