

Fifty (50) states and the District of Columbia have enacted laws which address concussions and protect the health and safety of young athletes. Little League Baseball, Incorporated (LLB) has compiled a summary of all currently existing state laws regarding concussions in youth athletes.

Some laws are only applicable to school-sponsored athletics or to activities taking place on school-owned property. Some laws are applicable to all youth sports organizations, whether affiliated or not with a school district. It is strongly recommended that local leagues consult with legal counsel in its jurisdiction to determine the applicability, if any, of state laws to its program regarding concussions.

In keeping with its focus on protecting the health, safety and welfare of children, LLB requires all leagues and teams to comply with all applicable laws and to review the information and training materials on concussions which are available free of charge on the Centers For Disease Control website at:

<http://www.cdc.gov/headsup/>

New Jersey

The New Jersey law can be found at sections 18A:40-41.1 through 18A:40-41.7 of the New Jersey Code, and is found in the title dealing with education and the chapter on promotion of health and prevention of disease. (N.J. Stat. Ann. §§ 18A:40-41.1 through 18A:40-41.7) and is entitled the Scholastic Student-Athlete Safety Act.

The New Jersey law applies to school districts or non-public schools that participate in an interscholastic sports or cheerleading program and requires that the Department of Education develop and implement an interscholastic head injury prevention program to be completed by coaches and trainers involved in interscholastic sports programs as well as to develop fact sheets on concussions which must be distributed annually to the parents of athletes and which must be signed prior to an athlete's participation that year. Each school district is required to develop written policies on concussions as well. Section 18A:40-41.4 requires that any student suspected of sustaining a concussion must be immediately removed and may not return until evaluated by a health care professional and given written clearance. This law does not define student athlete. Section 18A:40-41.5 provides that a school district or nonpublic school is immune from liability involving a youth sports team

organization that operates on school ground provided that the organization provide proof of insurance policy of an amount not less than \$50,000.00 per person and a statement of compliance with district's concussion management policies. Youth sports team organization is defined in section 18A:40-41.5 relating to immunity as one of more sports team organized pursuant to a nonprofit or similar charter or which are member teams in a league organized by or affiliated with a county or municipal recreation department. Any student participating in intramural or interscholastic athletics shall be required to undergo a pre-participation examination using a pre-participation physical evaluation form, which seeks disclosure of medical issues encountered since the prior pre-participation examine including whether the student has sustained a concussion or been unconscious or lost memory from a blow to the head. Although not specifically a part of the Scholastic Student-Athlete Safety Act, Title 45 Professions and Occupations requires athletic trainers to undergo a specific number of credit hours of training with respect to concussions and head injuries as determined by the State Board of Medical Examiners in conjunction with biennial license renewals (§45:9-37.48a).

The Sudden Cardiac Arrest Act, can be found at §18A:40-41e through §18A:40-41j of the New Jersey Education Law. This law defines athletic activity as to include, in addition to interscholastic other athletic contests that are sponsored by or associated with a school district or non-public school including cheerleading and club sponsored activities. The law establishes protocols to be followed in the event that a student exhibits symptoms or signs of cardiac arrest. It also requires a school district or nonpublic athletic coach to maintain a certification in cardio-pulmonary resuscitation. The law provides that all nonprofit youth-serving organizations such as Little Leagues, Babe Ruth Leagues, Pop Warner Leagues, Police Athletic Leagues, and youth soccer league are encouraged to review cardiac arrest information on the Department of Education's website and to follow the protocols with regard to removal from play set forth in the statute.

The text of the New Jersey statutes for sections 18A:40-41.1 through 18A:40-41.7 and 45:9-37.48a of the New Jersey Code can be viewed online at:

http://lis.njleg.state.nj.us/cgi-bin/om_isapi.dll?clientID=367899962&Depth=2&depth=2&expandheadings=on&headingswithhits=on&hitsperheading=on&infobase=statutes.nfo&record={8534}&softpage=Doc_Frame_PG42 (Search by section number within quotation marks)

§45:9-37.48(a) can be viewed online at:

http://lis.njleg.state.nj.us/cgi-bin/om_isapi.dll?clientID=367900003&Depth=2&depth=2&expandheadings=on&headingswithhits=on&hitsperheading=on&infobase=statutes.nfo&record={13469}&softpage=Doc_Frame_PG42 (Search by section number within quotation marks)

§18A:40-41e through §18A40-41j (New Jersey Sudden Cardiac Arrest Act) can be viewed online at:

http://lis.njleg.state.nj.us/cgi-bin/om_isapi.dll?clientID=367900082&Depth=2&depth=2&expandheadings=on&headingswithhits=on&hitsperheading=on&infobase=statutes.nfo&record={8528}&softpage=Doc_Frame_PG42 (Search by section number within quotation marks)

The following website offers additional information regarding New Jersey concussion law:

<http://www.nj.gov/education/aps/cccs/chpe/concussions/>