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## FISCAL IMPACT REPORT

ORIGINAL DATE 1/21/2017

SPONSOR Soules LAST UPDATED \_\_\_\_\_ HB \_\_\_\_\_

SHORT TITLE Brain Injury for Student Athletes SB 38

ANALYST Chenier

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

	FY16	FY17	FY18	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
<b>Total</b>			NFI	NFI		

(Parenthesis ( ) Indicate Expenditure Decreases)

### SOURCES OF INFORMATION

LFC Files

#### Responses Received From

Governor's Commission on Disability  
 Department of Health  
 Children Youth and Families Department  
 No response from Public Education Department

### SUMMARY

#### Synopsis of Bill

Senate Bill 38 requires school districts and youth athletic leagues to provide a brain injury training and information form to student athletes. Athletes and guardians are required to confirm, by signature, that the athlete received brain injury training and understands the training before beginning or continuing to participate in athletic activities in schools or athletic leagues.

### FISCAL IMPLICATIONS

This bill likely has no new fiscal impacts beyond what was identified in the FIR for Laws 2016, Chapter 137. It is likely that the Public Education Department will be able to develop materials and training using current resources.

### SIGNIFICANT ISSUES

The Governor's Commission on Disability stated that in 2014 they contracted with the

University of New Mexico 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 are:

- 598 student athletes (392 males and 206 females) were removed from athletics due to concussions.
- An additional 335 youth sustained concussions during physical education class.
- The rate of concussion for youth participating in sports 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 Athletic 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 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.

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. Better identification and appropriate and timely treatment are other components in concussion management that will make positive change in youth sports safety.

Department of Health provided the following:

Similar laws in other parts of the US were criticized for lack of specificity regarding what age groups are implicated by the required training; the lack of medical release forms required to resume athletic activity; and no requirement for both students and parents to indicate their understanding of relevant information on brain injuries.

The amendments proposed by SB38 address many of these issues as “student athlete” is clearly defined as a “*middle, junior high school or senior high school student* who engages in, is eligible to engage in, or seeks to engage in a school athletic activity.” It also states that students and parents would be expected to acknowledge, with signatures, that they understand the information and training they have received regarding brain injury.

According to the Centers for Disease Control (CDC), traumatic brain injury accounts for 9.0 percent of all injuries reported in high school sports, with such injuries being particularly prevalent in boys’ football and girls’ soccer. Nationally, high schools reported over 55,000 brain injuries among male football players, and more than 29,000 such injuries among female soccer players.