

IN THE SENATE

SENATE BILL NO. 1288

BY HEALTH AND WELFARE COMMITTEE

AN ACT

1 RELATING TO YOUTH ATHLETES; AMENDING SECTION 33-1625, IDAHO CODE, TO ES-  
2 TABLISH PROVISIONS REGARDING CHIROPRACTIC PHYSICIANS AND EVALUATION  
3 OF YOUTH ATHLETES AND TO MAKE TECHNICAL CORRECTIONS; AND DECLARING AN  
4 EMERGENCY AND PROVIDING AN EFFECTIVE DATE.  
5

6 Be It Enacted by the Legislature of the State of Idaho:

7 SECTION 1. That Section 33-1625, Idaho Code, be, and the same is hereby  
8 amended to read as follows:

9 33-1625. YOUTH ATHLETES -- CONCUSSION AND HEAD INJURY GUIDELINES AND  
10 REQUIREMENTS. (1) The state board of education and the Idaho high school ac-  
11 tivities association shall provide access to appropriate guidelines and in-  
12 formation that identify the signs and symptoms of a concussion and head in-  
13 jury and describe the nature and risk of concussion and head injury in ac-  
14 cordance with standards of the centers for disease control and prevention  
15 through a link on the internet website of the board and the Idaho high school  
16 activities association.

17 (2) This section shall apply to any middle school, junior high school  
18 and high school in the state participating in or administering an organized  
19 athletic league or sport. For the purposes of this section, "youth athlete"  
20 or "athlete" means an individual who is eighteen (18) years of age or younger  
21 and who is a participant in any middle school, junior high school or high  
22 school athletic league or sport.

23 (3) At the beginning of each sports season before a youth athlete par-  
24 ticipates in any organized practice or game, the youth athlete and the youth  
25 athlete's parent or guardian shall receive the guidelines and information  
26 described in subsection (1) of this section from the school for which the  
27 athlete plays, and shall review the guidelines and information. Coaches,  
28 referees, game officials, game judges and athletic trainers shall review  
29 such guidelines and information upon employment and biennially thereafter.

30 (4) Schools shall obtain written consent from the youth athlete's par-  
31 ent or guardian on an annual basis attesting to the fact that the youth ath-  
32 lete's parent or guardian has received a copy of the concussion information  
33 and guidelines as outlined in subsection (3) of this section, acknowledges  
34 the inherent risk and authorizes the youth athlete to participate in ath-  
35 letic activity.

36 (5) If, during a practice or game or competition, it is reasonably sus-  
37 pected that a youth athlete has sustained a concussion or head injury and ex-  
38 hibits outward signs or symptoms of such, as defined by the centers for dis-  
39 ease control and prevention, then the youth athlete shall be removed from  
40 play. Every Idaho middle school, junior high school and high school that  
41 participates in or offers an organized athletic league shall develop proto-  
42 col to be followed for removing such athletes from play. Such protocol shall

1 be consistent with concussion and head injury guidelines of the centers for  
2 disease control and prevention.

3 (6) An athlete may be returned to play once the athlete is evaluated and  
4 authorized to return by a qualified health care professional who is trained  
5 in the evaluation and management of concussions. For the purposes of this  
6 section, "qualified health care professional" means and includes any one (1)  
7 of the following who is trained in the evaluation and management of concus-  
8 sions:

9 (a) A physician or physician assistant licensed under chapter 18, title  
10 54, Idaho Code;

11 (b) An advanced practice nurse licensed under section 54-1409, Idaho  
12 Code; ~~or~~

13 (c) A licensed health care professional trained in the evaluation and  
14 management of concussions who is supervised by a directing physician  
15 who is licensed under chapter 18, title 54, Idaho Code; ~~or~~

16 (d) A chiropractic physician licensed under chapter 7, title 54, Idaho  
17 Code, who has successfully completed a state board of chiropractic  
18 physicians-approved concussion management education program that in-  
19 cludes training in all of the following: comprehensive concussion  
20 and other brain injury evaluation, ongoing reassessment of patient,  
21 recognition of atypical response to brain injury, implementation of ap-  
22 propriate plan of care, return to activity determination, and referral  
23 to appropriate health care provider as indicated.

24 (7) Students who have sustained a concussion and return to school may  
25 need informal or formal accommodations, modifications of curriculum, and  
26 monitoring by medical or academic staff until the student is fully recov-  
27 ered. A student athlete should be able to resume all normally scheduled  
28 academic activities without restrictions or the need for accommodation  
29 prior to receiving authorization to return to play by a qualified health care  
30 professional as defined in subsection (6) of this section.

31 (8) If an individual reasonably acts in accordance with the protocol  
32 developed pursuant to subsection (5) of this section, then acting upon such  
33 protocol shall not form the basis of a claim for negligence in a civil action.

34 (9) Any youth sport organization or association in this state may com-  
35 ply with this section. If a youth sport organization or association is in  
36 full compliance with this section, then the youth sport organization or as-  
37 sociation shall be afforded the same protections from liability in a civil  
38 action pursuant to subsection (8) of this section.

39 SECTION 2. An emergency existing therefor, which emergency is hereby  
40 declared to exist, this act shall be in full force and effect on and after  
41 July 1, 2024.