

SB 1547 B STAFF MEASURE SUMMARY

Carrier: Rep. Kennemer

House Committee On Rules**Action Date:** 03/01/18**Action:** Do pass with amendments to the A-Eng bill. (Printed B-Eng.)**Vote:** 9-0-0-0**Yeas:** 9 - Barreto, Holvey, Kennemer, McLane, Nosse, Rayfield, Smith Warner, Williamson, Wilson**Fiscal:** Fiscal impact issued**Revenue:** No revenue impact**Prepared By:** Adam Crawford, 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, and nurse practitioner. Specifies requirements for qualified health professionals to obtain a certificate after completion of an online program and other requirements. Becomes operative July 1, 2020. Requires Oregon Health and Science University to report on the progress of the online certification program by October 1, 2018. 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. 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:

Removes athletic trainers from list of qualified health professionals who can provide medical release for a student athlete suspected of having a concussion. Requires Oregon Health and Science University to report on the progress of the online certification program by October 1, 2018. 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.

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

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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.