

**ONE HUNDRED SECOND LEGISLATURE - FIRST SESSION - 2011**  
**COMMITTEE STATEMENT**  
**LB260**

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**Hearing Date:** Thursday January 27, 2011  
**Committee On:** Health and Human Services  
**Introducer:** Lathrop  
**One Liner:** Adopt the Concussion Awareness Act

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**Roll Call Vote - Final Committee Action:**  
Advanced to General File with amendment(s)

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**Vote Results:**  
**Aye:** 7 Senators Bloomfield, Campbell, Cook, Gloor, Howard, Krist, Wallman  
**Nay:**  
**Absent:**  
**Present Not Voting:**

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<b>Proponents:</b>	<b>Representing:</b>
Senator Steve Lathrop	District #12
Lori Terryberry-Spohr	Madonna Rehabilitation Hospital
Rusty McKune	Nebraska State Athletic Trainers Association
Steven P. Shanahan	Nebraska School Activities Association
Charles Andrew Morgan	Lincoln Public Schools
Brady Beran	Self
Blake Lawrence	Self
Isaiah Bockelman	Self
Kate Kulesher Jarecke	Brain Injury Association of Nebraska
Walt Radcliffe	The National Football League

**Opponents:** **Representing:**

**Neutral:** **Representing:**

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**Summary of purpose and/or changes:**

LB 260 adopts the Concussion Awareness Act. The bill states the Legislature finds that concussions are a common reported injury in children and adolescents participating in sports and recreational activities. Catastrophic injury and death can occur when concussions are not properly treated, including continuing to play with a concussion.

The bill requires that public, private, denominational or parochial schools:

- Make available to all coaches or athletic teams training on how to recognize the symptoms and seek proper medical treatment for a concussion or brain injury; and
- Require information be provided annually to students and parents, prior to practice or competition, regarding the risk posed by sustaining a concussion, the actions a student should take (including notification of coaches) in response to sustaining a concussion, and the signs and symptoms of a concussion; and
- LB 260 requires students who participate on school athletic teams, who are suspected of sustaining a concussion or brain injury in practice or a game, be removed from the practice or game. Parents are to be notified by the school of the date, time and extent of the injury suffered by the student and any treatment provided. The student will not be permitted to return to a practice or game until evaluated by a licensed health care professional and cleared in writing to return to play.

Additionally, LB 260 requires any city, village, business or nonprofit organization that organizes an athletic activity for athletes nineteen years of age or younger to:

- Provide information regarding the risk posed by sustaining a concussion, the actions an athlete should take in response to sustaining a concussion (including notification of coaches) and the signs and symptoms of a concussion to all coaches, athletes, and parents; and
- Make available to coaches training on how to recognize the symptoms and seek proper medical treatment of a concussion or brain injury; and
- Remove from practice or a game an athlete who participates in an athletic activity and is suspected of sustaining a concussion or brain injury in a practice or a game; and
- Inform parents of the date, time and extent of the injury suffered by the athlete and any treatment taken; and
- The athlete will not be permitted to participate in any supervised athletic activities until the athlete has been evaluated by a licensed health care profession and cleared to resume participation.

Finally, LB 260 states that nothing in the Concussion Awareness Act shall create liability for, or modify the liability or immunity of a school, school district, city, village, business or nonprofit organization or the officer, employees, or volunteers of such.

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**Explanation of amendments:**

AM 310 to LB 260 strikes sections 4 and 5 of the original bill and inserts new sections 4 and 5.

The Committee Amendment reorganizes the information to provide better transitions in sections 4 and 5 of the bill.

Additionally, the Committee Amendment makes a few small clarifications, including that the "students" required to be provided information on concussion are specifically "such students" who are participating in practice and competition.

Finally, the Committee Amendment clarifies that "reasonable suspicion after observation" of the student is the duty required by a coach, an athletic trainer, or a medical professional regarding a student who may have sustained a concussion or brain injury in a practice or game prior to removing the student from the practice or game.

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Kathy Campbell, Chairperson