

Legislative Budget and Finance Committee

Implementation of the Pennsylvania Safety in Youth Sports Act

Report Presentation by Christopher Latta at December 9, 2015 Meeting

Few subjects in the world of sports have received the intense level of scrutiny given to concussions in sports. The scrutiny has led to greater awareness that sports concussions are a significant public health issue.

Ten years ago, no state had a comprehensive law regarding concussions in youth sports. Now, virtually all do.

Pennsylvania passed its law in 2011 – Act 101 – the Safety in Youth Sports Act. The law, which covers both public and private schools, requires the Departments of Health and Education to develop guidelines and other materials to inform and educate students participating in athletic activities on the risk of concussion—and to post that information on their websites. The act also requires student athletes and their parents to receive and acknowledge having read a brain injury information sheet and encourages school entities to hold informational meetings prior to the start of each athletic season on the subject of concussions. Under the act, student athletes who exhibit signs of a concussion are to be immediately removed from participation and are not permitted to return to play until they receive written permission from an appropriate medical professional.

Coaches are required to take an annual on-line training course on concussion recognition, and the law establishes penalties for coaches found to be in violation of the act. Those penalties start at suspension for the rest of the season and escalate to permanent suspension from coaching any athletic activity.

House Resolution 2014-1064 directs the Legislative Budget and Finance Committee to assess the implementation of the Commonwealth's Safety in Youth Sports Act, review current best practices in managing concussions, and identify areas of the act that should be strengthened. The report before you is the result of those efforts.

We found that during the period from 2001 to 2012, the number of emergency room visits in the United States related to sports and recreation traumatic brain injury increased by 144 percent. This dramatic increase is generally attributed to an improved awareness of concussion as a serious health issue, rather than a sharp increase in the actual number of concussions incurred.

Although a concussion can be sustained in almost any sport, as you might suspect, concussions occur most frequently in football. Deaths from brain injuries sustained as a result of playing high school football, however, are relatively rare, with 14 having occurred in the past five years (2010-2014). None of these deaths occurred in Pennsylvania.

We found that the Pennsylvania Safety in Youth Sports Act contains many of the key provisions considered to be best practices in managing concussions. Pennsylvania closely tracks

the three key provisions found in nearly every state law on the subject—education of coaches, athletes, and parents; immediate removal from play if a concussion is suspected; and written permission from a medical professional prior to returning to play.

Current best practice guidelines call for a graduated return to play that can take a week or longer. Most states, including Pennsylvania, do not have a specific graduated return to play requirement in their laws, although a few states do have such a requirement.

To assess compliance with the Safety in Youth Sports Act, we surveyed all school athletic directors who are members of the Pennsylvania State Athletic Directors Association and all school athletic trainers who are members of the Pennsylvania Athletic Trainers' Society. Based on the responses from these surveys, it appears that schools across the Commonwealth have achieved a high rate of compliance with the Safety in Youth Sports Act. For example, 100 percent of athletic directors reported that their coaches know that any student suspected of a concussion must be immediately removed from play. School athletic trainers, however, were more divided, with only 59 percent reporting that the coaches they work with always remove such athletes from play. The other 42 percent reported that coaches generally, but not always, remove such athletes from play. This is an area of concern that suggests that concussions may still not be taken as seriously as they should be.

We also found that 99 percent of school athletic directors report that all of their coaches know that any student suspected of a concussion cannot return to play until evaluated and cleared

by an appropriate medical professional. Eighty-six percent of the athletic trainers agreed that coaches do not allow students to return to play until they receive medical permission.

In addition to receiving comments from athletic directors and trainers on how Pennsylvania's Safety in Youth Sports Act could be improved, we also received input from the Pennsylvania Brain Injury Coalition, who also made several recommendations for improving the law. These suggestions included expanding the law to include community-based youth sport leagues, as is done in several states; requiring stricter recordkeeping requirements; and mandating schools adopt return to learn, not just return to play, protocols.

While the Safety in Youth Sports Act is a relatively comprehensive act and appears to have been largely successful in promoting the key best practices with regard to concussion management, legitimate concerns still exist. For these reasons, although we did not recommend changes to Pennsylvania statute at this time, we do recommend that the Pennsylvania Department of Education expand its guidelines for managing concussion in a manner similar to the guidelines issued by the New York Department of Education, which are quite detailed and comprehensive.

In closing, we would like to acknowledge the excellent cooperation and assistance we received from the Department of Education, the Department of Health, the PA Brain Injury Coalition, the PA Athletic Trainers' Society, the PIAA, and the PA State Athletic Directors Association in compiling this report.