

AN ACT
D.C. ACT 19-99

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JULY 27, 2011

*Codification
District of
Columbia
Official Code*

2001 Edition

2011 Fall
Supp.

To require that an athlete suspected of sustaining a concussion during an athletic activity be removed from play and prohibited from returning until the athlete has received written clearance from a licensed health-care provider, to require the Department of Health to develop a training program and educational materials, to require the dissemination of educational materials, and to require the Mayor to issue rules.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Athletic Concussion Protection Act of 2011”.

Sec. 2. Definitions.

For the purposes of this act, the term:

(1) “Athlete” means a person who engages in athletic activity who is 18 years old or younger.

(2) “Athletic activity” means a program or event, including practice and competition, organized as part of a school-sponsored, interscholastic-athletic program, an athletic program sponsored by the Department of Parks and Recreation, or an athletic program under the auspices of a nonprofit or for-profit organization. The term “athletic activity” includes participation in physical education classes that are part of a school curriculum.

(3) “Concussion” means a traumatic injury to the brain causing a change in a person’s mental status at the time of the injury, such as feeling dazed, disoriented, or confused, which may or may not involve a loss of consciousness, resulting from:

- (A) A fall;
- (B) A blow or jolt to the head or body;
- (C) The shaking or spinning of the head or body; or
- (D) The acceleration and deceleration of the head.

(4) “School” means a public school operated under the authority of the Mayor and any charter, parochial, or private school in the District.

Sec. 3. Concussion protection.

(a) An athlete who is suspected of sustaining a concussion in an athletic activity shall be immediately removed from physical participation in the athletic activity.

(b) An athlete who has been removed from an athletic activity may not return to physical participation in the athletic activity until he or she has been evaluated by a licensed or certified health-care provider and receives written clearance to return to physical participation in the athletic activity from the evaluating health-care provider.

Sec. 4. Training program.

(a) The Mayor shall establish, through rulemaking, a training program on:

(1) The nature and risk of a concussion;

(2) The criteria for the removal of an athlete from physical participation in an athletic activity and his or her return to it; and

(3) The risks to an athlete of not reporting an injury and continuing to physically participate in the athletic activity.

(b) The Mayor shall determine, through rulemaking, which individuals shall be required to complete the training program.

(c) In addition to those individuals required to complete the training program, the Department of Health may make the program available to any interested individual, including school personnel, parents, students, and athletes.

Sec. 5. Materials development and distribution.

(a) The Department of Health shall create educational materials on the nature and risk of concussions.

(b) Before an athlete may participate in an athletic activity, the organizing entity shall provide the educational materials developed pursuant to subsection (a) of this section to the athlete and the parent or guardian of the athlete. The athlete and the parent or guardian of the athlete shall sign a statement acknowledging receipt of the materials and return it to the organizing entity before the athlete shall be allowed to participate in the athletic activity.

Sec. 6. Rules.

(a)(1) Within 120 days of the effective date of this act, the Mayor, pursuant to Title I of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), shall issue rules to implement the provisions of this act.

(b) The Mayor, through rulemaking, may expand the authority of this act to include athletic activities that are non-interscholastic school-sponsored or organized by a non-governmental organization.

ENROLLED ORIGINAL

Sec. 7. Fiscal impact statement.

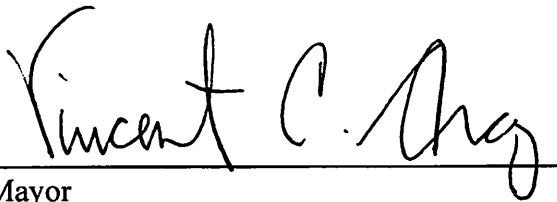
The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 8. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)) and publication in the District of Columbia Register.



Chairman
Council of the District of Columbia



Mayor
District of Columbia

APPROVED
July 27, 2011



COUNCIL OF THE DISTRICT OF COLUMBIA
WASHINGTON, D.C. 20004

Docket No. **B19-7**

ITEM ON CONSENT CALENDAR

ACTION & DATE

ADOPTED FIRST READING, 06-07-11

VOICE VOTE
 RECORDED VOTE ON REQUEST

APPROVED

ABSENT

ALL PRESENT

ROLL CALL VOTE - Result

Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB
Chmn. Brown	X				Catania	X				Orange	X			
Alexander	X				Cheh	X				Thomas, Jr.	X			
Barry	X				Evans	X				Wells	X			
Bowser	X				Graham	X								
Brown, M	X				Mendelson	X								
X - Indicate Vote					AB - Absent					NV - Present, Not Voting				

CERTIFICATION RECORD

Secretary to the Council

7.15.11
 Date

ITEM ON CONSENT CALENDAR

ACTION & DATE

ADOPTED FINAL READING, 07-12-11

VOICE VOTE
 RECORDED VOTE ON REQUEST

APPROVED

ABSENT

ALL PRESENT

ROLL CALL VOTE - Result

Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB
Chmn. Brown	X				Catania	X				Orange	X			
Alexander	X				Cheh	X				Thomas, Jr.	X			
Barry	X				Evans	X				Wells	X			
Bowser	X				Graham	X								
Brown, M	X				Mendelson	X								
X - Indicate Vote					AB - Absent					NV - Present, Not Voting				

CERTIFICATION RECORD

Secretary to the Council

7.15.11
 Date

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ACTION & DATE

VOICE VOTE
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Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB
Chmn. Brown					Catania					Orange				
Alexander					Cheh					Thomas, Jr.				
Barry					Evans					Wells				
Bowser					Graham									
Brown, M					Mendelson									
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CERTIFICATION RECORD

Secretary to the Council

Date

