

## **SB 1547 A -A5, -A9 STAFF MEASURE SUMMARY**

### **House Committee On Rules**

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**Meeting Dates:** 3/1

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#### **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:**

- Current protocol for concussed student-athlete return to play
- Variations in concussion protocol by school district
- Athletic trainers' qualifications to be defined and categorized as a health care professional; licensure of athletic trainers; potential conflict of interest for athletic trainers employed by school district to return student-athlete to play more quickly
- Scope of bill for concussed athlete return to non-school affiliated sport
- Medical professional and school liability for returning student athlete to play too early and subsequent injury; differences in malpractice liability coverage among types of medical providers and athletic trainers
- Expansion of qualified medical provider list for concussion return-to-play clearance in other states
- Educational proficiency and training of athletic trainers including graduate training with respect to providing a medical release to return students to an athletic competition as a qualified health care professional
- Physicians with medical degrees not required to complete OHSU's online training program
- Monitoring return to play in Oregon and tracking medical releases by qualified health professionals that complete OHSU's training program; importance for the training program to address potential conflicts of interest among qualified health professionals

#### **EFFECT OF AMENDMENT:**

-A5 Removes athletic trainers from list of qualified health professionals who can provide medical release for a student athlete suspected of having a concussion.

-A9 Removes athletic trainers from list of qualified health professionals who can provide medical release for a student athlete suspected of having a concussion. Pushes back operative dates of online certification program from January 1, 2019 until July 1, 2020. Allows a psychologist, physician assistant, or nurse practitioner to provide a medical release for a person to participate in an athletic event without a certificate issued by the certificate program until July 1, 2021. Requires Oregon Health Sciences University to report on the progress of the online certification program by October 1, 2018.

#### **BACKGROUND:**

Current Oregon law allows health care professionals who are licensed physicians (MDs, DOs), physician assistants, nurse practitioners, or psychologists to medically release a student athlete with a concussion or suspected concussion. 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.

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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 was suspected of sustaining a concussion. The bill did not pass during the 2017 session. The interim Senate Committee on Health Care convened a work group to develop recommendations on this topic following the 2017 session. 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.

Senate Bill 1547-A expands the list of qualified health professionals who can provide medical release of a student athlete suspected of having a concussion.