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## FISCAL IMPACT REPORT

**SPONSOR** Sanchez, M **ORIGINAL DATE** 2/10/15  
**LAST UPDATED** \_\_\_\_\_ **HB** \_\_\_\_\_  
**SHORT TITLE** Student Athlete Brain Injury Safety Protocols **SB** 492  
**ANALYST** Chavez

### ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	<b>FY15</b>	<b>FY16</b>	<b>FY17</b>	<b>3 Year Total Cost</b>	<b>Recurring or Nonrecurring</b>	<b>Fund Affected</b>
<b>Total</b>		See Fiscal Implications				

(Parenthesis ( ) Indicate Expenditure Decreases)

Relates to Senate Bill 431

### **SOURCES OF INFORMATION**

LFC Files

#### Responses Received From

Governor's Commission on Disability (GCD)

### **SUMMARY**

#### Synopsis of Bill

Senate Bill 492 makes changes to the Public School Code (Section 22-13-31 NMSA 1978) to add youth athletic activities to student athletic activities in establishing protocol to be used by coaches for brain injuries received by youth athletes. The bill also amends the definition of "licensed health care professional" to mean an individual who is trained and has experience in evaluating and managing pediatric concussions and head injuries.

### **FISCAL IMPLICATIONS**

This bill does not contain an appropriation. While there may be additional administrative costs to the Department of Health (DOH) and the Brain Injury Advisory Council (BIAC) to promulgate rules, and to youth athletic leagues to carry out the provisions of the bill, the fiscal impact should be minimal.

### **SIGNIFICANT ISSUES**

SB 492 amends the section of the Public School Code related to school athletic concussion

protocols by requiring the brain injury and concussion protocols and trainings currently used in school-related sports activities also be used for non-scholastic athletic activities. Under the bill, youth athletic leagues are required to ensure that each coach participating in youth athletic activities receives training for protocols consistent with current medical knowledge of the nature and risk of brain injury, how to recognize signs, symptoms or behaviors consistent with a brain injury, the need to alert appropriate medical professionals for urgent diagnosis or treatment, and the need to follow medical direction for proper medical protocols. DOH, in consultation with BIAC, will promulgate rules to establish protocols for the above training.

DOH is also responsible for the nature and content of (and means of providing) brain injury information forms and educational materials for coaches, youth athletes and their parents or guardians. The bill requires a youth athletic league to provide such forms to youth athletes and their parents or guardians and to receive signatures from the athletes and their parents or guardians before permitting youth athletes to participate in youth athletic activities.

GCD notes that in 2014 the Brain Injury Advisory Council, a program of the GCD, contracted with the UNM Health Sciences Center Brain and Behavioral Institute to conduct a state-wide survey about sports concussion in youth in New Mexico. Data was collected on about 20,000 students who participated in high school or middle school athletics and 7,000 students who participated in physical education. Some of the findings included:

- The rate of concussion for youth participating in sports in New Mexico was over two and a half times higher than the rate reported in a similar study in another state;
- The rate of concussion during physical education classes was 60 percent higher than the rate of concussion during sports.
- 99 percent of coaches in high school or middle school received state-mandated NM Activities Association training on concussion management. It is not clear what training physical education teachers or youth club sports coaches receive regarding sports concussion management;
- Over 60 percent of NM schools do not have athletic trainers to assist in sports concussion identification and management;
- Over 50 percent of NM schools indicated that they do not feel there are adequate resources to diagnose and manage sports concussions;
- Over 70 percent of schools indicated interest or strong interest in more education and training on the diagnosis and treatment of concussions.

GCD adds these data indicate a continued need for more brain injury education for children, parents, teachers, guardians and coaches to reduce the incidence of concussion during sports. Current youth sports concussion protocols are not mandatory for non-scholastic/club sports which misses a percentage of youth athletes that would benefit from these protocols. SB 492 expands the mandate to include this portion of our youth athlete population. Better identification and appropriate and timely treatment are other components in concussion management that will make positive change in youth sports safety and certainly in this population of youth athletes not currently covered in NM mandated concussion safety protocols.

## **RELATIONSHIP**

Senate Bill 431 makes changes to the same section of the Public School Code. That bill requires

students, as well as coaches, to undergo brain injury training pursuant to Section 22-13-31 NMSA 1978.

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