



HOUSE BILL 116: Student Safety in Athletics.

**This Bill Analysis
reflects the
contents of the bill
as it was presented
in committee.**

2017-2018 General Assembly

Committee:	House Health. If favorable, re-refer to Education - K-12. If favorable, re-refer to Judiciary IV	Date:	March 22, 2017
Introduced by:	Reps. Warren, Lambeth, Murphy, Rogers	Prepared by:	Jennifer Mundt
Analysis of:	PCS to First Edition H116-CSTA-5		Committee Staff

OVERVIEW: House Bill 116 would (i) direct the State Board of Education and local boards of education to educate those involved in school athletic activities on sudden cardiac arrest and heat-related illnesses, (ii) direct the State Board to establish a database on the occurrence of injury and illness of students participating in athletic activities, and (iii) recodify the statutes governing concussion safety and venue-specific emergency action plans.

CURRENT LAW: G.S. 115C-12(23), enacted in 2011, directed the State Board of Education (State Board) to adopt rules governing interscholastic athletic activities involving middle and high school students' eligibility to participate in those activities provided certain information, procedures, and plans were implemented pertaining to concussion and head injuries.

BILL ANALYSIS: House Bill 116 would create a new article on student safety in athletics in the statutes governing elementary and secondary education (Chapter 115C of the General Statutes) that sets out the following:

- Definitions. Defines the terms "athletic activity," "catastrophic illness or injury," "concussion," "heat exhaustion," "heat stroke," and "sudden cardiac arrest."
- Education requirements. Directs the State Board of Education to develop guidelines and educational materials for local boards of education to provide to both students who participate in athletic activities and their parents on sudden cardiac arrest and heat-related illnesses on an annual basis. This bill also recodifies G.S. 115C-12(23) that governs middle and high school student interscholastic athletic activity involvement and eligibility for participation vis-à-vis concussion and head injuries as G.S. 115C-407.43.
- CPR certification. With regard to **sudden cardiac arrest**, the statute would direct each local education agency to require that the head coach or athletic director for each athletic activity complete and maintain CPR certification, and be present during each athletic activity.
- Mandatory protocols.
 - With regard to **heat related illnesses**, the statute would direct each local board of education to adopt a mandatory heat stroke prevention protocol and provides that if a student exhibits signs of heat exhaustion or heat stroke as determined by an official designated in the venue-specific emergency action plan (EAP), then that student must be removed or prevented from participating in the activity until such time the student is cleared to return, in writing, by

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either a licensed health care professional or an official designated in the venue-specific EAP.

The PCS removes from the 1st Edition of the bill a provision that would have allowed a student's parent or guardian to authorize the student's return to the athletic activity after experiencing heat-related illness or symptoms consistent with concussion.

- With regard to sudden cardiac arrest, the statute would require a student to annually complete a form that includes questions related to cardiac health history in order to participate in an athletic activity.
- Documentation and Reporting.
 - Requires a parents' signature of receipt and review of the information awareness sheets developed on concussion before their student may participate in athletic activities and requires each school to maintain complete and accurate records of its compliance with the provisions of the Article.

The PCS makes conforming changes to the 1st Edition of the bill to also require a parents' signature of receipt and review of the information awareness sheets developed for sudden cardiac arrest and heat-related illnesses before their student may participate in athletic activities and requires each school to maintain complete and accurate records of its compliance with the provisions of the Article.

- Directs the State Board to create a database, maintained by the Department of Public Instruction (DPI), for high school and middle school personnel to report catastrophic illnesses and injuries and concussions that occur during athletic activities. Detailed information must be reported each month on any illnesses, injuries, and concussions. The database may only be accessed by the North Carolina High School Athletic Association, the National Center for Catastrophic Sport Injury Research, and the Gfeller Sport-Related Traumatic Brain Injury Research Center housed at the University of North Carolina at Chapel Hill. Any information contained in the database must not contain personally identifiable student data and is not considered a public record.
- Civil Liability. The statute would provide that a local board of education, its members, employees, designees, agents, or volunteers, the members of the State Board, and DPI or its employees are not liable in civil damages to any party for any act authorized in this article or for any omission relating to the act unless that act or omission amounts to gross negligence, wanton conduct, or intentional wrongdoing.

EFFECTIVE DATE: This act would become effective when it becomes law and applies beginning with the 2017-2018 school year. The reporting requirements apply to injuries and illnesses that occur on or after January 1, 2018.