



# 131st MAINE LEGISLATURE

## FIRST REGULAR SESSION-2023

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Legislative Document

No. 1042

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S.P. 411

In Senate, March 7, 2023

### **An Act to Update Youth Sports Concussion and Injury Prevention Protocols**

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Reference to the Committee on Education and Cultural Affairs suggested and ordered printed.

A handwritten signature in black ink, appearing to read "D M Grant".

DAREK M. GRANT  
Secretary of the Senate

Presented by Senator BALDACCI of Penobscot.  
Cosponsored by Representative THERIAULT of Fort Kent and  
Senator: RAFFERTY of York, Representatives: BRENNAN of Portland, COSTAIN of  
Plymouth, DODGE of Belfast.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 22 MRSA c. 279** is enacted to read:

3 **CHAPTER 279**

4 **HEAD INJURY PREVENTION**

5 **§1700-E. Head injury prevention**

6 **1. Definitions.** As used in this section, unless the context otherwise indicates, the  
7 following terms have the following meanings.

8 A. "Athlete" means a person participating in an athletic activity.

9 B. "Athletic activity" means any of the following sports: baseball, basketball, bicycle  
10 motocross, boxing, competitive cheerleading, diving, equestrian activities, field  
11 hockey, football, full-contact martial arts, gymnastics, ice hockey, lacrosse, roller  
12 derby, rugby, skateboarding, skiing, soccer, softball, swimming, synchronized  
13 swimming, volleyball, water polo or wrestling.

14 C. "Head injury" means an injury to an athlete's head, including a concussion.

15 D. "Health care provider" means a licensed person who is trained in the evaluation and  
16 management of head injuries within the scope of the person's practice.

17 E. "Return-to-play protocol" means a graduated program to return an athlete to full  
18 participation in an athletic activity.

19 F. "Youth sports organization" means a public or private school, organization, business,  
20 nonprofit entity or local government entity that offers organized athletic activities,  
21 including training, camps or clubs, for, at least in part, athletes who have not attained  
22 18 years of age.

23 **2. Sustained injury.** If an athlete is suspected of sustaining a head injury while  
24 participating in an athletic activity organized by a youth sports organization, a coach or  
25 administrator of the youth sports organization shall:

26 A. Immediately remove the athlete from participating in an athletic activity until the  
27 athlete receives written permission from a health care provider to return to the activity;

28 B. If the health care provider under paragraph A determines that the athlete suffered a  
29 head injury, ensure that the athlete completes a return-to-play protocol that lasts no  
30 fewer than 7 days and is supervised by a health care provider; and

31 C. If the athlete has not attained 18 years of age, notify the athlete's parent or guardian  
32 of the date and time of the injury, the signs and symptoms observed and any treatment  
33 provided to the athlete.

34 **3. Provision of educational materials.** A youth sports organization shall provide  
35 educational information about head injuries described in subsection 4 in accordance with  
36 this subsection. A youth sports organization shall annually provide:

37 A. An information sheet on head injuries to an athlete. The athlete shall sign the  
38 information sheet and, if the athlete has not attained 18 years of age, the athlete's parent

1 or guardian shall sign the information sheet. The athlete shall return the signed  
2 information sheet to the youth sports organization, including through electronic means.  
3 The athlete may not participate in an athletic activity until the youth sports organization  
4 receives the signed information sheet; and

5 B. An in-person or online head injury presentation and head injury educational  
6 materials to coaches and administrators of the youth sports organization. A coach or  
7 administrator shall successfully complete the head injury presentation before  
8 supervising an athlete in an athletic activity.

9 **4. Contents of educational materials.** Educational information provided in  
10 accordance with subsection 3 must include the following information:

11 A. Types of head injuries and potential consequences of head injuries;

12 B. Signs and symptoms of a head injury;

13 C. Best practices for removing an athlete from an athletic activity after a suspected  
14 head injury; and

15 D. The return-to-play protocol.

16 **5. Procedures.** A youth sports organization shall establish procedures related to head  
17 injuries sustained during an athletic activity. The procedures must include methods to  
18 ensure compliance with the requirements of subsections 2 and 3.

## 19 SUMMARY

20 This bill requires youth sports organizations, including schools, to follow specific  
21 protocols and provide education relating to head injuries sustained during athletic activities.