

BILL ANALYSIS

Senate Research Center
87R19549 JES-F

H.B. 3449
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Education
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

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.

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.

H.B. 3449 amends current law relating to the membership of a public school concussion oversight team and the removal of a public school student from an interscholastic athletic activity on the basis of a suspected concussion.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 38.154, Education Code, by adding Subsection (a-1), as follows:

(a-1) Authorizes a school district or open-enrollment charter school to include any person licensed under Chapter 201 (Chiropractors) or 453 (Physical Therapists), Occupations Code, as a member of the district or charter school concussion oversight team, provided that the person meets the training requirement under Subsection (c) (relating to requiring that each member of the concussion oversight team have had training in the evaluation, treatment, and oversight of concussions at the time of appointment or approval as a member of the team).

SECTION 2. Amends Section 38.156, Education Code, as follows:

Sec. 38.156. REMOVAL FROM PLAY IN PRACTICE OR COMPETITION FOLLOWING CONCUSSION. Requires a student to be removed from an interscholastic athletics practice or competition immediately if one of certain persons believes the student might have sustained a concussion during the practice or competition, including a person licensed under Chapter 201 or 453, Occupations Code, rather than under Chapter 201, Occupations Code.

SECTION 3. Effective date: upon passage or September 1, 2021.