

SB 1547 A STAFF MEASURE SUMMARY**Carrier:** Sen. Monnes Anderson**Senate Committee On Health Care****Action Date:** 02/14/18**Action:** Do pass with amendments. (Printed A-Eng.)**Vote:** 5-0-0-0**Yeas:** 5 - Beyer, DeBoer, Knopp, Monnes Anderson, Steiner Hayward**Fiscal:** Fiscal impact issued**Revenue:** No revenue impact**Prepared By:** Cassandra Soucy, LPRO Analyst**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:

- Availability of health professionals to evaluate concussions
- Experience of health professionals to clear student athletes of concussions
- Changes to scope of practice for health professionals
- Overview of scope of practice for health professionals
- Training requirements for returning student athletes to play following a concussion
- Liability concerns for schools and school districts

EFFECT OF AMENDMENT:

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 an Oregon Health and Science University (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:

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

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certificates issued by OHSU are valid for four years and can be renewed with additional training.