

HOUSE BILL 1345

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By: **Delegate Hill**

Introduced and read first time: February 7, 2020

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Youth Sports Programs – Registrations, Personnel, and Policy Information –**
3 **Requirements**

4 FOR the purpose of altering the circumstances under which certain students or youth
5 athletes may return to play; requiring a youth sports program to maintain and
6 update a certain registry of youth sports program personnel; requiring the registry
7 to include certain items for certain individuals; requiring youth sports program
8 personnel to complete a certain registration each year before participating in an
9 athletic event or activity; requiring youth sports program personnel to display
10 certain proof of registration in a certain manner for a certain purpose; requiring a
11 youth sports program to provide certain information to certain individuals; requiring
12 a certain parent or guardian to sign and submit a certain form to a youth sports
13 program; requiring a youth sports program to post certain information on a certain
14 website, if available; defining a certain term; and generally relating to public school
15 and youth sports programs.

16 BY repealing and reenacting, with amendments,
17 Article – Education
18 Section 7–433(c)
19 Annotated Code of Maryland
20 (2018 Replacement Volume and 2019 Supplement)

21 BY repealing and reenacting, with amendments,
22 Article – Health – General
23 Section 14–501
24 Annotated Code of Maryland
25 (2019 Replacement Volume)

26 BY adding to
27 Article – Health – General
28 Section 14–503

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



Annotated Code of Maryland
(2019 Replacement Volume)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
That the Laws of Maryland read as follows:

Article – Education

7–433.

(c) (1) A student who is suspected of sustaining a concussion or other head injury in a practice or game shall be removed from play at that time.

(2) A student who has been removed from play may not return to play until the student [has]:

(I) HAS obtained written clearance from a licensed health care provider trained in the evaluation and management of concussions; AND

(II) HAS BEEN CLEARED TO RETURN TO FULL ACADEMIC PARTICIPATION.

Article – Health – General

14–501.

(a) [(1)] In this [section] SUBTITLE the following words have the meanings indicated.

[(2)] (B) “Concussion” means a traumatic injury to the brain causing an immediate and, usually, short-lived change in mental status or an alteration of normal consciousness resulting from:

[(i)] (1) A fall;

[(ii)] (2) A violent blow to the head or body;

[(iii)] (3) The shaking or spinning of the head or body; OR

(4) ANY TYPE OF DIRECT OR INDIRECT HIT TO THE HEAD OR BODY.

[(3)] (C) “Sudden cardiac arrest” means a condition in which the heart suddenly and unexpectedly stops beating.

[(4)] (D) “Youth athlete” means an individual who participates in an athletic activity in association with a youth sports program conducted:

1 [(i)] (1) At a public **OR PRIVATE** school facility; or

2 [(ii)] (2) By a recreational athletic organization.

3 [(5)] (E) “Youth sports program” means a program organized for
4 recreational athletic competition or instruction for participants who are under the age of
5 19 years.

6 **14-502.**

7 [(b)] (A) (1) A youth sports program shall make available information on
8 concussions, head injuries, and sudden cardiac arrest developed by the State Department
9 of Education under §§ 7-433 and 7-436 of the Education Article to coaches, youth athletes,
10 and the parents or guardians of youth athletes.

11 (2) A coach of a youth sports program shall review the information provided
12 in paragraph (1) of this subsection.

13 [(c)] (B) (1) A youth athlete who is suspected of sustaining a concussion or
14 other head injury in a practice or game shall be removed from play at that time.

15 (2) A youth athlete who has been removed from play may not return to play
16 until the youth athlete [has]:

17 (I) **HAS** obtained written clearance from a licensed health care
18 provider trained in the evaluation and management of concussions; **AND**

19 (II) **HAS BEEN CLEARED TO RETURN TO FULL ACADEMIC**
20 **PARTICIPATION.**

21 [(d)] (C) Before a youth sports program may use a facility owned or operated by
22 a local government, the local government shall provide notice to the youth sports program
23 of the requirements of this section.

24 **14-503.**

25 (A) **IN THIS SECTION, “YOUTH SPORTS PROGRAM PERSONNEL” MEANS ANY**
26 **PAID OR VOLUNTEER COACH, OFFICIAL, TRAINER, TEAM ADMINISTRATOR, OR STAFF**
27 **MEMBER WHO PARTICIPATES IN A YOUTH SPORTS PROGRAM.**

28 (B) (1) **A YOUTH SPORTS PROGRAM SHALL MAINTAIN AND ANNUALLY**
29 **UPDATE A REGISTRY OF THE YOUTH SPORTS PROGRAM PERSONNEL WHO**
30 **PARTICIPATE IN THE YOUTH SPORTS PROGRAM.**

(2) THE REGISTRY SHALL, AT A MINIMUM, INCLUDE FOR EACH INDIVIDUAL:

(I) A VALID PHOTO IDENTIFICATION;

(II) A SCREENING THAT IS EITHER:

1. A COMPLETED CRIMINAL HISTORY RECORDS CHECK IN ACCORDANCE WITH § 5-551 OF THE FAMILY LAW ARTICLE; OR

2. A COMMERCIAL SCREENING THAT:

A. IS COMPLIANT WITH THE FEDERAL FAIR CREDIT REPORTING ACT;

B. PROVIDES THE INDIVIDUAL'S NAME, DATE OF BIRTH, AND CURRENT RESIDENCE, VERIFIED WITH A STATE-ISSUED IDENTIFICATION;

C. INCLUDES A NATIONWIDE CRIMINAL RECORD AND SEX OFFENDER REGISTRY SEARCH; AND

D. INCLUDES AT LEAST ONE COUNTY CRIMINAL RECORD SEARCH;

(III) A SIGNED ACKNOWLEDGMENT OF RECEIPT AND UNDERSTANDING OF THE POLICIES AND PROTOCOLS OF THE YOUTH SPORTS PROGRAM ON SAFETY PRIORITIES TO MINIMIZE RISK OF HARM TO YOUTH ATHLETES, INCLUDING REMOVAL AND RETURN-TO-PLAY POLICIES; AND

(IV) DOCUMENTATION OF COMPLETION OF ANNUAL TRAINING IN:

1. HEAT ILLNESS RECOGNITION, PREVENTION, AND TREATMENT;

2. CONCUSSION AWARENESS;

3. CHILD SAFETY; AND

4. LEVELS OF CONTACT TRAINING CONSISTENT WITH BEST PRACTICES.

(3) YOUTH SPORTS PROGRAM PERSONNEL SHALL COMPLETE OR

1 RENEW A REGISTRATION WITH A YOUTH SPORTS PROGRAM EACH YEAR BEFORE
2 PARTICIPATING IN ANY ATHLETIC EVENT OR ACTIVITY.

3 (4) (I) YOUTH SPORTS PROGRAM PERSONNEL SHALL DISPLAY
4 PROOF OF REGISTRATION WITH THE YOUTH SPORTS PROGRAM TO GAIN ENTRY INTO
5 THE ARENA OF PLAY FOR ANY ATHLETIC EVENT, PRACTICE, OR GAME.

6 (II) AN INDIVIDUAL'S PROOF OF REGISTRATION SHALL BE:

7 1. DISPLAYED FOR THE DURATION OF THE ATHLETIC
8 EVENT, PRACTICE, OR GAME; AND

9 2. ON REQUEST, AVAILABLE FOR INSPECTION.

10 (C) (1) A YOUTH SPORTS PROGRAM SHALL PROVIDE TO EACH PARENT OR
11 GUARDIAN WHO REGISTERS A YOUTH ATHLETE IN THE YOUTH SPORTS PROGRAM:

12 (I) INFORMATION ON:

13 1. SPORTS-RELATED HEAD INJURIES;

14 2. TRAUMATIC BRAIN INJURY IN CHILDREN;

15 3. YOUTH SPORTS AND HEAT ILLNESS, INCLUDING
16 DEHYDRATION; AND

17 4. REMOVAL AND RETURN-TO-PLAY POLICIES OF THE
18 YOUTH SPORTS PROGRAM; AND

19 (II) A LIABILITY DISCLAIMER OR WAIVER THAT SPECIFIES THE
20 POTENTIAL FOR:

21 1. BRAIN INJURY DURING ANY ATHLETIC EVENT,
22 PRACTICE, GAME, OR ACTIVITY; AND

23 2. HEAT-RELATED ILLNESSES FOR AN ATHLETIC EVENT
24 OR ACTIVITY PLAYED OUTDOORS DURING THE SUMMER MONTHS.

25 (2) THE PARENT OR GUARDIAN OF A YOUTH ATHLETE REGISTERED
26 WITH A YOUTH SPORTS PROGRAM SHALL SIGN AND SUBMIT TO THE YOUTH SPORTS
27 PROGRAM AN ACKNOWLEDGMENT OF RECEIPT OF THE INFORMATION REQUIRED
28 UNDER PARAGRAPH (1) OF THIS SUBSECTION.

1 **(D) (1) A YOUTH SPORTS PROGRAM SHALL PROVIDE A COPY OF ITS**
2 **REMOVAL AND RETURN-TO-PLAY POLICY, ESTABLISHED IN ACCORDANCE WITH THE**
3 **REQUIREMENTS OF § 14-502 OF THIS SUBTITLE, TO:**

4 **(I) ALL YOUTH SPORTS PROGRAM PERSONNEL; AND**

5 **(II) EACH PARENT OR GUARDIAN OF A REGISTERED YOUTH**
6 **ATHLETE.**

7 **(2) A YOUTH SPORTS PROGRAM SHALL POST ITS REMOVAL AND**
8 **RETURN-TO-PLAY POLICY ON ITS WEBSITE, IF AVAILABLE.**

9 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
10 1, 2020.