
SENATE BILL No. 93

DIGEST OF INTRODUCED BILL

Citations Affected: IC 20-34-7; IC 34-30-2-85.7.

Synopsis: Concussions and head injuries in student athletes. Requires the department of education, consulting with an association that conducts, organizes, sanctions, or sponsors interscholastic high school athletic events as the association's primary purpose, to develop and disseminate guidelines, information sheets, and forms to inform and educate coaches, student athletes, and parents of student athletes of the nature and risk of concussions and head injuries. Requires that a student athlete and the student athlete's parent must be given information concerning head injuries and concussions and return a form acknowledging receipt of the information to the student athlete's coach each year before beginning practice for a sport. Provides that a student athlete who is suspected of sustaining a head injury or concussion must be removed from play at the time of the injury. Provides that the student athlete may not return to play until the student athlete has been evaluated and received written clearance from a licensed health care provider trained in evaluating head injuries. Provides that a health care provider who as a volunteer provides head injury evaluations to student athletes has immunity from civil liability for acts or omissions arising from the evaluations, except for gross negligence or willful or wanton misconduct.

Effective: July 1, 2011.

Holdman, Landske

January 5, 2011, read first time and referred to Committee on Health and Provider Services.

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First Regular Session 117th General Assembly (2011)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2010 Regular Session of the General Assembly.

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SENATE BILL No. 93



A BILL FOR AN ACT to amend the Indiana Code concerning education.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 20-34-7 IS ADDED TO THE INDIANA CODE AS
2 A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2011]:

4 **Chapter 7. Student Athletes: Concussions and Head Injuries**

5 **Sec. 1. As used in this chapter, "association" has the meaning set**
6 **forth in IC 20-26-14-1.**

7 **Sec. 2. (a) Before July 1, 2012, the department shall develop and**
8 **disseminate guidelines, information sheets, and forms to inform**
9 **and educate coaches, student athletes, and parents of student**
10 **athletes of the nature and risk of concussion and head injury to**
11 **student athletes, including the risks of continuing to play after**
12 **concussion or head injury.**

13 **(b) The department:**

- 14 **(1) shall consult with the association in developing; and**
15 **(2) may request the assistance of the association in**
16 **disseminating;**
17 **the guidelines, information sheets, and forms required under**



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subsection (a).

Sec. 3. Each year, before beginning practice for an interscholastic or intramural sport, a student athlete and the student athlete's parent:

(1) must be given the information sheet and form developed under section 2 of this chapter; and

(2) shall sign and return the form acknowledging the receipt of the information to the student athlete's coach.

The coach shall maintain a file of the completed forms.

Sec. 4. A student athlete who is suspected of sustaining a concussion or head injury in a practice or game:

(1) shall be removed from play at the time of the injury; and

(2) may not return to play until the student athlete has received a written clearance under section 5(a) of this chapter.

Sec. 5. (a) A student athlete who has been removed from play under section 4 of this chapter may not return to play until the student athlete:

(1) is evaluated by a licensed health care provider trained in the evaluation and management of concussions and head injuries; and

(2) receives a written clearance to return to play from the health care provider who evaluated the student athlete.

(b) A licensed health care provider who evaluates a student athlete under subsection (a) may conduct the evaluation as a volunteer. A volunteer health care provider who authorizes a student athlete to return to play is not liable for civil damages resulting from an act or omission in the rendering of an evaluation, except for acts or omissions that constitute gross negligence or willful or wanton misconduct.

SECTION 2. IC 34-30-2-85.7 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 85.7. IC 20-34-7-5 (Concerning a licensed health care provider who provides voluntary evaluations of concussions and head injuries for student athletes).

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