

FIRST REGULAR SESSION

HOUSE BILL NO. 646

99TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE FITZWATER (144).

1209H.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To amend chapter 192, RSMo, by adding thereto one new section relating to the youth sports brain injury prevention act.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Chapter 192, RSMo, is amended by adding thereto one new section, to be known as section 192.748, to read as follows:

192.748. 1. The provisions of this section and section 192.749 shall be known and may be cited as the "Youth Sports Brain Injury Prevention Act". The department of health and senior services shall, in cooperation with health care providers and a statewide nonprofit organization to be named by the department specializing in education, support services, and advocacy, make available to each municipality, business, or nonprofit organization that organizes a youth athletic activity for which an activity fee is charged the information developed under subsection 1 of section 167.765. This information shall include guidelines for concussion management, pertinent information for individuals to recognize a possible concussion, and forms to educate coaches, youth athletes, and parents or guardians of youth athletes of the nature and risk of concussion and brain injury including continuing to play after concussion or brain injury. The primary focus of which is for the safety and protection of youth athletes.

2. On a yearly basis, each municipality, business, or nonprofit organization that organizes a youth athletic activity for which an activity fee is charged shall distribute a concussion and brain injury information form to each youth athlete participating in the athletic program. The information form shall be signed by the youth athlete's parent or

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

17 guardian and submitted to the athletic activity governing body prior to the youth athlete's
18 participation in any athletic practice or competition.

19 3. All participating coaches and game officials of youth contact or limited contact
20 sports as defined by the American Academy of Pediatrics shall complete initial online or
21 in-person training and shall obtain updated online or in-person training at least once every
22 thirty-six months thereafter. The governing body or league administrator shall maintain
23 paper or electronic files of documentation of online or in-person training completed by
24 each of their participating coaches and game officials of youth contact or limited contact
25 sports.

26 4. A youth athlete who is suspected of sustaining a concussion or brain injury in a
27 practice or game shall be removed from competition at such time and for no less than
28 twenty-four hours.

29 5. A youth athlete who has been removed from play shall not return to competition
30 until the athlete is evaluated by a licensed health care provider trained in the evaluation
31 and management of concussion as defined in the guidelines developed under subsection 1
32 of section 167.765 and receives written clearance to return to practice or competition from
33 that health care provider.

34 6. The department may promulgate rules to implement the provisions of this section
35 and section 192.749. Any rule or portion of a rule, as that term is defined in section
36 536.010, that is created under the authority delegated in this section shall become effective
37 only if it complies with and is subject to all of the provisions of chapter 536 and, if
38 applicable, section 536.028. This section and chapter 536 are nonseverable, and if any of
39 the powers vested with the general assembly pursuant to chapter 536 to review, to delay
40 the effective date, or to disapprove and annul a rule are subsequently held
41 unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted
42 after August 28, 2017, shall be invalid and void.

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