

1-1 By: Howard, King of Hemphill H.B. No. 961  
 1-2 (Senate Sponsor - Watson)  
 1-3 (In the Senate - Received from the House April 16, 2019;  
 1-4 April 17, 2019, read first time and referred to Committee on  
 1-5 Education; May 17, 2019, reported favorably by the following vote:  
 1-6 Yeas 11, Nays 0; May 17, 2019, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			
1-17	X			
1-18	X			
1-19	X			

1-20 A BILL TO BE ENTITLED  
 1-21 AN ACT

1-22 relating to the membership and training course requirements of a  
 1-23 public school concussion oversight team and the removal of a public  
 1-24 school student from an interscholastic athletic activity on the  
 1-25 basis of a suspected concussion.

1-26 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-27 SECTION 1. Section 38.154, Education Code, is amended by  
 1-28 adding Subsection (b-1) to read as follows:

1-29 (b-1) If a school district or open-enrollment charter  
 1-30 school employs a school nurse, the school nurse may be a member of  
 1-31 the district or charter school concussion oversight team if  
 1-32 requested by the school nurse.

1-33 SECTION 2. Section 38.156, Education Code, is amended to  
 1-34 read as follows:

1-35 Sec. 38.156. REMOVAL FROM PLAY IN PRACTICE OR COMPETITION  
 1-36 FOLLOWING CONCUSSION. A student shall be removed from an  
 1-37 interscholastic athletics practice or competition immediately if  
 1-38 one of the following persons believes the student might have  
 1-39 sustained a concussion during the practice or competition:

- 1-40 (1) a coach;
- 1-41 (2) a physician;
- 1-42 (3) a licensed health care professional;
- 1-43 (4) a person licensed under Chapter 201, Occupations  
 1-44 Code; ~~or~~
- 1-45 (5) a school nurse; or
- 1-46 (6) the student's parent or guardian or another person  
 1-47 with legal authority to make medical decisions for the student.

1-48 SECTION 3. Sections 38.158(c), (e), and (g), Education  
 1-49 Code, are amended to read as follows:

1-50 (c) The following persons must take a training course in  
 1-51 accordance with Subsection (e) from an authorized training provider  
 1-52 at least once every two years:

- 1-53 (1) a coach of an interscholastic athletic activity;
- 1-54 (2) a school nurse who serves as a member of a  
 1-55 concussion oversight team;
- 1-56 (3) a licensed health care professional who serves as  
 1-57 a member of a concussion oversight team and is an employee,  
 1-58 representative, or agent of a school district or open-enrollment  
 1-59 charter school; and
- 1-60 (4) ~~(3)~~ a licensed health care professional who  
 1-61 serves on a volunteer basis as a member of a concussion oversight

2-1 team for a school district or open-enrollment charter school.

2-2 (e) For purposes of Subsection (c):

2-3 (1) a coach must take a course described by Subsection  
2-4 (a);

2-5 (2) an athletic trainer must take:

2-6 (A) a course described by Subsection (b); or

2-7 (B) a course concerning the subject matter of  
2-8 concussions that has been approved for continuing education credit  
2-9 by the appropriate licensing authority for the profession; and

2-10 (3) a school nurse or licensed health care  
2-11 professional, other than an athletic trainer, must take:

2-12 (A) a course described by Subsection (a) or (b);  
2-13 or

2-14 (B) a course concerning the subject matter of  
2-15 concussions that has been approved for continuing education credit  
2-16 by the appropriate licensing authority for the profession.

2-17 (g) A school nurse or licensed health care professional who  
2-18 is not in compliance with the training requirements under this  
2-19 section may not serve on a concussion oversight team in any  
2-20 capacity.

2-21 SECTION 4. This Act takes effect immediately if it receives  
2-22 a vote of two-thirds of all the members elected to each house, as  
2-23 provided by Section 39, Article III, Texas Constitution. If this  
2-24 Act does not receive the vote necessary for immediate effect, this  
2-25 Act takes effect September 1, 2019.

2-26 \* \* \* \* \*