

# HOUSE BILL 435

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HB 1345/20 – W&M

2lr2939

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By: **Delegate Hill**

Introduced and read first time: January 20, 2022

Assigned to: Ways and Means

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## A BILL ENTITLED

1 AN ACT concerning

2 **Youth Sports Programs – Registrations, Personnel, and Policy**

3 FOR the purpose of altering the circumstances under which students or youth athletes who  
4 are suspected of sustaining a concussion or other head injury in practice or a game  
5 and have been removed from play may return to play; requiring a youth sports  
6 program to maintain and update a registry of youth sports program personnel who  
7 participate in the youth sports program; requiring a parent or guardian of a youth  
8 registered with a youth sports program to sign and submit to the youth sports  
9 program an acknowledgment of the receipt of certain information; requiring a youth  
10 sports program to post its removal and return-to-play policy on its website, if  
11 available; and generally relating to public school and youth sports programs.

12 BY repealing and reenacting, with amendments,  
13 Article – Education  
14 Section 7–433(c)  
15 Annotated Code of Maryland  
16 (2018 Replacement Volume and 2021 Supplement)

17 BY repealing and reenacting, with amendments,  
18 Article – Health – General  
19 Section 14–501  
20 Annotated Code of Maryland  
21 (2019 Replacement Volume and 2021 Supplement)

22 BY adding to  
23 Article – Health – General  
24 Section 14–503  
25 Annotated Code of Maryland  
26 (2019 Replacement Volume and 2021 Supplement)

27 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 That the Laws of Maryland read as follows:

2 **Article – Education**

3 7–433.

4 (c) (1) A student who is suspected of sustaining a concussion or other head  
5 injury in a practice or game shall be removed from play at that time.

6 (2) A student who has been removed from play may not return to play until  
7 the student [has]:

8 (I) **HAS** obtained written clearance from a licensed health care  
9 provider trained in the evaluation and management of concussions; **AND**

10 (II) **HAS BEEN CLEARED TO RETURN TO FULL ACADEMIC**  
11 **PARTICIPATION.**

12 **Article – Health – General**

13 14–501.

14 (a) [(1)] In this [section] **SUBTITLE** the following words have the meanings  
15 indicated.

16 [(2)] (B) “Concussion” means a traumatic injury to the brain causing an  
17 immediate and, usually, short-lived change in mental status or an alteration of normal  
18 consciousness resulting from:

19 [(i)] (1) A fall;

20 [(ii)] (2) A violent blow to the head or body; [or]

21 [(iii)] (3) The shaking or spinning of the head or body; **OR**

22 (4) **ANY TYPE OF DIRECT OR INDIRECT HIT TO THE HEAD OR BODY.**

23 [(3)] (C) “Sudden cardiac arrest” means a condition in which the heart  
24 suddenly and unexpectedly stops beating.

25 [(4)] (D) “Youth athlete” means an individual who participates in an  
26 athletic activity in association with a youth sports program conducted:

27 [(i)] (1) At a public **OR PRIVATE** school facility; or

1                    [(ii)] (2)      By a recreational athletic organization.

2                    [(5)] (E)      “Youth sports program” means a program organized for  
3 recreational athletic competition or instruction for participants who are under the age of  
4 19 years.

5 **14-502.**

6                    [(b)] (A)      (1)    A youth sports program shall make available information on  
7 concussions, head injuries, and sudden cardiac arrest developed by the State Department  
8 of Education under §§ 7-433 and 7-436 of the Education Article to coaches, youth athletes,  
9 and the parents or guardians of youth athletes.

10                    (2)    A coach of a youth sports program shall review the information provided  
11 in paragraph (1) of this subsection.

12                    [(c)] (B)      (1)    A youth athlete who is suspected of sustaining a concussion or  
13 other head injury in a practice or game shall be removed from play at that time.

14                    (2)    A youth athlete who has been removed from play may not return to play  
15 until the youth athlete [has]:

16                    (I)    HAS obtained written clearance from a licensed health care  
17 provider trained in the evaluation and management of concussions; AND

18                    (II)   HAS BEEN CLEARED TO RETURN TO FULL ACADEMIC  
19 PARTICIPATION.

20                    [(d)] (C)      Before a youth sports program may use a facility owned or operated by  
21 a local government, the local government shall provide notice to the youth sports program  
22 of the requirements of this section.

23 **14-503.**

24                    (A)    IN THIS SECTION, “YOUTH SPORTS PROGRAM PERSONNEL” MEANS ANY  
25 PAID OR VOLUNTEER COACH, OFFICIAL, TRAINER, TEAM ADMINISTRATOR, OR STAFF  
26 MEMBER WHO PARTICIPATES IN A YOUTH SPORTS PROGRAM.

27                    (B)    (1)    A YOUTH SPORTS PROGRAM SHALL MAINTAIN AND ANNUALLY  
28 UPDATE A REGISTRY OF THE YOUTH SPORTS PROGRAM PERSONNEL WHO  
29 PARTICIPATE IN THE YOUTH SPORTS PROGRAM.

30                    (2)    THE REGISTRY SHALL, AT A MINIMUM, INCLUDE FOR EACH  
31 INDIVIDUAL:

1 (I) A VALID PHOTO IDENTIFICATION;

2 (II) A SCREENING THAT IS EITHER:

3 1. A COMPLETED CRIMINAL HISTORY RECORDS CHECK  
4 IN ACCORDANCE WITH § 5-551 OF THE FAMILY LAW ARTICLE; OR

5 2. A COMMERCIAL SCREENING THAT:

6 A. IS COMPLIANT WITH THE FEDERAL FAIR CREDIT  
7 REPORTING ACT;

8 B. PROVIDES THE INDIVIDUAL'S NAME, DATE OF BIRTH,  
9 AND CURRENT RESIDENCE, VERIFIED WITH A STATE-ISSUED IDENTIFICATION;

10 C. INCLUDES A NATIONWIDE CRIMINAL RECORD AND  
11 SEX OFFENDER REGISTRY SEARCH; AND

12 D. INCLUDES AT LEAST ONE COUNTY CRIMINAL RECORD  
13 SEARCH;

14 (III) A SIGNED ACKNOWLEDGMENT OF RECEIPT AND  
15 UNDERSTANDING OF THE POLICIES AND PROTOCOLS OF THE YOUTH SPORTS  
16 PROGRAM ON SAFETY PRIORITIES TO MINIMIZE RISK OF HARM TO YOUTH ATHLETES,  
17 INCLUDING REMOVAL AND RETURN-TO-PLAY POLICIES; AND

18 (IV) DOCUMENTATION OF COMPLETION OF ANNUAL TRAINING  
19 IN:

20 1. HEAT ILLNESS RECOGNITION, PREVENTION, AND  
21 TREATMENT;

22 2. CONCUSSION AWARENESS;

23 3. CHILD SAFETY; AND

24 4. LEVELS OF CONTACT TRAINING CONSISTENT WITH  
25 BEST PRACTICES.

26 (3) YOUTH SPORTS PROGRAM PERSONNEL SHALL COMPLETE OR  
27 RENEW A REGISTRATION WITH A YOUTH SPORTS PROGRAM EACH YEAR BEFORE  
28 PARTICIPATING IN ANY ATHLETIC EVENT OR ACTIVITY.

1           **(4) (I) YOUTH SPORTS PROGRAM PERSONNEL SHALL DISPLAY**  
2 **PROOF OF REGISTRATION WITH THE YOUTH SPORTS PROGRAM TO GAIN ENTRY INTO**  
3 **THE ARENA OF PLAY FOR ANY ATHLETIC EVENT, PRACTICE, OR GAME.**

4                   **(II) AN INDIVIDUAL’S PROOF OF REGISTRATION SHALL BE:**

5                           **1. DISPLAYED FOR THE DURATION OF THE ATHLETIC**  
6 **EVENT, PRACTICE, OR GAME; AND**

7                           **2. ON REQUEST, AVAILABLE FOR INSPECTION.**

8           **(C) (1) A YOUTH SPORTS PROGRAM SHALL PROVIDE TO EACH PARENT OR**  
9 **GUARDIAN WHO REGISTERS A YOUTH ATHLETE IN THE YOUTH SPORTS PROGRAM:**

10                   **(I) INFORMATION ON:**

11                           **1. SPORTS–RELATED HEAD INJURIES;**

12                           **2. TRAUMATIC BRAIN INJURY IN CHILDREN;**

13                           **3. YOUTH SPORTS AND HEAT ILLNESS, INCLUDING**  
14 **DEHYDRATION; AND**

15                           **4. REMOVAL AND RETURN–TO–PLAY POLICIES OF THE**  
16 **YOUTH SPORTS PROGRAM; AND**

17                   **(II) A LIABILITY DISCLAIMER OR WAIVER THAT SPECIFIES THE**  
18 **POTENTIAL FOR:**

19                           **1. BRAIN INJURY DURING ANY ATHLETIC EVENT,**  
20 **PRACTICE, GAME, OR ACTIVITY; AND**

21                           **2. HEAT–RELATED ILLNESSES FOR AN ATHLETIC EVENT**  
22 **OR ACTIVITY PLAYED OUTDOORS DURING THE SUMMER MONTHS.**

23           **(2) THE PARENT OR GUARDIAN OF A YOUTH ATHLETE REGISTERED**  
24 **WITH A YOUTH SPORTS PROGRAM SHALL SIGN AND SUBMIT TO THE YOUTH SPORTS**  
25 **PROGRAM AN ACKNOWLEDGMENT OF RECEIPT OF THE INFORMATION REQUIRED**  
26 **UNDER PARAGRAPH (1) OF THIS SUBSECTION.**

27           **(D) (1) A YOUTH SPORTS PROGRAM SHALL PROVIDE A COPY OF ITS**  
28 **REMOVAL AND RETURN–TO–PLAY POLICY, ESTABLISHED IN ACCORDANCE WITH THE**  
29 **REQUIREMENTS OF § 14–502 OF THIS SUBTITLE, TO:**

1                   **(I) ALL YOUTH SPORTS PROGRAM PERSONNEL; AND**

2                   **(II) EACH PARENT OR GUARDIAN OF A REGISTERED YOUTH**  
3 **ATHLETE.**

4                   **(2) A YOUTH SPORTS PROGRAM SHALL POST ITS REMOVAL AND**  
5 **RETURN-TO-PLAY POLICY ON ITS WEBSITE, IF AVAILABLE.**

6                   SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
7 1, 2022.