

By: Rose

H.B. No. 1034

Substitute the following for H.B. No. 1034:

By: Hochberg

C.S.H.B. No. 1034

A BILL TO BE ENTITLED

AN ACT

1
2 relating to notification provided by certain health care providers
3 to students and parents or guardians of students who participate in
4 extracurricular sports activities sponsored or sanctioned by the
5 University Interscholastic League.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

7 SECTION 1. Subchapter D, Chapter 33, Education Code, is
8 amended by adding Section 33.090 to read as follows:

9 Sec. 33.090. NOTIFICATION BY CERTAIN HEALTH CARE PROVIDERS
10 CONCERNING INJURIES RESULTING FROM HEAD TRAUMA. (a) A physician,
11 physician assistant, or nurse practitioner who examines a student
12 to determine the student's physical fitness to participate in a
13 sports activity sponsored or sanctioned by the University
14 Interscholastic League shall provide the student and the student's
15 parent or guardian with written notification, in the form and with
16 the specific content adopted jointly by the agency, the Department
17 of State Health Services, the Texas Traumatic Brain Injury Advisory
18 Council, and the University Interscholastic League, that explains:

19 (1) the risk of head trauma resulting from a secondary
20 impact suffered during a sports activity;

21 (2) the types of head trauma resulting from a
22 secondary impact that may occur; and

23 (3) the symptoms of head trauma resulting from a
24 secondary impact.

1 (b) A physician, physician assistant, nurse practitioner,
2 or athletic trainer who, at the time and place of injury, examines a
3 student because the student has been injured in a sports activity
4 sponsored or sanctioned by the University Interscholastic League
5 shall provide the student and the student's parent or guardian with
6 the written notification required under Subsection (a).

7 SECTION 2. This Act applies beginning with the 2005-2006
8 school year.

9 SECTION 3. This Act takes effect immediately if it receives
10 a vote of two-thirds of all the members elected to each house, as
11 provided by Section 39, Article III, Texas Constitution. If this
12 Act does not receive the vote necessary for immediate effect, this
13 Act takes effect September 1, 2005.