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The brain behind the bill

Max Conradt hopes his injury is integral to passage of a law protecting players

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EDITOR'S NOTE: The Register-Guard reported on the story of Max Conradt, who sustained a traumatic brain injury in a 2001 football game for Waldport High School, in a two-part series in May 2003. Now 25, Max has been living at an assisted-living facility for brain-injured adults in Portland since November 2003 and is moving to a new one in Salem on Monday. Senate Bill 348, if passed this session by the Oregon Legislature, would create "Max's Law," ordering all school districts to provide annual concussion training for coaches in all sports, among other stipulations.

PORTLAND — Adorned in a black leather jacket and black fedora with a "Visualize World Peace" button stuck in it, he walks the streets and rides the buses of the Hawthorne District like a modern-day Rocky Balboa. He says "Hey" and "What's up?" and "Have a great day" to perfect strangers, popping in and out of storefronts and the coffee shops where he enjoys his caramel macchiato lattes.

And if Max Conradt catches you on a bicycle without a helmet, he will let you know about it.

"I told him, if he hit his head on the ground, it could be trouble," says Max, crossing the street at Southeast 39th Street and Hawthorne Boulevard one sunny Wednesday in the middle of March, explaining what he just said to a helmet-less young man sitting on his bicycle at the intersection. "I wish I could have got that opportunity. I had a helmet that looked brand-new, but it had been reconditioned three times."

Max sustained a traumatic brain injury playing quarterback for Waldport High School on the Oregon Coast on Oct. 19, 2001. His helmet was believed to be 20 years old, although most helmets older than a decade are rejected in the recertification and reconditioning process, and he played the entire first half before collapsing, despite having headaches from a possible concussion sustained in a game eight days earlier.

After two months in a coma and four brain surgeries at Portland's Legacy Emanuel Hospital, he spent 16 months in rehabilitation at the Centre for Neuro Skills in Bakersfield, Calif. Since November 2003, he has lived in a Southeast Portland apartment facility for brain-injured adults run by Kampfe Management Services, or KMS. On Monday, he begins a new chapter when he moves to Windsor Place in Salem, another small nonprofit facility for adults with traumatic brain injuries.

And now, Max feels as if he has a new purpose. After all, how many people have a chance to have a law named after them?

"That would be ... a breath of fresh air," says Max. He is sitting in the second-floor apartment he has shared the past 18 months with his buddy Michael Brewer, 26, who also sustained a traumatic brain injury when he was hit on his bicycle in Lake Oswego when he was 7.

"I would love it," Max says of the proposed law, Oregon Senate Bill 348 — informally known as "Max's Law." The measure, still in committee, is being sponsored by the Brain Injury Association of Oregon and state Sen. Bill Morrisette, D-Springfield. "I want to advertise it. I can't wait to get it passed. I would like to go to the (Legislature) and talk about my law to the people who are going to vote for it. I think I should have a say in it."

Requirements of bill

A Senate vote on the bill — which has been amended since first introduced in January — could happen as early as this week, Morrisette said. It would become law on July 1 and be implemented for the 2010-2011 school year.

As originally written, the law would have banned helmets more than a decade old and required school districts to recondition helmets every year instead of every two years, as the Oregon School Activities Association now requires member schools to do per national guidelines.

The bill was amended, dropping the age limit on helmets and the annual reconditioning, last week because of concerns over the cost to school districts, Morrisette said. New helmets generally cost \$100 to \$200, even more for state-of-the-art ones designed to prevent concussions. Reconditioning helmets generally costs \$20 to \$40. Morrisette believes the bill still will pass "because the most important thing is recognizing concussions."

The amended bill mandates concussion training for coaches in all sports, not just football. Girls soccer has the second-highest rate of concussions, behind football, according to national studies. The law also would include a no-same-day-return policy adopted last year by the OSAA that says any athlete who exhibits concussion symptoms or has been diagnosed with one cannot play until the next day and must be cleared by a medical professional.

"Part of the problem is not recognizing the symptoms," said Morrisette, who played football — "without a face mask" — as a lineman at Carroll College in Montana in the early 1950s. "I never got hurt," says Morrisette, who also introduced "Tyler's Law" in the Legislature in 2003. Named

after 11-year-old Tyler Amundson of Springfield, who died in 2001 after being hit on his scooter, the law — which took effect on Jan. 1, 2004 — requires children 15 and younger to wear helmets while riding scooters, skateboards or in-line skates in public places.

“We have to protect the kids who play these sports,” Morrisette said of Senate Bill 348.

A similar proposed law in Washington, with a similar back story and poster boy, is making its way through the Legislature there. Zackery Lystedt, a junior high school player, collapsed on the field during an October 2006 game, according to news reports. Lystedt was put back in the game 15 minutes after chasing an opponent into the end zone and tumbling head-first into the ground.

Texas already has passed a law known as “Will’s Bill,” named after Will Benson, a 17-year-old Austin, Texas, quarterback who collapsed and died from the same injury Max had, a subdural hematoma, in a September 2002 game. The law requires every high school coach in every sport to be trained in basic safety and emergency procedures, with special emphasis on concussions and second-impact syndrome — sustaining a second concussion, another blow to the head, before recovering from a previous one. Doctors who treated Max suspected this is what happened to him.

At least 50 high school age or younger football players in more than 20 states since 1997 have been killed or have sustained serious head injuries, The New York Times reported in a 2007 series. Max and Justin Goe, son of Oregonian sportswriter Ken Goe, were profiled in the series. Justin Goe was 15 when he suffered a brain injury in a junior varsity game for Putnam High of Milwaukie on Sept. 28, 2000.

Day by day

“Hey, this is my brain,” Max says, pointing to the large, blue ceramic piece in his apartment that, sure enough, is a sculpture of a human brain. “It has words that I love,” he says, showing where he fingered “Love” and “Baseball” and “Hero” and “Passionate” and “Creative,” among other words, into the clay.

Max’s art is his therapy. He likes to draw, and a weekly ceramics class at Portland’s Multnomah Arts Center was his favorite thing to do during the winter.

What else does he do?

“Not much,” Max says in his soft, gentle voice. “I want to go to college.” He would like to attend Chemeketa Community College in Salem, he says, and then transfer to a four-year school. Before his injury, Max had hoped to earn a college scholarship as a baseball player. But he never got to play his senior year. “I want to be a sportswriter,” says Max, whose parents say he had a 3.89 grade-point average before his injury. That has been his dream since he was a young boy.

But for a young man who now has trouble remembering what happened an hour ago, who had to learn how to speak and eat all over again, who had to learn how to write with his left hand and who has a history of emotional outbursts related to the lack of impulse control his brain injury caused, achieving such a dream is unlikely, say medical experts and those closest to Max.

Max's father, Ralph Conrardt of Bend, formerly of Eugene, helped him find KMS in 2003. Conrardt helped launch the creation of Senate Bill 348 after he met Sherry Stock, executive director of the Oregon Brain Injury Association of Oregon, while filming a brain injury conference in Eugene in 2004.

KMS has 14 residents. The focus is on readjusting to life after a traumatic brain injury, trying to become independent. Max's case manager, Brian Klinger, works with him daily to help him shop for groceries, budget his money and get around town.

Max lives on money provided by a special-needs trust that came from a seven-figure settlement with the Lincoln County School District's insurance company, Ralph Conrardt says. But still, it's not enough to make ends meet. An uncle who has become Max's conservator makes up the difference, which comes to \$4,000 or \$5,000 a month, Conrardt said.

Unanswered questions

"I'll never coach again," Don Kordosky says into the telephone. "It was painful. Max was like my son." That's all the Oakridge High School principal says before hanging up. He doesn't want to talk about it.

Kordosky was the head football coach at Waldport High when Max was injured. The last time he saw Max was a month ago, when Ralph Conrardt took Max to Oakridge after a day of snowboarding, once again hoping for an explanation from Kordosky.

"He won't talk to me anymore," Max says. "I wanted to ask him why? Why did you have me wear a 20-year-old helmet that was reconditioned three times?"

Although no date of manufacture was ever determined, the year 1981 was discovered written inside the helmet — a Bike Air that Max wore in his senior season — during examinations that stemmed from a lawsuit filed by Ralph Conrardt against Athletic Repair Service of Canby, the company that reconditioned Waldport High's helmets before the 2001 season. The company that manufactured the helmet, Schutt Sports of Litchfield, Ill., is one of three major helmet manufacturers left in the business, and the only one without a "shelf life" on its helmets. The other two, Riddell and Adams USA, have a 10-year limit on the use of their helmets.

Ralph Conrardt, who makes his living running his own video production company in Bend, provided video to The Register-Guard that he shot of Kordosky on the sidelines of an Oakridge High game in October. "Have you ever gone to visit him in seven years?" Ralph Conrardt can be heard saying on the DVD. "Have you done anything for him?"

“You know what, guys? I appreciate your time,” Kordosky says to Conradt and a friend with him. “But I don’t really have anything to say to you.”

Conradt also videotaped Kordosky last month, and put a microphone on Max to record the conversation between the former coach and the quarterback at the Oakridge School District office.

After Kordosky tells Max he doesn’t have time to talk to him on this day, Max can be heard saying: “I have a few questions to ask. Why was I wearing a 20-year-old helmet?”

“Listen,” Kordosky says, looking toward the camera in Ralph Conradt’s car. “I’m not going to talk to you about it right now. You tell your dad we’ll do it another time.”

Ralph Conradt, who has been busy in recent years working on a video production titled “Don’t Worry, Dad” — a documentary of Max’s story that he wants to sell to HBO — says he keeps after Kordosky “for the toll he has taken on my family. What bothers me is he will not sit down with (Max).”

Conradt videotaped all of Max’s football games in high school, and the images have been part of The New York Times’ 2007 series, and a November 2007 ESPN “Outside the Lines” report on high school football concussions.

Conradt also prepared a four-minute video for lawmakers considering “Max’s Law.” That video includes film of Kordosky’s deposition taken in a Eugene attorney’s office in 2003, after Conradt sued Athletic Repair Service, which in turn sued the Lincoln County School District.

“Is the question, ‘Did I check on him?’ ” Kordosky responds to a malpractice attorney’s question. “Yes I did.”

How did you check on him? the attorney asks.

“ ‘How you feelin?’ ” Kordosky shoots back, explaining what he asked Max during the game after he was injured.

Max says he and Kordosky were “kind of close” before his injury. “He was a good coach,” Max says. “He was an inspiring coach. But I don’t understand why he had me wear a 20-year-old helmet that was reconditioned three times. I had a brand-new helmet my junior year. And then all the equipment changed my senior year. I have no idea why that happened. It’s a mystery.”

“We have to protect the kids who play these sports.”

— Bill Morrisette, state Senator, D-Springfield