

BILL ANALYSIS

C.S.H.B. 3449
By: Price
Public Education
Committee Report (Substituted)

BACKGROUND AND PURPOSE

In Texas, the governing body of each school district and open-enrollment charter school with students who participate in an interscholastic athletic activity must appoint or approve a concussion oversight team. Each concussion oversight team establishes a return-to-play protocol, based on peer-reviewed scientific evidence, for a student's return to interscholastic athletics practice or competition following a force or impact believed to have caused a concussion. These teams include certain health care professionals who have training in the evaluation, treatment, and oversight of concussions. It has been suggested that allowing additional health care professionals to serve as members of a concussion oversight team would benefit the team, the school, and the students. C.S.H.B. 3449 provides for the authorized inclusion of a licensed chiropractor or physical therapist on a concussion oversight team. It also expands the list of persons with authority to remove a student from practice or competition following a concussion.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

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

C.S.H.B. 3449 amends the Education Code to authorize a public school district or an open-enrollment charter school to include a licensed chiropractor or physical therapist as a member of the district or charter school concussion oversight team, provided that the person has had training in the evaluation, treatment, and oversight of concussions at the time of appointment or approval as a member of the team. The bill requires a public school student to be removed from an interscholastic athletics practice or competition immediately if a licensed physical therapist believes the student might have sustained a concussion during the practice or the competition.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2021.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 3449 may differ from the original in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The original authorized a district or charter school to include any medical professional who is licensed in Texas as a member of the concussion oversight team, whereas the substitute only authorizes the inclusion of a licensed chiropractor or physical therapist.