

BILL ANALYSIS

Senate Research Center

H.B. 961
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Education
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

H.B. 961 allows school nurses to be a part of a concussion oversight team (COT) as long as they follow the same biennial training as the current members of a COT. These teams establish a return-to-play protocol for a student's return to interscholastic athletics following a concussion. The team must include an athletic trainer, an advanced practice registered nurse, a neuropsychologist, or a physician assistant. If the district employs an athletic trainer, the trainer must also be on the team. School nurses not only have the expertise to help inform the protocol, but they have an integral role in caring for the student during school hours.

H.B. 961 amends current law relating to the membership and training course requirements of a public school concussion oversight team and the removal of a public school student from an interscholastic athletic activity on the basis of a suspected concussion.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 38.154, Education Code, by adding Subsection (b-1) to authorize the school nurse, if a school district or open-enrollment charter school employs a school nurse, to be a member of the district or charter school concussion oversight team if requested by the school nurse.

SECTION 2. Amends Section 38.156, Education Code, as follows:

Sec. 38.156. REMOVAL FROM PLAY IN PRACTICE OR COMPETITION FOLLOWING CONCUSSION. Requires a student to be removed from an interscholastic athletics practice or competition immediately if one of the following persons believes the student might have sustained a concussion during the practice or competition:

- (1)–(3) makes no changes to these subdivisions;
- (4) makes a nonsubstantive change to this subdivision;
- (5) a school nurse; or
- (6) creates this subdivision from existing text and makes no further changes.

SECTION 3. Amends Sections 38.158(c), (e), and (g), Education Code, as follows:

(c) Requires the following persons to take a training course in accordance with Subsection (e) from an authorized training provider at least once every two years:

- (1) makes no changes to this subdivision;

- (2) a school nurse who serves as a member of a concussion oversight team;
- (3) creates this subdivision from existing text and makes no further changes;
- (4) redesignates existing Subdivision (3) as Subdivision (4).

(e) Provides that for purposes of Subsection (c):

(1)–(2) makes no changes to these subdivisions; and

(3) a school nurse or licensed health care professional, rather than a licensed health care professional, other than an athletic trainer, is required to take certain courses.

(g) Prohibits a school nurse or licensed health care professional, rather than a licensed health care professional, who is not in compliance with the training requirements under this section (Training Courses) from serving on a concussion oversight team in any capacity.

SECTION 4. Effective date: upon passage or September 1, 2019.