

Needham Board of Health

Concussion Prevention, Education, and Training — Draft Regulation

I. Statement of Purpose:

Medical research demonstrates that concussions can have far-reaching and harmful impacts to children. Efforts to reduce the incidence of concussions, while important, cannot entirely remove the risk to children participating in sports activities. Recognizing this risk but also the positive effects of exercise and sports activities for children, the Needham Board of Health will work to reduce the incidence of, and the consequent effects of, concussions through:

1. Ensuring that sports organizations provide education regarding concussions to coaches, parents, and youth athletes.
2. Ensuring that sports organizations have a written plan approved by the Board of Health for the removal of a youth athlete from play and for that youth athlete's return to play.
3. Ensuring that sports organizations and coaches use best practices to mitigate the risk of concussions to the extent possible.
4. Collecting data regarding the epidemiology of concussions to identify any specific risks to youth athletes residing and/or playing in the Town.

Massachusetts state law 105 CMR 201.000 regulates the concussion education and return to play protocols for schools grades 6 - 12. That law does not extend to youth sports organizations operating at younger ages and those which operate outside of the public school system. It is the intention of these regulations to provide similar protections to children participating in sports outside of the school environment as those protections afforded to youth athletes participating in public school sports.

II. Scope:

The requirements of this regulation shall apply to any youth sports organizations operating primarily within the Town of Needham and/or using Town facilities that require a permit from the town's Public Facilities Department (for indoor spaces) and/or Park and Recreation Department (for outdoor spaces).

III. Definitions:

Athlete is a youth who prepares for, or participates, in an extracurricular athletic activity.

Athletic Activity is an organized athletic activity generally occurring outside of school instructional hours, under the direction of a coach including but not limited to archery,

baseball, basketball, cheerleading, cross country/track, fencing, field hockey, football, golf, gymnastics, horseback riding, ice hockey, lacrosse, riflery, rugby, soccer, skating, skiing, snowboarding, softball, squash, swimming and diving, tennis, track (indoor and outdoor), ultimate frisbee, volleyball, water polo, and wrestling.

Board of Health for the Town of Needham, Massachusetts, its agents and designees.

The U.S. Centers for Disease Control and Prevention is a major agency of the United States Department of Health and Human Services with a mission to protect the health of people and communities through health promotion, prevention of disease, injury and disability.

Coach is an employee, trainer, or volunteer responsible for organizing and supervising youth athletes to teach them the fundamental skills of extracurricular athletic activities. The term coach refers to both head coaches and assistant coaches.

Concussion is a disturbance in brain function, due to direct or indirect trauma to the head. It does not require loss of consciousness or structural injury.

Diagnosed is a physician or nurse practitioner with appropriate training in the diagnosis of concussions' opinion, derived from observation, examination, and evaluation of procedures or tests of a patient, that the patient has or had a concussion.

Head Injury is a direct blow to the head or indirect trauma to the head which may include a concussion or traumatic brain injury. Simple scalp or facial contusions or lacerations alone are not necessarily head injuries for purposes of this bylaw.

Director is the Needham Director of Public Health or his/her designee.

Neuropsychologist is a professional who is licensed as a psychologist and certified as a health service provider by the Board of Registration of Psychologists pursuant to M.G.L. c. 112, §§ 118 through 129A with additional specialized training and expertise in the applied science of brain-behavior relationships and who has specific experience in evaluating neurocognitive, behavioral and psychological conditions and their relationship to central nervous system functioning.

Nurse Practitioner is a duly licensed and registered nurse authorized to practice in an expanded role as a nurse practitioner whose professional activities include performing physical examinations, diagnosing health and developmental problems, managing therapeutic regimens, and ordering therapies and tests.

Parent/Guardian is the parent or legal guardian or foster parent of a youth.

Physician is a duly licensed doctor of medicine or osteopathy.

Play is a physical practice, preparation session (i.e clinic, workshop, camp) and/or athletic competition.

Second Impact Syndrome is a potentially lethal condition that can occur when a person sustains a head injury prior to complete healing of a previous brain injury, causing dysregulation of cerebral blood flow with subsequent vascular engorgement.

Sports are youth athletic activities.

Town facilities shall include both public non-school and school grounds and buildings.

Traumatic Brain Injury (TBI) is a complex pathophysiological process affecting the brain, induced by traumatic biomechanical forces. TBI may be caused either by a direct blow to the head, face, neck or elsewhere on the body with an impulsive force transmitted to the head. TBI includes, but is not limited to, a concussion.

Volunteer is an adult who volunteers as a game official, coach, assistant coach, or team parent in an authoritative role to assist youths who are engaged in an extracurricular athletic activity.

Youth Sports Organization is the governing body for organized Athletic Activity occurring on Town owned fields or within Town owned facilities under the direction of a coach/volunteer or assistant coach.

IV. Education and Training

A) Education for Coaches/Volunteers:

Head coaches, coaches, assistant coaches, and parent volunteer coaches must complete Board of Health-approved concussion training¹ prior to leading youth in any athletic activities. Training shall be valid for a period of one year, and shall be valid across different sports disciplines.

Each youth organization shall maintain a record of completion of annual training for all persons through:

- (1) Signed acknowledgment that the individual has read, and understands, the Board of Health approved written materials required; or
- (2) Attendance roster from a session using Board of Health approved training; or
- (3) Other means specified in the youth organization's policies and procedures. These records shall be furnished to the Needham Public Health Department upon request.

B) Education for Parents:

Youth Sports Organizations shall provide concussion education materials approved by the Board of Health to parents during the registration process for that sport. These materials

¹ At this time, the Board Health approved concussion training is the "Heads Up Online Training Course" offered by the U.S. Centers for Disease Control and Prevention. The course is available online at: http://www.cdc.gov/concussion/HeadsUp/online_training.html. Please visit www.needhamma.gov/health for the latest information on concussions and Board approved trainings.

shall also include that organization's policy on removal from, and return to, play for athletes. Parents/Guardians shall sign a statement indicating that they have received and understand these materials.

C). Education for Athletes

Youth Sports Organizations are encouraged but not required to provide age-appropriate educational materials regarding concussions and their Organization's response to concussions to athletes.

V. Exclusion from Play

Any Youth Sports Organization covered by the Scope of this regulation shall have a written plan approved by the Board of Health for the removal of a youth athlete from play and for that youth athlete's return to play. This plan shall include the following elements:

A. Removal from Play

(1) Any athlete, who during a practice, competition, clinic, camp, etc., sustains a head injury or suspected concussion, or exhibits signs and symptoms of a concussion, shall be removed from that activity immediately and may not return to participate in any form until receiving written clearance from a health professional trained in the treatment of concussions.

(2) The coach/volunteer shall communicate the nature of the injury directly to the parent/guardian in person or by telephone immediately after the practice, competition, clinic, camp, etc. from which a youth has been removed from play. The Youth Sports Organization also must provide this information to the parent/guardian in writing, whether paper or electronic format, within 2 business days.

(3) The Youth Sports Organization shall communicate to the Needham Public Health Department, by the end of the next business day, an Incident Report form indicating that the athlete has been removed from play and the circumstances surrounding the decision to do so. This data shall be used by the Board of Health in understanding the epidemiology of concussions in the Town of Needham. Athlete information shall be de-identified to the extent possible while allowing an understanding of the epidemiology of concussions in the Town. Required elements shall include age, gender, athletic activity involved, and the time and location of the incident To review the approved Incident Report form, please see the Needham Public Health Department's website.

B. Medical Clearance and Return to Play

Athletes who are removed from play for a head injury or suspected concussion shall obtain and present to the coach/volunteer or the Youth Sports Organization documentation of medical clearance by a health care professional trained in the management of concussions, prior to resuming athletic activities. This documentation must be completed by one of the following authorized individuals who must indicate in the documentation that they are trained in the management of concussions:

- (1) A duly licensed physician;
- (2) A duly licensed certified athletic trainer in consultation with a licensed physician;
- (3) A duly licensed nurse practitioner or physician's assistant in consultation with a licensed physician; or
- (4) A duly licensed neuropsychologist in coordination with the physician managing the youth's recovery.

When presented to the coach/volunteer, documentation of medical clearance and approval allowing the Athlete to "return to play" shall be given by the coach/volunteer to the Youth Sports Organization within one (1) business day, where it shall be maintained for a period of not less than three years.

VI. Concussion Prevention

A coach/volunteer for an athletic activity shall not encourage or permit an Athlete participating in the activity to engage in any unreasonably dangerous athletic technique that unnecessarily endangers the health of any Athlete, including using a helmet or any other sports equipment as a weapon. Coaches/Volunteers are encouraged to consult with their Youth Sports Organizations, as well as with their sports' national governing bodies, for additional safety guidelines and recommended best practices.

VII. Liability

This regulation shall not create an additional personal liability for a person who assists with a Youth Athletic activity on town-owned fields or facilities.

VIII. Enforcement and Violations

Non-criminal fines: Violations of this regulation shall be enforced in the manner provided by this regulation. Any fines imposed under the provisions of this regulation may be imposed under provisions of Massachusetts General Law Chapter 40, Section 21B.

(A) Concussion Safety Education of Coaches:

Any coach or volunteer who does not have documentation of successful completion of approved training in concussion recognition shall not be allowed to participate in that role in any athletic activity. It shall be a violation of this regulation if any Youth Sports Organization fails to submit evidence of the concussion training for all coaches under its control within 21 days prior to the initiation of play. Any Youth Organization which violates this provision of this regulation may be subject to a fine of \$50 for the first offense, \$100 for the second offense, \$200 for a third offense, and \$300 for the fourth and any subsequent offenses.

(B) Concussion Return to Play Protocols, medical release:

It shall be a violation of this regulation if the Return to Play Protocols are not observed and followed exactly by a responsible party hereunder as set forth herein. Said violators may be subject to a fine of \$50 for the first offense, \$100 for the second offense, \$200 for a third offense, and \$300 for the fourth and any subsequent offenses.

IX. Severability:

The invalidity of any section or provision of this regulation shall not invalidate any other section or provision thereof, nor shall it invalidate any permit, approval or determination which previously has been issued.

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