



February 14, 2011

SENATE BILL No. 93

DIGEST OF SB 93 (Updated February 11, 2011 2:47 pm - DI 104)

Citations Affected: IC 20-34; IC 34-30.

Synopsis: Concussions and head injuries in student athletes. Requires the department of education, in consultation with specified persons, to disseminate guidelines, information sheets, and forms to school corporations for distribution to schools 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 high school student athlete and the student athlete's parent 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. Requires that a high school student athlete who is suspected of sustaining a head injury or concussion 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, Simpson

January 5, 2011, read first time and referred to Committee on Health and Provider Services.
February 14, 2011, amended, reported favorably — Do Pass.

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SB 93—LS 6493/DI 71+



February 14, 2011

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 disseminate**
8 **guidelines, information sheets, and forms to each school**
9 **corporation for distribution to a school to inform and educate**
10 **coaches, student athletes, and parents of student athletes of the**
11 **nature and risk of concussion and head injury to student athletes,**
12 **including the risks of continuing to play after concussion or head**
13 **injury.**

14 **(b) The department:**
15 **(1) may consult with the association, medical professionals,**
16 **and others with expertise in diagnosing and treating**
17 **concussions and head injuries; and**

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1 (2) may request the assistance of the association in
2 disseminating the guidelines, information sheets, and forms
3 required under subsection (a).

4 (c) The department may disseminate the materials required
5 under this section in an electronic format.

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

9 (1) must be given the information sheet and form described in
10 section 2 of this chapter; and

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

13 The coach shall maintain a file of the completed forms.

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

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

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

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

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

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

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

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

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COMMITTEE REPORT

Madam President: The Senate Committee on Health and Provider Services, to which was referred Senate Bill No. 93, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 1, line 7, delete "develop and".

Page 1, line 8, after "to" insert "**each school corporation for distribution to a school to**".

Page 1, line 14, delete "shall" and insert "**may**".

Page 1, line 14, delete "in developing;" and insert ", **medical professionals, and others with expertise in diagnosing and treating concussions and head injuries;**".

Page 1, line 16, delete ";".

Page 1, run in lines 16 through 17.

Page 2, between lines 1 and 2, begin a new paragraph and insert:

"(c) The department may disseminate the materials required under this section in an electronic format."

Page 2, line 3, after "a" insert "**high school**".

Page 2, line 5, delete "developed" and insert "**described in**".

Page 2, line 6, delete "under".

Page 2, line 10, after "A" insert "**high school**".

Page 2, line 15, after "A" insert "**high school**".

and when so amended that said bill do pass.

(Reference is to SB 93 as introduced.)

MILLER, Chairperson

Committee Vote: Yeas 6, Nays 0.

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