

SB 1547 -1, -2, -3 STAFF MEASURE SUMMARY

Senate Committee On Health Care

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Meeting Dates: 2/7, 2/12, 2/14

WHAT THE MEASURE DOES:

Expands list of qualified health professionals who can provide medical release of a student athlete suspected of having a concussion to include licensed chiropractic physicians, naturopathic physicians, psychologists, physical therapists, occupational therapists, physician assistants, nurse practitioners, and athletic trainers. Specifies requirements for qualified health professionals to obtain a certificate after completion of an online program and other requirements. Becomes operative January 1, 2019. Declares emergency, effective upon passage.

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

- 1 Modifies sections addressing civil and criminal immunities imposed to not apply to an act or omission from a member of a school district board, employee of a school district, coach, referee, or employee of a university if they were acting within the scope of practice of a health care professional when they committed the act or omission.
- 2 Removes civil and criminal immunities for a school district, school district board, or employee of a school district. Restores current immunity from civil and criminal liabilities related to a head injury for a coach or referee. Specifies that immunities for a OHSU board member, officer, or employee do not apply to an act or omission that amounts to gross negligence or the individual was acting within the scope of practice of a health care professional when they committed the act or omission.
- 3 Specifies that immunities for a OHSU board member, officer, or employee do not apply to an act or omission that amounts to gross negligence or was providing health care as a health care professional when they committed the act or omission.

BACKGROUND:

Currently, qualified health professionals are licensed physicians (MDs, DOs), physician assistants, nurse practitioners, or psychologists. Athletic trainers often work with qualified health care professionals after a student athlete has been observed or suspected to have sustained a blow to the head or body, and help determine when a student can return to play following a concussion.

In 2017, the Oregon legislature introduced Senate Bill 217 to expand the list of qualified health professionals able to provide a release for a student athlete who sustained a concussion or were suspected of sustaining a concussion. The bill did not pass during the 2017 session. In the 2017-18 interim, the Senate Committee on Health Care convened a work group to develop recommendations on this topic. The work group met five times to receive reports and presentations. The outcome is a bill based on a set of guidelines established by the work group.

The measure expands the list of qualified health professionals who can provide medical release of a student athlete suspected of having a concussion. This includes licensed chiropractic physicians, naturopathic physicians, psychologists, physical therapists, occupational therapists, physician assistants, nurse practitioners, and athletic trainers. Health professionals are eligible to provide medical release of a student athlete suspected of having a concussion if they have successfully completed an online concussion program established by Oregon Health and Science University (OHSU). Program certificates issued by OHSU are valid for four years and can be renewed with
This Summary has not been adopted or officially endorsed by action of the committee.

additional training.

PRELIMINARY