

New Youth Sports Concussion and Head Injury Law Effective January 1, 2014

Public Chapter 148 passed by the Tennessee General Assembly in April 2013 and effective on January 1, 2014 requires all cities that have “youth athletic activities” to comply with guidelines issued by the Tennessee Department of Health concerning risk and symptoms of concussion and head injuries. This act covers all youth sports. The Act amended Title 65 Chapter 55 to add a new Part 5.

Section 68-55-503(b)(1) states: “Any city, county, business or nonprofit organization that organizes a community-based youth athletic activity for which an activity fee is charged, working through guidance from the department of health, shall at a minimum”:

- (A) adopt guidelines developed by the department of health;
- (B) require the director of the program and all coaches to complete annually concussion recognition and head injury education course developed by the department of health.
- (C) require on a yearly basis a concussion and head injury information sheet be signed and returned by each coach prior to initiating practice or competition for the year.
- (D) require on a yearly basis a concussion and head injury information sheet be reviewed by all athletes and the athlete’s parent or guardian.

Section 68-55-503(b)(2) requires that a youth athlete who has sustained a concussion or head injury must be evaluated and receive clearance for a graduated return to play from a health care provider. This section details how the youth athlete’s return to play should be managed.

Section 68-55-503(b)(3) provides persons acting in “good faith” some relief from liability, but provides that “good faith” shall not include willful misconduct, gross negligence or reckless disregard.

Section 68-55-503(b)(4) requires licensed health care professionals performing any of the functions required by the act, shall receive training in the evaluation and management of the concussions.

Complete information, including sample policies, signature forms, and guidance on this act may be found at the Tennessee Department of Health website:

<https://health.state.tn.us/TBI/concussion.htm>

Additional information may be found at the Centers for Disease Control and Prevention
<http://www.cdc.gov/concussion/HeadsUp/youth.html>