

Amendment No. 604

Assembly Amendment to Senate Bill No. 80 (BDR 34-549)

Proposed by: Assembly Committee on Education

Amends: Summary: No Title: Yes Preamble: Add Joint Sponsorship: No Digest: Yes

Adoption of this amendment will MAINTAIN the unfunded mandate not requested by the affected local government to S.B. 80 (§ 8).

ASSEMBLY ACTION			Initial and Date	SENATE ACTION			Initial and Date		
Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____	Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____
Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____
Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) variations of green bold underlining is language proposed to be added in this amendment; (3) ~~red-strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill proposed to be retained in this amendment.

DAN/EWR



Date: 5/24/2023

S.B. No. 80—Revises provisions relating to the prevention and treatment of injuries to the head. (BDR 34-549)



SENATE BILL NO. 80—COMMITTEE ON EDUCATION
(ON BEHALF OF THE NEVADA YOUTH LEGISLATURE)

PREFILED JANUARY 26, 2023

Referred to Committee on Education

SUMMARY—Revises provisions relating to the prevention and treatment of injuries to the head. (BDR 34-549)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
Effect on the State: Yes.

CONTAINS UNFUNDED MANDATE (§ 8)
(NOT REQUESTED BY AFFECTED LOCAL GOVERNMENT)

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EXPLANATION – Matter in ***bolded italics*** is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to public safety; **requiring the Superintendent of Public Instruction to adopt a policy concerning the treatment of injuries to the head;** revising the contents of certain policies adopted by the Nevada Interscholastic Activities Association **, the board of trustees of a school district** and organizations for youth sports concerning the prevention and treatment of injuries to the head; requiring certain schools to adopt such a policy; ~~requiring certain schools to create and distribute a brochure concerning the prevention and treatment of injuries to the head and establish a concussion management team; providing a penalty;~~ **revising the requirements for a provider of health care to perform certain functions under such a policy;** and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law requires the Nevada Interscholastic Activities Association, the board of trustees of each school district and each organization for youth sports that sponsors or sanctions competitive sports for youth to adopt a policy concerning the prevention and treatment of injuries to the head. Existing law requires such a policy to require: (1) a pupil or youth who sustains or is suspected to have sustained an injury to the head to be removed from an activity or event to which the policy applies; and (2) the parent or guardian of such a pupil or youth to provide a signed statement from a provider of health care authorizing the pupil or youth to return to the activity or event before the pupil or youth is authorized to return to the activity or event. (NRS 385B.080, 392.452, 455A.200)

~~[Section 2 of this bill defines "provider of health care" as it is used in sections 3-7 of this bill.]~~ **Section 6.5 of this bill requires the Superintendent of Public Instruction to adopt by regulation a policy concerning the treatment of injuries to the head that affect the ability of a pupil to engage in his or her course work at school. Regulations adopted pursuant to section 6.5 must require a school to authorize a pupil who has sustained or is suspected**

15 of sustaining an injury to the head to receive reasonable accommodations that are based
16 on peer-reviewed evidence. Section 6.5 requires the Superintendent to post the policy on
17 an Internet website maintained by the Department of Education.

18 Section 7 of this bill [and (1) expands the policy that the Association is required] requires
19 the Association to adopt regulations prescribing the policy of the Association concerning
20 the prevention and treatment of injuries to the head. [and (2) requires the Association to
21 create a brochure on the prevention and treatment of injuries to the head. Sections 3-6 of this
22 bill prescribe the requirements of the expanded policy.

23 —Section 3 of this bill requires the policy to include a requirement that, if practicable, a
24 provider of health care evaluate each pupil before the pupil participates in an interscholastic
25 activity or event to determine the physical and cognitive abilities of the pupil. Section 4 of this
26 bill requires the policy to require the person responsible for the supervision of a pupil who
27 sustains or is suspected of sustaining an injury to the head during the interscholastic activity or
28 event to: (1) immediately remove the pupil from the interscholastic activity or event and
29 ensure the pupil is evaluated for an injury to the head; and (2) convey certain information
30 about the head injury and the policy of the Association regarding head injuries to the parent or
31 legal guardian of that pupil.

32 —Section 6 of this bill requires the policy to include certain steps the pupil who has
33 sustained or is suspected of having sustained an injury to the head is required to complete in
34 order to return to participation in course work at school or an interscholastic activity or event.
35 Section 5 of this bill prescribes a process for conducting daily evaluations of such a pupil to
36 determine whether the pupil should progress through the steps prescribed by section 6.]

37 Section 7 additionally requires the association to compile information on the prevention
38 and treatment of injuries to the head. Section 7 also requires the Association to: (1) provide
39 the policy to a parent or legal guardian of a pupil before the pupil participates in an
40 interscholastic activity or event and annually thereafter; (2) ensure that the pupil and his or her
41 parent or legal guardian sign a form containing certain disclosures before the pupil
42 participates in an interscholastic activity or event and annually thereafter; and (3) post the
43 policy [and brochure] and information to an Internet website maintained by the Association.
44 [Lastly, section 7 requires the Association to review the policy and brochure every 5 years and
45 update them as necessary to reflect current best practices in the treatment and prevention of
46 injuries to the head.

47 —Sections [and 9] of this bill [require] requires the board of trustees of each
48 school district and the governing body of each charter school [or] or university school for
49 profoundly gifted pupils [and private school] to adopt a policy [and create a brochure] with
50 the same or substantially similar provisions as those required in [sections 3-7] sections 6.5
51 and 7 and to modify such provisions as necessary for the provisions to apply to any pupil that
52 sustains an injury to the head. [Sections 8 and 9 additionally require: (1) the principal of each
53 public and private school to create a concussion management team to perform certain duties
54 prescribed in the policy; and (2) certain employees of a public or private school to complete
55 training relating to head injuries. Section 9 provides that a person who willfully fails to
56 perform the duties prescribed by section 9 is guilty of a misdemeanor.]

57 Section 10 of this bill requires each organization for youth sports that sanctions or
58 sponsors competitive sports for youths in this State to adopt a policy with the same or
59 substantially similar provisions as those required in [sections 3-7, except those provisions
60 concerning the return to course work in a classroom.] section 7.

61 Sections 6.5-8 and 10 require the Superintendent, the Association, the board of
62 trustees of each school district, the governing body of each charter school or university
63 school for profoundly gifted pupils and each organization for youth sports, as applicable,
64 to review the policy each person or organization adopted pursuant to the provisions of
65 this bill at least once every 5 years and update it as necessary to reflect current best
66 practices in the treatment and prevention of injuries to the head.

67 If a pupil or youth sustains an injury to the head, existing law requires that a
68 provider of health care sign a form indicating that the pupil is medically cleared for
69 participation in an activity, event or competitive sport before the pupil is authorized to
70 return to such participation. (NRS 385B.080, 392.452, 455A.200) Sections 7, 8 and 10
71 additionally require the provider of health care that signs such a form to be acting
72 within his or her scope of practice.

WHEREAS, A concussion is a type of injury to the brain that has the ability to mildly or severely disrupt the normal function of the brain; and

WHEREAS, Some concussions cause people to lose consciousness, but the majority of concussions occur without a loss of consciousness; and

WHEREAS, Concussions may occur in any organized or unorganized sport or recreational activity or through daily life events and can result from a fall or collision with another person, the ground or an object; and

WHEREAS, According to the Johns Hopkins University School of Medicine, children and young adults are at greater risk of sustaining a concussion than the average adult; and

WHEREAS, The Mayo Clinic estimates that between 15 and 20 percent of concussions result in post-concussive syndrome, the long-term effects of which may include cognitive impairment, depression, personality changes and other psychological disorders; and

WHEREAS, The Johns Hopkins University School of Medicine advises that concussions be treated with rest and limiting activities that require a person to concentrate heavily; and

WHEREAS, The National Center for Injury Prevention and Control of the Centers for Disease Control and Prevention of the United States Department of Health and Human Services stresses the importance of schools and sports organizations adopting policies to reduce the risk of a child sustaining a concussion and ensure that proper treatment is provided to a child that sustains a concussion; now, therefore,

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. ~~[Chapter 385B of NRS is hereby amended by adding thereto the provisions set forth as sections 2 to 6, inclusive, of this act.] (Deleted by amendment.)~~

Sec. 2. ~~[As used in NRS 385B.080 and sections 2 to 6, inclusive, of this act, "provider of health care" means a physician or physician assistant licensed pursuant to chapter 630 or 633 of NRS, an advanced practice registered nurse licensed pursuant to chapter 632 of NRS, a physical therapist licensed pursuant to chapter 640 of NRS or an athletic trainer licensed pursuant to chapter 640B of NRS.] (Deleted by amendment.)~~

Sec. 3. ~~[Except as otherwise provided in NRS 385B.080, the policy adopted by the Nevada Interscholastic Activities Association pursuant to NRS 385B.080 must require:~~

~~1. If practicable, a provider of health care to evaluate the physical and cognitive abilities of each pupil before the pupil participates in an interscholastic activity or event governed by the Nevada Interscholastic Activities Association and at least annually thereafter;~~

~~2. The evaluation required by subsection 1 to use one or more evidence-based tests that include, without limitation:~~

~~(a) Attempting to provoke the symptoms of an injury to the head in the pupil and evaluating the symptoms exhibited by the pupil; and~~

~~(b) Evaluating the postural stability and cognitive ability of the pupil.] (Deleted by amendment.)~~

Sec. 4. ~~[Except as otherwise provided in NRS 385B.080, the policy adopted by the Nevada Interscholastic Activities Association pursuant to NRS 385B.080 must require the teacher, coach or other person responsible for supervising a~~

~~pupil who sustains or is suspected of sustaining an injury to the head while participating in an interscholastic activity or event to:~~

~~1. Immediately remove the pupil from the activity or event and ensure that the pupil is evaluated in accordance with procedure set forth in section 5 of this act; and~~

~~2. Ensure that the parent or legal guardian of the pupil is notified of the injury to the head and provided with the:~~

~~(a) Brochure created pursuant to NRS 385B.080;~~

~~(b) Procedure set forth in this section and sections 5 and 6 of this act for the pupil to return to full participation in course work at school and to an interscholastic activity or event;~~

~~(c) Contact information for the concussion management team established pursuant to subsection 5 of NRS 392.452 or subsection 5 of section 9 of this act, as applicable; and~~

~~(d) Form prescribed by the Nevada Interscholastic Activities Association pursuant to subsection 9 of section 5 of this act.} (Deleted by amendment.)~~

Sec. 5. ~~[Except as otherwise provided in NRS 385B.080, the policy adopted by the Nevada Interscholastic Activities Association pursuant to NRS 385B.080 must require that:~~

~~1. Not sooner than 24 hours after a pupil sustains or is suspected of sustaining an injury to the head while participating in an interscholastic activity or event, a provider of health care initially evaluate the pupil as provided in subsection 3;~~

~~2. A provider of health care or school nurse who has received training in the evaluation of injuries to the head evaluate the pupil as provided in subsection 3 at least once each day thereafter until the pupil is authorized to return to full participation in course work at school and the interscholastic activity or event pursuant to subsection 9;~~

~~3. An evaluation performed pursuant to subsection 1 or 2 consists of:~~

~~(a) Evaluating the symptoms, postural stability and cognitive ability of the pupil. Such an evaluation must use the same test as was initially used to evaluate the pupil pursuant to section 3 of this act, if applicable.~~

~~(b) Comparing the results of the evaluation conducted pursuant to paragraph (a) to:~~

~~(1) The results of the evaluation conducted pursuant to section 3 of this act; or~~

~~(2) If an evaluation of the pupil has not been performed pursuant to section 3 of this act, a statistically valid database that establishes the physical and cognitive abilities of a pupil of similar age and other relevant characteristics to the pupil that sustained or is suspected to have sustained an injury to the head.~~

~~4. After performing an evaluation pursuant to subsection 1 or 2, a provider of health care or school nurse consult with other members of the concussion management team established pursuant to subsection 5 of NRS 392.452 or subsection 5 of section 9 of this act, as applicable, and, if such other members have been appointed, determine whether the pupil should advance to the next step, remain at the current step or return to the previous step of the procedures set forth in section 6 of this act.~~

~~5. Before a pupil advances to the next step or returns to the previous step of the procedures set forth in section 6 of this act, a provider of health care or school nurse approve the advancement or return, as applicable. A provider of health care or school nurse may not authorize a pupil to:~~

~~(a) Skip a step or progress through more than one step in a day under any circumstance; or~~

~~— (b) Advance to the next step if the provider of health care or school nurse believes that it would be unsafe for the pupil to advance to the next step.~~

~~— 6. If a provider of health care or school nurse approves the advancement of a pupil to the next step of the procedures set forth in section 6 of this act, the provider of health care or school nurse document in a written record the date on which he or she approved the advancement.~~

~~— 7. The school in which a pupil is enrolled maintain the written record created pursuant to subsection 6 for at least 4 years after the date the documentation is made.~~

~~— 8. A provider of health care or school nurse who evaluates a pupil pursuant to subsection 2 return the pupil to the previous step of the procedures set forth in section 6 of this act, if the provider of health care or school nurse determines that symptoms for the injury to the head have worsened after the previous evaluation.~~

~~— 9. Before a pupil returns to full participation in course work at school or an interscholastic activity or event, a provider of health care evaluate the pupil pursuant to subsection 2 and sign a form prescribed by the Nevada Interscholastic Activities Association.~~

~~— (a) Certifying that the pupil has completed the appropriate procedure set forth in section 6 of this act; and~~

~~— (b) Authorizing the pupil to return to full participation in course work at school or a sport or other physically demanding interscholastic activity or event, as applicable.] (Deleted by amendment.)~~

Sec. 6. [Except as otherwise provided in NRS 385B.080, the policy adopted by the Nevada Interscholastic Activities Association pursuant to NRS 385B.080 must prohibit a pupil from returning to full participation in:

~~— 1. Course work at school until the pupil has completed a procedure that ensures the pupil is physically and mentally ready to return to full participation in course work at school, including, without limitation, completing the following steps in the following order:~~

~~— (a) Total rest;~~

~~— (b) Daily activities at home;~~

~~— (c) Course work completed at home;~~

~~— (d) Course work completed at school, but not participating in a classroom;~~

~~— (e) Participation in a classroom with any accommodation necessary;~~

~~— (f) Participation in a classroom with minimal accommodations; and~~

~~— (g) A provider of health care signing a form authorizing the pupil to return to full participation in course work at school pursuant to subsection 9 of section 5 of this act.~~

~~— 2. An interscholastic activity or event until the pupil has completed a procedure that ensures the pupil is physically and mentally ready to return to full participation in the interscholastic activity or event, including, without limitation, completing the following steps in the following order:~~

~~— (a) Total rest;~~

~~— (b) Light aerobic activity;~~

~~— (c) Moderate aerobic activity, including, without limitation, non contact training activities at half speed;~~

~~— (d) Vigorous aerobic activity, including, without limitation, non contact training activities at full speed;~~

~~— (e) Full contact practice; and~~

~~— (f) A provider of health care signing a form authorizing the pupil to return to full participation in the interscholastic activity or event pursuant to subsection 9 of section 5 of this act.] (Deleted by amendment.)~~

1 Sec. 6.5. Chapter 385 of NRS is hereby amended by adding thereto a
2 new section to read as follows:

3 1. The Superintendent of Public Instruction shall, in cooperation with the
4 Nevada Interscholastic Activities Association and the Chief Medical Officer,
5 adopt regulations prescribing a policy concerning the treatment of injuries to the
6 head that affect the ability of a pupil to learn and otherwise engage with his or
7 her course work at school, including, without limitation, a concussion of the
8 brain.

9 2. The policy adopted pursuant to subsection 1 must require a school to
10 authorize a pupil who has sustained or is suspected of sustaining an injury to the
11 head to receive reasonable accommodations that are based on peer-reviewed
12 evidence until the pupil is mentally and physically ready to return to full
13 participation in his or her course work. Such accommodations may include,
14 without limitation:

15 (a) Rest;

16 (b) A modified schedule or curriculum; or

17 (c) Monitoring by a school nurse, athletic trainer or other person qualified to
18 monitor the mental and physical health of the pupil.

19 3. The Superintendent of Public Instruction shall post the policy adopted
20 pursuant to subsection 1 on an Internet website maintained by the Department.

21 4. At least once every 5 years, the Superintendent of Public Instruction
22 shall:

23 (a) Review the policy adopted pursuant to subsection 1; and

24 (b) Update the policy to reflect current best practices in the prevention and
25 treatment of injuries to head.

26 Sec. 7. NRS 385B.080 is hereby amended to read as follows:

27 385B.080 1. The Nevada Interscholastic Activities Association shall, in
28 cooperation with the Superintendent of Public Instruction and the Chief Medical
29 Officer, adopt

30 ~~(a) Adopt~~ regulations prescribing a policy concerning the prevention and
31 treatment of injuries to the head which may occur during or otherwise affect a
32 pupil's participation in interscholastic activities and events, including, without
33 limitation, a concussion of the brain. ~~[Except as otherwise provided in subsection~~
34 ~~6, the policy must contain the items required by sections 3 to 6, inclusive, of this~~
35 ~~act.~~

36 ~~— (b) Create a brochure concerning the prevention and treatment of injuries to~~
37 ~~the head which may occur during the participation of a pupil in interscholastic~~
38 ~~activities or events, including, without limitation, a concussion of the brain.~~

39 ~~— 2.] The policy [brochure created pursuant to paragraph (b) of subsection 1]~~
40 must provide information concerning the nature and risk of injuries to the head
41 which may occur during a pupil's participation in interscholastic activities and
42 events, including, without limitation, the risks associated with continuing to
43 participate in the activity or event after sustaining such an injury.

44 2. The policy adopted pursuant to subsection 1 must require that if a pupil has
45 or sustains or is suspected of having or sustaining an injury to the head while
46 participating in an interscholastic activity or event, the pupil:

47 (a) Must be immediately removed from the activity or event; and

48 (b) May return to the activity or event if the parent or legal guardian of the
49 pupil provides a signed statement of a provider of health care acting within his or
50 her scope of practice indicating that the pupil is medically cleared for participation
51 in the activity or event and the date on which the pupil may return to the activity or
52 event. [include.]

3. The Nevada Interscholastic Activities Association shall compile educational information on the prevention and treatment of injuries to the head, including, without limitation:

(a) Information about injuries to the head, including, without limitation, traumatic brain injuries and concussions of the brain;

(b) The procedure to be followed after an injury to the head or a suspected injury to the head of a pupil is sustained, including, without limitation, ~~the~~ any procedure in the policy adopted pursuant to ~~paragraph (a) of~~ subsection 1 to determine when a pupil may return to full participation in ~~course work at school and~~ any interscholastic activity or event;

(c) The symptoms that a pupil who has sustained an injury to the head is likely to exhibit and the manner in which such symptoms are likely to subside over time; and

(d) The recommended care and accommodations for a pupil who has sustained or is suspected to have sustained a concussion or other injury to the head and the resources for identifying the proper care and accommodations for a specific pupil. ~~It and~~

~~— (e) A place for school personnel to fill in the contact information for:~~

~~— (1) The concussion management team established pursuant to subsection 5 of NRS 392.452 or subsection 5 of section 9 of this act, as applicable;~~

~~— (2) Providers of emergency medical services; and~~

~~— (3) Nearby hospitals.~~

~~3.]~~ 4. Before a pupil participates in an interscholastic activity or event, and on an annual basis thereafter, the Nevada Interscholastic Activities Association shall ensure that the pupil and his or her parent or legal guardian:

(a) ~~[Must be]~~ Are provided with a copy of the policy adopted pursuant to ~~paragraph (a) of~~ subsection 1; and

(b) ~~[Must sign]~~ Sign a statement on a form prescribed by the Nevada Interscholastic Activities Association acknowledging that the pupil, if capable, and his or her parent or guardian ~~have read and understand the terms and conditions of the policy. +]~~ understand;

(1) ~~[Understand that]~~ That injuries to the head may occur during the participation of a pupil in interscholastic activities and events;

(2) ~~[Understand that]~~ The risks associated with participating in an activity or event in which a pupil may sustain an injury to the head;

(3) ~~[Understand that]~~ The risks associated with continuing to participate in an activity or event after a pupil has sustained an injury to the head; and

(4) ~~[Agree to follow the policy adopted pursuant to paragraph (a) of subsection 1 and the policy adopted pursuant to NRS 392.452 or section 9 of this act, as applicable, by the school district, charter school, university school for profoundly gifted pupils or private school in which the pupil is enrolled;~~

~~— (5) Understand that]~~ That the policy adopted pursuant to ~~paragraph (a) of~~ subsection 1 and the ~~[brochure created]~~ educational information compiled pursuant to ~~paragraph (b) of~~ subsection ~~[4]~~ 3 are available on the Internet website maintained by the Nevada Interscholastic Activities Association. ~~It and~~

~~— (6) Understand that the policy adopted and brochure created pursuant to NRS 392.452 or section 9 of this act, as applicable, are available on the Internet website maintained by the school district, charter school, university school for profoundly gifted pupils or private school in which the pupil is enrolled.~~

~~4.~~ As used in this section, “provider of health care” means a physician or physician assistant licensed under chapter 630 or 633 of NRS, an advanced practice registered nurse licensed under chapter 632 of NRS, a physical therapist licensed

under chapter 640 of NRS or an athletic trainer licensed under chapter 640B of NRS.]

5. The Nevada Interscholastic Activities Association shall post the policy adopted pursuant to ~~paragraph (a) of~~ subsection 1 and the ~~brochure created~~ educational information compiled pursuant to ~~paragraph (b) of~~ subsection ~~(1)~~ 3 on the Internet website of the Nevada Interscholastic Activities Association.

~~5.~~ 6. At least once every 5 years, the Nevada Interscholastic Activities Association shall:

(a) Review the policy adopted pursuant to ~~paragraph (a) of~~ subsection 1 and the ~~brochure created~~ information compiled pursuant to ~~paragraph (b) of~~ subsection ~~(1)~~ 3; and

(b) Update the policy and ~~brochure~~ information to reflect current best practices in the prevention and treatment of injuries to head.

~~16. Notwithstanding the provisions of sections 3 to 6, inclusive, of this act, the Nevada Interscholastic Activities Association may adopt regulations which prescribe alternative contents of the policy adopted by the Association pursuant to this section if the Association:~~

~~—(a) Receives testimony from experts in the field of the prevention and treatment of injuries to the head that the alternative contents reflect current best practices in the prevention and treatment of injuries to the head; and~~

~~—(b) Concludes, on the basis of such testimony, that the alternative contents would be more effective at preventing and treating injuries to the head than the contents required by sections 3 to 6, inclusive, of this act.]~~

7. As used in this section, “provider of health care” means a physician or physician assistant licensed under chapter 630 or 633 of NRS, an advanced practice registered nurse licensed under chapter 632 of NRS, a physical therapist licensed under chapter 640 of NRS or an athletic trainer licensed under chapter 640B of NRS.

Sec. 8. NRS 392.452 is hereby amended to read as follows:

392.452 1. ~~[For those competitive sports not governed by the Nevada Interscholastic Activities Association pursuant to chapter 385B of NRS, the]~~ The board of trustees of each school district, the governing body of each charter school and the governing body of each university school for profoundly gifted pupils shall adopt ~~+~~

~~—(a) Adopt~~ a policy ~~[and create a brochure]~~ concerning the prevention and treatment of injuries to the head ~~[which may occur during]~~ of a ~~[pupil’s participation in competitive sports within the school district,]~~ pupil, including, without limitation, a concussion of the brain. ~~[To the extent practicable, the]~~ The policy ~~[and brochure]~~ must ~~[be consistent with]:~~

~~[(1)] (a) Include at least the same or substantially similar provisions as the [policy] policies adopted [and brochure created] by the Superintendent of Public Instruction pursuant to section 6.5 of this act and the Nevada Interscholastic Activities Association pursuant to NRS 385B.080 [The policy must provide information concerning the nature and risk of injuries to the head which may occur during a pupil’s participation in competitive sports, including, without limitation, the risks associated with continuing to participate in competitive sports after sustaining such an injury.]; and~~

~~[(2)] (b) Be modified as necessary to cover all pupils at a school who have or sustain, or are suspected of having or sustaining, an injury to the head, regardless of whether a pupil is at school or participating in an extracurricular activity when the injury or suspected injury occurs.~~

~~1 (b) Prescribe a form that is substantially similar to the form prescribed by~~
~~2 the Nevada Interscholastic Activities Association pursuant to subsection 9 of~~
~~3 section 5 of this act on which a provider of health care may:~~

~~4 (1) Certify that a pupil who has sustained or is suspected of having~~
~~5 sustained an injury to the head has completed all procedures required by the~~
~~6 policy adopted pursuant to paragraph (a) for the pupil to return to full~~
~~7 participation in course work at school or an extracurricular activity; and~~

~~8 (2) Authorize the pupil to return to full participation in course work at~~
~~9 school or an extracurricular activity, as applicable.]~~

10 2. The policy adopted pursuant to subsection 1 must require that if a pupil *has*
11 *or sustains* , or is suspected of *having or sustaining* , an injury to the head while
12 participating in competitive sports, the pupil:

13 (a) Must be immediately removed from the competitive sport; and

14 (b) May return to the competitive sport if the parent or legal guardian of the
15 pupil provides a signed statement of a provider of health care *acting within his or*
16 *her scope of practice* indicating that the pupil is medically cleared for participation
17 in the competitive sport and the date on which the pupil may return to the
18 competitive sport.

19 3. Before a pupil participates in competitive sports within a school district ~~or~~
20 *or for a charter school or university school for profoundly gifted pupils*, and on an
21 annual basis thereafter, the board of trustees of a school district, the governing
22 body of each charter school and the governing body of each university school for
23 profoundly gifted pupils shall ensure that each pupil and his or her parent or legal
24 guardian:

25 (a) ~~[Must be]~~ Are provided with a copy of the policy adopted pursuant to
26 ~~[paragraph (a) of]~~ subsection 1; and

27 (b) ~~[Must sign]~~ Sign a statement on a form prescribed by the board of trustees
28 of the school district, governing body of the charter school or the governing body
29 of the university school for profoundly gifted pupils, as applicable, acknowledging
30 that the pupil , if capable, and his or her parent or guardian ~~have read and~~
31 ~~understand the terms and conditions of the policy.~~

32 ~~4. ~~Understand:~~~~

33 ~~(1) ~~Understand that~~ *That* injuries to the head may occur during the~~
34 ~~participation of a pupil in interscholastic activities and events;~~

35 ~~(2) ~~Understand the~~ *The* risks associated with participating in an activity~~
36 ~~or event in which a pupil may sustain an injury to the head;~~

37 ~~(3) ~~Understand the~~ *The* risks associated with continuing to participate~~
38 ~~in an activity or event after a pupil has sustained an injury to the head; *and*~~

39 ~~(4) ~~Agree to follow the policy adopted pursuant to paragraph (a) of~~~~
40 ~~subsection 1 and the policy adopted pursuant to NRS 385B.080 by the Nevada~~
41 ~~Interscholastic Activities Association;~~

42 ~~(5) ~~Understand that~~ *That* the policy adopted ~~[and the brochure created]~~~~
43 ~~pursuant to ~~[paragraph (a) of]~~ subsection 1 and the educational information~~
44 ~~compiled pursuant to subsection 3 of NRS 385B.080 are available on the Internet~~
45 ~~website maintained by the school district, charter school or university school for~~
46 ~~profoundly gifted pupils in which the pupil is enrolled. ~~It and~~~~

47 ~~(6) ~~Understand that the policy adopted and brochure created pursuant to~~~~
48 ~~NRS 385B.080 are available on the Internet website maintained by the Nevada~~
49 ~~Interscholastic Activities Association.~~

50 ~~3. 4. Upon notification that a pupil enrolled in a public school has~~
51 ~~sustained or is suspected of having sustained an injury to the head, the board of~~
52 ~~trustees of a school district, the governing body of each charter school and the~~
53 ~~governing body of each university school for profoundly gifted pupils, as~~

1 applicable, shall ensure that the pupil and his or her parent or legal guardian are
2 provided with a printed or electronic copy of the policy adopted pursuant to
3 ~~paragraph (a) of~~ subsection 1.

4 ~~4.]~~ 5.] Each public school, charter school and university school for
5 profoundly gifted pupils shall post the policy adopted ~~and the brochure created~~
6 pursuant to ~~paragraph (a) of~~ subsection 1 and the educational information
7 prepared pursuant to subsection 3 of NRS 385B.080 on an Internet website
8 maintained by the school.

9 ~~5.]~~ ~~The principal or other person in charge of each public school,~~
10 ~~including, without limitation, each charter school or university school for~~
11 ~~profoundly gifted pupils, shall establish a concussion management team for the~~
12 ~~school. The concussion management team must include a school nurse or~~
13 ~~athletic trainer, and may additionally include, without limitation:~~

- 14 ~~— (a) School psychologists;~~
15 ~~— (b) School social workers;~~
16 ~~— (c) School counselors;~~
17 ~~— (d) Teachers; and~~
18 ~~— (e) Administrators.~~

19 ~~6.]~~ ~~A concussion management team established pursuant to subsection 5~~
20 ~~shall perform the duties prescribed in the policies adopted pursuant to paragraph~~
21 ~~(a) of subsection 1 and NRS 385B.080.~~

22 ~~7.]~~ 6.] At least once every 5 years, the board of trustees of each school
23 district, the governing body of each charter school and the governing body of
24 each university school for profoundly gifted pupils shall:

25 (a) Review the policy adopted ~~and the brochure created~~ pursuant to
26 ~~paragraph (a) of~~ subsection 1; and

27 (b) Update the policy ~~and brochure~~ to reflect current best practices in the
28 prevention and treatment of injuries to the head.

29 ~~8.]~~ 7.] Each ~~administrator, teacher, counselor or other~~ employee of a
30 public school who ~~is likely to encounter~~ supports the academics or health,
31 including, without limitation, mental or physical health, of a pupil who has
32 sustained or is suspected of having sustained an injury to the head must annually
33 complete training regarding the prevention and treatment of injuries to the head
34 provided by the Centers for Disease Control and Prevention of the United States
35 Department of Health and Human Services, the National Federation of State
36 High School Associations or a similar entity,], which must include, without
37 limitation, a review of the educational information compiled pursuant to
38 subsection 3 of NRS 385B.080. Each public school shall maintain a record of the
39 training required by this section which is completed by each employee of the
40 public school and provide such a record upon request.

41 ~~9.]~~ 8.] As used in this section, “provider of health care” means a physician or
42 physician assistant licensed under chapter 630 or 633 of NRS, an advanced practice
43 registered nurse licensed under chapter 632 of NRS, a physical therapist licensed
44 under chapter 640 of NRS or an athletic trainer licensed under chapter 640B of
45 NRS.

46 **Sec. 9.** ~~[Chapter 394 of NRS is hereby amended by adding thereto a new~~
47 ~~section to read as follows:~~

48 ~~1.]~~ The governing body of each private school shall:

49 ~~(a) Adopt a policy and create a brochure concerning the prevention and~~
50 ~~treatment of injuries to the head of a pupil, including, without limitation, a~~
51 ~~concussion of the brain. The policy and brochure must:~~

~~(1) Include at least the same or substantially similar provisions as the policy adopted and brochure created by the Nevada Interscholastic Activities Association pursuant to NRS 385B.080; and~~

~~(2) Be modified as necessary to cover all pupils at a school who sustain or are suspected of sustaining an injury to the head, regardless of whether a pupil is at school or participating in an extracurricular activity when the injury or suspected injury occurs.~~

~~(b) Prescribe a form that is substantially similar to the form prescribed by the Nevada Interscholastic Activities Association pursuant to subsection 9 of section 5 of this act on which a provider of health care may~~

~~(1) Certify that a pupil who has sustained or is suspected of having sustained an injury to the head has completed all procedures required by the policy adopted pursuant to paragraph (a) for the pupil to return to full participation in course work at school or an extracurricular activity; and~~

~~(2) Authorize the pupil to return to full participation in course work at school or an extracurricular activity, as applicable.~~

~~2. Before a pupil participates in competitive sports with a private school, and on an annual basis thereafter, the governing body of each private school shall ensure that each pupil and his or her parent or legal guardian:~~

~~(a) Are provided with a copy of the policy adopted pursuant to paragraph (a) of subsection 1;~~

~~(b) Sign a statement on a form prescribed by the governing body of the private school acknowledging that the pupil, if capable, and his or her parent or guardian:~~

~~(1) Understand that injuries to the head may occur during the participation of a pupil in interscholastic activities and events;~~

~~(2) Understand the risks associated with participating in an activity or event in which a pupil may sustain an injury to the head;~~

~~(3) Understand the risks associated with continuing to participate in an activity or event after a pupil has sustained an injury to the head;~~

~~(4) Agree to follow the policy adopted pursuant to paragraph (a) of subsection 1 and the policy adopted pursuant to NRS 385B.080 by the Nevada Interscholastic Activities Association;~~

~~(5) Understand that the policy adopted and the brochure created pursuant to paragraph (a) of subsection 1 are available on the Internet website maintained by the private school in which the pupil is enrolled; and~~

~~(6) Understand that the policy adopted and brochure created pursuant to NRS 385B.080 are available on the Internet website maintained by the Nevada Interscholastic Activities Association.~~

~~3. Upon notification that a pupil enrolled in a private school has sustained or is suspected of having sustained an injury to the head, the board of trustees of the private school shall ensure that the pupil and his or her parent or legal guardian are provided with a copy of the policy adopted pursuant to paragraph (a) of subsection 1.~~

~~4. Each private school shall post the brochure created pursuant to paragraph (a) of subsection 1 on an Internet website maintained by the school.~~

~~5. The principal or other person in charge of each private school shall establish a concussion management team for the school. The concussion management team must include a school nurse or athletic trainer, and may include, without limitation:~~

~~(a) School psychologists;~~

~~(b) School social workers;~~

~~(c) School counselors;~~

~~—(d) Teachers; and~~

~~—(e) Administrators.~~

~~6. A concussion management team established pursuant to subsection 5 shall perform the duties prescribed in the policies adopted pursuant to paragraph (a) of subsection 1 and NRS 385B.080.~~

~~7. At least once every 5 years, the governing body of each private school shall~~

~~—(a) Review the policy adopted and the brochure created pursuant to paragraph (a) of subsection 1; and~~

~~—(b) Update the policy and brochure to reflect current best practices in the prevention and treatment of injuries to the head.~~

~~8. Each administrator, teacher, counselor or other employee of a private school who is likely to encounter a pupil who has sustained or is suspected of having sustained an injury to the head must annually complete training regarding the prevention and treatment of injuries to the head provided by the Centers for Disease Control and Prevention of the United States Department of Health and Human Services, the National Federation of State High School Associations or a similar entity. Each private school shall maintain a record of the training required by this section which is completed by each employee of the private school and provide such a record upon request.~~

~~9. A person who willfully violates the provisions of this section is guilty of a misdemeanor. Each day's failure to comply with the provisions of this section is a separate offense.~~

~~10. As used in this section, "provider of health care" means a physician or physician assistant licensed under chapter 630 or 633 of NRS, an advanced practice registered nurse licensed under chapter 632 of NRS, a physical therapist licensed under chapter 640 of NRS or an athletic trainer licensed under chapter 640B of NRS.~~ **(Deleted by amendment.)**

Sec. 10. NRS 455A.200 is hereby amended to read as follows:

455A.200 1. Each organization for youth sports that sanctions or sponsors competitive sports for youths in this State shall adopt ~~is~~

~~—(a) Adopt~~ a policy concerning the prevention and treatment of injuries to the head which may occur during or otherwise affect a youth's participation in those competitive sports, including, without limitation, a concussion of the brain. ~~[To the extent practicable, Except for provisions concerning a pupil returning to full participation in course work at school, the]~~ The policy must ~~[be consistent with]~~ include at least the same or substantially similar provisions as the policy adopted by the Nevada Interscholastic Activities Association pursuant to subsection 1 of NRS 385B.080. ~~[The policy must provide information concerning the nature and risk of injuries to the head which may occur during a youth's participation in competitive sports, including, without limitation, the risks associated with continuing to participate in competitive sports after sustaining such an injury.]~~

~~—(b) Prescribe a form that is substantially similar to the form prescribed by the Nevada Interscholastic Activities Association pursuant to subsection 9 of section 5 of this act on which a provider of health care may~~

~~—(1) Certify that a youth who has sustained or is suspected of having sustained an injury to the head has completed all procedures required by the policy adopted pursuant to paragraph (a) for the youth to return to full participation in competitive sports; and~~

~~—(2) Authorize the youth to return to full participation in competitive sports.~~

2. The policy adopted pursuant to subsection 1 must require that if a youth has or sustains , or is suspected of *having or sustaining* , an injury to the head while participating in competitive sports, the youth:

(a) Must be immediately removed from the competitive sport; and

(b) May return to the competitive sport if the parent or legal guardian of the youth provides a signed statement of a provider of health care *acting within his or her scope of practice* indicating that the youth is medically cleared for participation in the competitive sport and the date on which the youth may return to the competitive sport.

3. Before a youth participates in competitive sports sanctioned or sponsored by an organization for youth sports in this State, *and on an annual basis thereafter, the organization for youth sports shall ensure that* the youth and his or her parent or legal guardian:

(a) ~~{Must be}~~ *Are* provided with a copy of the policy adopted pursuant to paragraph (a) of subsection 1; and

(b) ~~{Must sign}~~ *Sign* a statement on a form prescribed by the organization for youth sports acknowledging that the youth , *if capable*, and his or her parent or legal guardian ~~{have read and understand the terms and conditions of the policy.~~

~~4. *understand:*~~

~~(1) *Understand that* That injuries to the head may occur during the participation of a youth in youth sports;~~

~~(2) *Understand the* The risks associated with participating in a youth sport in which a youth may sustain an injury to the head;~~

~~(3) *Understand the* The risks associated with continuing to participate in a youth sport after a youth has sustained an injury to the head;~~

~~(4) *Agree to follow the policy adopted pursuant to paragraph (a) of subsection 1;*~~

~~(5) *Understand that* That the policy adopted pursuant to ~~{paragraph (a) of}~~ subsection 1 is available on the Internet website , *if any*, maintained by the organization for youth sports; and~~

~~{(6) *Understand that*}~~

~~(5) That the policy adopted ~~{and brochure created}~~ and the educational information compiled pursuant to NRS 385B.080 are available on the Internet website maintained by the Nevada Interscholastic Activities Association.~~

~~{3.} 4. Each organization for youth sports that sanctions or sponsors competitive sports for youths shall post the policy adopted pursuant to ~~{paragraph (a) of}~~ subsection 1 on an Internet website maintained by the organization ~~{, if any}~~.~~

~~{4.} 5. At least once every 5 years, each organization for youth sports that sanctions or sponsors competitive sports for youths in this State shall:~~

(a) Review the policy adopted pursuant to ~~{paragraph (a) of}~~ subsection 1; and

(b) Update the policy to reflect current best practice in the prevention and treatment of injuries to the head.

~~{5.} 6. As used in this section:~~

(a) "Provider of health care" means a physician or physician assistant licensed under chapter 630 or 633 of NRS, an advanced practice registered nurse licensed under chapter 632 of NRS, a physical therapist licensed under chapter 640 of NRS or an athletic trainer licensed under chapter 640B of NRS.

(b) "Youth" means a person under the age of 18 years.

Sec. 11. The provisions of NRS 354.599 do not apply to any additional expenses of a local government that are related to the provisions of this act.

Sec. 12. 1. This section becomes effective upon passage and approval.

- 1 2. Sections 1 to 11, inclusive, of this act become effective:
- 2 (a) Upon passage and approval for the purpose of adopting any regulations and
- 3 performing any other preparatory administrative tasks that are necessary to carry
- 4 out the provisions of this act; and
- 5 (b) On July 1, 2024, for all other purposes.