

**Part II**  
**Regulatory Provisions Concerning Public Health**

**Chapter 30L**

**CONCUSSION PROTECTION IN YOUTH ATHLETIC ACTIVITIES ACT [EFFECTIVE SEPT. 6, 2017]**

**§ 3001L Short title [Effective Sept. 6, 2017]**

This chapter shall be known and may be cited as the "Concussion Protection in Youth Athletic Activities Act."  
(80 Del. Laws, c. 409, § 1.)

**§ 3002L Purpose [Effective Sept. 6, 2017]**

The purposes of this chapter are to protect minors participating in athletic activities who manifest symptoms of concussion, increase recognition of the symptoms of concussion through training and education, and establish standards for return to play.  
(80 Del. Laws, c. 409, § 1.)

**§ 3003L Definitions [Effective Sept. 6, 2017]**

For purposes of this chapter:

- (1) "Athlete" means a person who engages in athletic activity who is less than 18 years of age.
- (2) "Athletic activity" means participation of an athlete in an athletic program or event with on-site coach oversight occurring in the State, including practice or competition, which is:
  - a. Organized or primarily sponsored by a public, for-profit, or nonprofit organization, including a club, league, or association;
  - b. A significant concussion risk activity;
  - c. Not regulated by the Delaware Interscholastic Athletic Association pursuant to Chapter 3 of Title 14;
  - d. Not part of a school-sponsored field day, supervised recess, gym or physical education class; and
  - e. Not part of a college or university-sponsored program or event involving its students.
- (3) "Concussion" means a traumatic injury to the brain causing a change in a person's mental status at the time of injury, such as feeling dazed, disoriented, or confused, which may or may not involve a loss of consciousness, resulting from:
  - a. A fall;
  - b. A blow or jolt to the head or body;
  - c. The shaking or spinning of the head or body; or
  - d. The acceleration or deceleration of the head.
- (4) "Council" means the State Council for Persons with Disabilities.
- (5) "Division" means the Division of Public Health.
- (6) "Health-care provider" means a licensed physician (Doctor of Medicine or Doctor of Osteopathic Medicine) or such other licensed health-care professional as may be designated by the Division, in consultation with the Council, through regulation.
- (7) "Official" means an umpire, referee, or other official who is actively engaged in the officiating of a significant concussion-risk activity.
- (8) "Significant concussion risk activity" means football, rugby, soccer, basketball, lacrosse, field hockey, ice hockey, wrestling, volleyball, martial arts, combative sports, gymnastics, baseball, softball, cheerleading, and such other athletic activities as may be identified by the Division through regulation developed in consultation with the Council as statistically correlated with a significant risk of concussion.

(80 Del. Laws, c. 409, § 1.)

**§ 3004L Concussion protection [Effective Sept. 6, 2017]**

- (a) An athlete who is suspected of sustaining a concussion in an athletic activity shall be immediately removed from physical participation in the athletic activity and shall not return to that athletic activity on the same day.
- (b) An athlete who has been removed from an athletic activity may not return to physical participation in an athletic activity until evaluated by a health-care provider and the athlete receives written clearance to return to physical participation in an athletic activity from the evaluating health-care provider.
- (c) The coach or official responsible for an athlete's removal shall ensure that prompt notice is provided to the athlete's parent or guardian of both the removal and medical clearance requirement.

(80 Del. Laws, c. 409, § 1.)

**§ 3005L Materials development and distribution [Effective Sept. 6, 2017]**

Before an athlete may participate in an athletic activity, the organizing entity shall provide a concussion information sheet published by the Council to the athlete and the parent or guardian of the athlete. The athlete and the parent or guardian of the athlete shall sign

a statement acknowledging receipt of the information sheet and return it to the organizing entity before the athlete shall be allowed to participate in the athletic activity. For recurrent or on-going athletic activity, the provision of the information sheet and return of the signed acknowledgment shall be completed annually.

(80 Del. Laws, c. 409, § 1.)

### **§ 3006L Coach and official training [Effective Sept. 6, 2017]**

Each on-site official and coach responsible for selection of participants for an athletic activity shall complete initial and periodic concussion training consistent with a schedule and content standards published by the Council. The schedule and content standards shall not exceed any coach or official concussion training requirements adopted by the Delaware Interscholastic Athletic Association and shall include the opportunity to complete verifiable training online.

(80 Del. Laws, c. 409, § 1.)

### **§ 3007L Regulations [Effective Sept. 6, 2017]**

The Division, in consultation with the Council and other stakeholders, may promulgate regulations to implement § 3003L(6) and (8) of this title.

(80 Del. Laws, c. 409, § 1.)

### **§ 3008L Exclusion of application of chapter [Effective Sept. 6, 2017]**

The requirements of §§ 3005L and 3006L of the title shall not apply to coaches, athletes, officials, parents and guardians of visiting teams or groups of participants from outside the State.

(80 Del. Laws, c. 409, § 1.)

### **§ 3009L Annual report [Effective Sept. 6, 2017]**

The Council may include in its annual report information concerning implementation of this chapter obtained through surveys, the Internet, and other sources.

(80 Del. Laws, c. 409, § 1.)