

Frequently Asked Questions about the Concussion Awareness Law, LB 260

When does this law become operative?

- July 1, 2012

Who is covered by the new law?

- Students in approved or accredited public, private, denominational or parochial schools (Colleges and universities are not covered in the law).
- Athletes 19 years of age or younger that participate in organized sports (any city, village, business or nonprofit that organizes sports, charges a fee or is sponsored by a business or nonprofit organization.)

When should an athlete be removed from play?

- When they are reasonably suspected of having a concussion by a coach or licensed health care professional who is professionally affiliated with or contracted by the school.
- Such athlete shall not be permitted to participate in any supervised team athletic activities until cleared.
- Notification of the parent or guardian of the date and approximate time of the injury and the signs and symptoms of a concussion that were observed and any action taken to treat the athlete.

When can the athlete return to play?

- When they have been evaluated by a licensed health care professional,
- Received written clearance from the LHC professional,
- And has submitted the written and signed clearance along with the written permission to resume participation from the athlete's parent or guardian. Nebraska law allows schools and organizations to assume signature is from a qualified health professional (signature is conclusive and reliable evidence)

Who can clear an athlete?

- A licensed health care professional: physician or licensed practitioner under the direct supervision of a physician, a certified athletic trainer, a neuropsychologist; or
- Some other qualified individual who (a) is registered, licensed, certified or otherwise statutorily recognized by the state of Nebraska to provide health care services **and** (b) is *trained in the evaluation and management of traumatic brain injuries among a pediatric population*.

What do Schools and sports organizations need to do?

- Make available training approved by the Chief Medical Officer to all coaches.
- Requires information be provided on an annual basis to athletes and parents or guardians prior to the start of practice of competition. The Chief Medical Officer will have examples of this information on the website.

Who keeps record of the clearance and permission?

- That is up to the school and sports organization.

What does this mean to liability?

- Nothing in the Concussion Awareness Act shall be construed to create liability for or modify the liability or immunity of a school, school district, city, village, business or non profit.

Where is the training and information available?

- The Chief Medical Officer of Nebraska will post the coaches trainings and examples of the information sheets that schools and organizations can use at: <http://www.dhhs.ne.gov/concussions>
- Other links with resources: www.biane.org; www.nsata.org