

HOUSE No. 2280

The Commonwealth of Massachusetts

PRESENTED BY:

Tricia Farley-Bouvier

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act creating a commission to study concussions that occur as a result of varsity sports in public and private high schools.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Tricia Farley-Bouvier</i>	<i>3rd Berkshire</i>	<i>2/12/2021</i>
<i>Kay Khan</i>	<i>11th Middlesex</i>	<i>2/16/2021</i>
<i>Angelo L. D'Emilia</i>	<i>8th Plymouth</i>	<i>2/18/2021</i>
<i>Patrick Joseph Kearney</i>	<i>4th Plymouth</i>	<i>2/22/2021</i>
<i>Brian M. Ashe</i>	<i>2nd Hampden</i>	<i>2/26/2021</i>
<i>Patricia A. Duffy</i>	<i>5th Hampden</i>	<i>3/1/2021</i>
<i>Sean Garballey</i>	<i>23rd Middlesex</i>	<i>3/5/2021</i>
<i>Bradley H. Jones, Jr.</i>	<i>20th Middlesex</i>	<i>3/9/2021</i>
<i>Ruth B. Balsler</i>	<i>12th Middlesex</i>	<i>4/8/2021</i>

HOUSE No. 2280

By Ms. Farley-Bouvier of Pittsfield, a petition (accompanied by bill, House, No. 2280) of Tricia Farley-Bouvier and others for an investigation by a special commission to study concussions that occur as a result of varsity sports in public and private high schools. Public Health.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Second General Court
(2021-2022)**

An Act creating a commission to study concussions that occur as a result of varsity sports in public and private high schools.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. There is hereby established a special commission to study concussions that
2 occur as a result of varsity sports in public and private high schools. The commission shall
3 consist of 9 members, one of whom shall be the commissioner of public health or designee, who
4 shall serve as chair, 1 of whom shall be a representative of the Brain Injury Association of
5 Massachusetts; 1 of whom shall be a representative of the Massachusetts Interscholastic Athletic
6 Association; 1 of whom shall be a representative of the Athletic Trainers of Massachusetts; and 5
7 of whom shall be appointed by the Governor, 1 of whom shall be a physician with expertise in
8 the management of sports-related concussions; 1 of whom shall be a researcher specializing in
9 the study of the long-term consequences of brain trauma; 1 of whom is a professional whose
10 primary responsibility is that of athletic director at a Massachusetts high school; and 1 of whom
11 is a representative of private school athletic programs in Massachusetts. In appointing members
12 of the commission, consideration shall be given to race, gender and geographic diversity.

13 The commission shall: (i) analyze current data on the prevalence and causes of sports-
14 related concussions; (ii) review the rules associated with each sport and safety policies currently
15 in effect with respect to each such sport; (iii) analyze the data collected through system
16 established in Section 2; and (iv) study the cost and effectiveness of baseline concussion testing
17 of athletes

18 The commission shall make recommendations regarding: (i) methods of reducing and
19 preventing concussions; (ii) procedures to be employed by schools to identify and respond to
20 occurrences of concussions; (iii) whether baseline concussion testing should be required for
21 students participating in high school athletics; (iv) any legislation the commission deems
22 necessary to effect its recommendations; and (v) Review educational standards and materials on
23 concussions and long-term consequences of brain trauma

24 The commission shall submit a report of its findings and recommendations to the joint
25 committee on public health no later than May 1, 2022. The commission shall also submit a
26 preliminary report of its findings and recommendations with the committee on or before
27 December 1, 2021.

28 SECTION 2.

29 (A) The Department of Public Health (DPH), in consultation with the special commission
30 to study concussions established in Section 1, Department of Elementary and Secondary
31 Education (DESE) and the Massachusetts Interscholastic Athletic Association (MIAA), shall
32 develop, no later than July 1, 2021, a system to collect and analyze high school sports injury and
33 health related data. The system shall:

34 (i) Be developed in consultation with a technology partner with a successful work history
35 of developing such platforms

36 (ii) Have a standardized system by which schools can report required data

37 (a) At Low or no cost to the school

38 (b) At Minimum, or, where possible a net reduction in, administration burden on schools
39 and their staff

40 (iii) Include injury and health data, such as pre-participation forms and information and
41 injury data including concussions and heat acclimatization and information on COVID-19
42 screen.

43 (iv) Comply with all relevant federal and state laws, including the federal Family
44 Education Rights and Privacy Act (FERPA) and federal Health Insurance Portability and
45 Accountability Act (HIPAA)

46 (B) The Department of Public Health (DPH) shall from the data collected under section
47 (a), prepare and represent an annual report on high school sports injuries and prevention.

48 (i) The report shall be presented to the:

49 (a) Governor,

50 (b) Department of Elementary and Secondary Education (DESE)

51 (c) The Joint Committee on Education of the Massachusetts General Court,

52 (d) The Joint Committee on Public Health of the Massachusetts General Court

- 53 (e) The special commission to study concussions established in Section 1, and
- 54 (f) State high school athletic associations
- 55 (ii) The report shall:
- 56 (a) Summarize the data they have collected, particularly over the last year
- 57 (b) Make recommendations, based on the data, to improve the safety of high school
- 58 sports participants