

## **BILL ANALYSIS**

C.S.H.B. 1435  
By: Rose  
Public Education  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

Under current law, no provisions ensure that students participating in sports are made aware of the risks of secondary head trauma and of the fact that traumatic brain injury is the leading cause of long-term disability among children and young adults. This bill requires health care professionals to provide written notification to students and their parents as to the risk of head trauma resulting from a secondary impact.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

This bill requires certain health care providers (a physician, physician assistant, nurse practitioner, or chiropractor) who examines a student to determine the student's physical fitness to participate in a sports activity sponsored or sanctioned by the University Interscholastic League to provide the student and the student's parent or guardian with written notification, in the form and with the specific content adopted jointly by the Texas Education Agency, the Department of Health Services, the Texas Traumatic Brain Injury Advisory Council, and the University Interscholastic League, that explains the risk of head trauma resulting from a secondary impact suffered during a sports activity, the types of head trauma from a secondary impact that may occur, and the symptoms of head trauma resulting from a secondary impact.

This bill provides, with certain exceptions described below, that a health care provider as defined above or athletic trainer who, at the time and place of injury, examines a student because the student has been injured in a sports activity sponsored or sanctioned by the University Interscholastic League shall provide the student and the student's parent or guardian with written notification as set forth in the above paragraph; however, this provision does not apply to a health care provider or athletic trainer who in good faith administers emergency care for an injury sustained during a sports activity at which the health care provider or athletic trainer is a spectator, and provides the emergency care without the expectation of remuneration.

The bill provides that the Act applies beginning with the 2007-2008 school year.

### **EFFECTIVE DATE**

Upon passage, or, if the Act does not receive the necessary vote, the Act takes effect September 1, 2007.

### **COMPARISON OF ORIGINAL TO SUBSTITUTE**

The substitute adds "chiropractor" to the health care providers listed in the original bill.

The substitute adds a provision that the written notification requirements of the bill do not apply to a health care provider or athletic trainer who in good faith administers emergency care for an injury sustained during a sports activity at which the health care provider or athletic trainer is a spectator, and provides the emergency care without the expectation of remuneration.