

HOUSE SUBSTITUTE FOR  
SENATE BILL NO. 1122

A bill to amend 1978 PA 368, entitled  
"Public health code,"  
(MCL 333.1101 to 333.25211) by adding section 9155.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1           SEC. 9155. (1) BEFORE THE EXPIRATION OF 90 DAYS AFTER THE  
2 EFFECTIVE DATE OF THIS SECTION, THE DEPARTMENT SHALL DEVELOP,  
3 ADOPT, OR APPROVE EDUCATIONAL MATERIALS ON THE NATURE AND RISK OF  
4 CONCUSSIONS.

5           (2) BEFORE THE EXPIRATION OF 90 DAYS AFTER THE EFFECTIVE DATE  
6 OF THIS SECTION, THE DEPARTMENT SHALL DEVELOP, ADOPT, OR APPROVE A  
7 CONCUSSION AWARENESS TRAINING PROGRAM IN AN ELECTRONIC FORMAT THAT  
8 INCLUDES ALL OF THE FOLLOWING:

1 (A) THE NATURE AND RISK OF CONCUSSIONS.

2 (B) THE CRITERIA FOR THE REMOVAL OF AN ATHLETE FROM PHYSICAL  
3 PARTICIPATION IN AN ATHLETIC ACTIVITY DUE TO A SUSPECTED CONCUSSION  
4 AND HIS OR HER RETURN TO THAT ATHLETIC ACTIVITY.

5 (C) THE RISKS TO AN ATHLETE OF NOT REPORTING A SUSPECTED  
6 CONCUSSION AND CONTINUING TO PHYSICALLY PARTICIPATE IN THE ATHLETIC  
7 ACTIVITY.

8 (3) AS SOON AS THEY ARE AVAILABLE, THE DEPARTMENT SHALL MAKE  
9 THE EDUCATIONAL MATERIALS AND TRAINING PROGRAM REQUIRED UNDER THIS  
10 SECTION AVAILABLE TO THE PUBLIC ON THE DEPARTMENT'S INTERNET  
11 WEBSITE. THE DEPARTMENT SHALL MAKE THE TRAINING PROGRAM AVAILABLE  
12 TO ALL INDIVIDUALS REQUIRED TO PARTICIPATE IN THE PROGRAM UNDER  
13 SECTION 9156 AND TO ANY INTERESTED INDIVIDUAL INCLUDING SCHOOL  
14 PERSONNEL, COACHES, PARENTS, STUDENTS, AND ATHLETES.

15 (4) AS USED IN THIS SECTION AND SECTION 9156:

16 (A) "APPROPRIATE HEALTH PROFESSIONAL" MEANS A HEALTH  
17 PROFESSIONAL WHO IS LICENSED OR OTHERWISE AUTHORIZED TO ENGAGE IN A  
18 HEALTH PROFESSION UNDER ARTICLE 15 AND WHOSE SCOPE OF PRACTICE  
19 WITHIN THAT HEALTH PROFESSION INCLUDES THE RECOGNITION, TREATMENT,  
20 AND MANAGEMENT OF CONCUSSIONS.

21 (B) "ATHLETIC ACTIVITY" MEANS A PROGRAM OR EVENT, INCLUDING  
22 PRACTICE AND COMPETITION, DURING WHICH YOUTH ATHLETES PARTICIPATE  
23 OR PRACTICE TO PARTICIPATE IN AN ORGANIZED ATHLETIC GAME OR  
24 COMPETITION AGAINST ANOTHER TEAM, CLUB, ENTITY, OR INDIVIDUAL.  
25 ATHLETIC ACTIVITY INCLUDES PARTICIPATION IN PHYSICAL EDUCATION  
26 CLASSES THAT ARE PART OF A SCHOOL CURRICULUM.

27 (C) "CONCUSSION" MEANS A TYPE OF TRAUMATIC BRAIN INJURY AS

1 RECOGNIZED BY THE CENTERS FOR DISEASE CONTROL AND PREVENTION. A  
2 CONCUSSION MAY CAUSE A CHANGE IN A PERSON'S MENTAL STATUS AT THE  
3 TIME OF THE INJURY, INCLUDING, BUT NOT LIMITED TO, FEELING DAZED,  
4 DISORIENTED, OR CONFUSED, AND MAY OR MAY NOT INVOLVE A LOSS OF  
5 CONSCIOUSNESS. A CONCUSSION MAY BE CAUSED BY ANY TYPE OF ACCIDENT  
6 OR INJURY INCLUDING, BUT NOT LIMITED TO, THE FOLLOWING:

7 (i) A FALL.

8 (ii) A BLOW, BUMP, OR JOLT TO THE HEAD OR BODY.

9 (iii) THE SHAKING OR SPINNING OF THE HEAD OR BODY.

10 (iv) THE ACCELERATION AND DECELERATION OF THE HEAD.

11 (D) "ORGANIZING ENTITY" MEANS ANY OF THE FOLLOWING:

12 (i) A SCHOOL.

13 (ii) A STATE OR LOCAL PARKS AND RECREATION DEPARTMENT OR  
14 COMMISSION OR OTHER STATE OR LOCAL ENTITY.

15 (iii) A NONPROFIT OR FOR-PROFIT ENTITY.

16 (iv) A PUBLIC OR PRIVATE ENTITY.

17 (E) "SCHOOL" MEANS A NONPUBLIC SCHOOL, PUBLIC SCHOOL, OR  
18 PUBLIC SCHOOL ACADEMY AS THOSE TERMS ARE DEFINED IN SECTION 5 OF  
19 THE REVISED SCHOOL CODE, 1976 PA 451, MCL 380.5.

20 (F) "YOUTH ATHLETE" MEANS AN INDIVIDUAL WHO PARTICIPATES IN AN  
21 ATHLETIC ACTIVITY AND WHO IS UNDER 18 YEARS OF AGE.

22 Enacting section 1. This amendatory act does not take effect  
23 unless House Bill No. 5697 of the 96th Legislature is enacted into  
24 law.