Ohio's return-to-play law goes into effect on April 26th, 2013

Ohio's Return to Play Law – Frequently Asked Questions

Updated: 5/30/2013

1. When does the law go into effect?

Ohio's return to play law goes into effect on April 26th, 2013.

2. What are the requirements for interscholastic (school-based) athletics?

As of April 26th, 2013, Ohio's return-to-play law (ORC 3313.539 and ORC 3314.03) requires the following for interscholastic athletics:

- Prohibits a school from allowing a student to practice for or compete in interscholastic athletics until the student has submitted a signed form stating that the student's parent, guardian or other person having care or charge of the student has received a concussion and head injury information sheet created by the Department of Health.
- Requires a coach or referee to remove a student athlete exhibiting signs, symptoms, or behaviors consistent with having sustained a concussion or head injury from practice or competition.
- Prohibits an athlete to return to play on the same day as he/she is removed.
- Prohibits a coach or referee from allowing a student to return to practice or competition from which the student was removed, or to participate in any other practice or competition for which the coach or referee is responsible, until the student has been assessed and cleared for return by a physician or by any other licensed health care provider authorized by the school.
- Institutes new training requirements for coaches and referees of interscholastic athletics (**see Questions 9 & 10**).

3. What are the requirements for youth sports organizations?

As of April 26th, 2013, Ohio's return-to-play law (ORC 3707.511) requires the following for youth sports organizations:

- Requires a youth sports organization to provide to the parent or other guardian of an individual who wishes to practice for or compete in an athletic activity organized by the organization, a concussion and head injury information sheet created by the Department of Health.
- Prohibits an individual from acting as a coach or referee for a youth sports organization without successfully completing a free online training program every three years in recognizing the symptoms of concussions posted to the Ohio Department of Health's web site **or** holding a pupil-activity program permit from the State Board of Education.
- The youth sports organization for which the individual intends to act as a coach or referee shall inform the individual of the training requirements.

- Requires a coach, referee, or official of a youth sports organization to remove an athlete exhibiting signs, symptoms, or behaviors consistent with having sustained a concussion or head injury from practice or competition.
- Prohibits a coach, referee or official of a youth sports organization from allowing an athlete to return to play on the same day as he/she is removed.
- Prohibits a coach, referee, or official of a youth sports organization from allowing an individual to return to the practice or competition from which the individual was removed or to participate in any other practice or competition for which the coach, referee, or official is responsible until the individual has been assessed and cleared for return by a physician or by any other licensed health care provider authorized by the youth sports organization.

4. Who can clear an athlete to return-to-play?

Under Ohio law (R.C. 3313.539 and R.C. 3707.511), a physician must provide **WRITTEN** clearance for an athlete to return to play. A school district or youth sports organization may also authorize a licensed health care provider who is not a physician to make an assessment or grant clearance to return to play **if** the provider is acting in accordance with one of the following, as applicable to the provider's authority to practice in Ohio:

1. In consultation with a physician;
2. Pursuant to the referral of a physician;
3. In collaboration with a physician;
4. Under the supervision of a physician.

It is important to review your school or youth sports organization's policy regarding what health care providers are authorized to clear an athlete to return-to-play.

5. Can a child return to play on the same day if he/she is cleared to return by a physician or other authorized health care provider?

No. Ohio law prohibits a child to return to play (practice or competition) on the same day that he/she is removed on suspicion of having sustained a concussion, regardless of whether he/she has been cleared by a physician or other authorized health care provider. He/she may return the following day if cleared in writing by a physician (MD or DO) or other authorized health care provider that they did not sustain a concussion. If they sustained a concussion, then they should complete the recommended 5 Phase Exercise Progression before returning.

6. How is a Youth Sports Organization defined under the law?

Under the law (ORC 3707.51), youth sports organizations are defined as public or nonpublic entities that organize athletic activities in which the athletes are not more than nineteen (19) years old and are required to pay a fee to participate in the athletic activity or whose cost to participate is sponsored by a business or nonprofit organization.

7. What schools must comply with Ohio's return-to-play law?

The prohibitions and requirements for interscholastic athletics apply to public schools, including schools operated by school districts, community schools, and science, technology, engineering, and math (STEM) schools. They also apply to all private schools, including both chartered and nonchartered nonpublic schools. (ORC 3313.539, ORC 3314.03, ORC 3326.27.)

8. What are the training requirements for coaches, referees and officials of youth sports organizations?

Individuals who wish to coach or referee in a youth sports organization will be required to successfully complete, every three years, a free online training program in recognizing the symptoms of concussions and head injuries provided by the Ohio Department of Health if they do not already hold a Pupil Activity Permit for coaching interscholastic sports from the Ohio Department of Education. (ORC 3707.511) (**see Questions 11 & 12 for more information on Pupil Activity Permits**).

9. What are the training requirements for referees of interscholastic (school-based athletics)?

Individuals who wish to referee interscholastic athletics must either:

1) hold a Pupil Activity Permit (**see Questions 10 & 11**) for coaching interscholastic athletics

-OR-

2) successfully complete an online training program, every three years, in recognizing the symptoms of concussions and head injuries that is linked on the Department of Health's web site or a training program authorized and required by an organization that regulates interscholastic conferences or events.

(ORC 3313.539)

10. What are the training requirements for coaches of interscholastic (school-based) athletics?

Those wishing to coach interscholastic athletics must hold a Pupil Activity Permit (PAP) issued by the Ohio Department of Education. Coaches who already have a current PAP will be required to present evidence that they have successfully completed a training program in recognizing the symptoms of concussions and head injuries that is linked on the Department of Health's web site **or** a training program authorized and required by an organization that regulates interscholastic conferences or events in order to renew their permit (permit renewal occurs every three years). (ORC 3319.303)

Those who apply for a first-time Pupil Activity Permit to coach interscholastic athletics will be required to successfully complete a training program that is specifically focused on concussion management as part of their application requirements. (ORC 3319.303)

11. What is a Pupil Activity Permit?

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Ohio Revised Code section 3319.303 of the Revised Code requires the State Board of Education to adopt rules establishing standards and requirements for obtaining a Pupil Activity Permit. The Pupil Activity Permit is necessary for all individuals who wish to direct, supervise or coach a program in the schools of Ohio involving athletics, routine or regular physical activity, or health and safety considerations, whether it is done on a paid or volunteer basis. For more information on the pupil activity permits, please visit the Ohio Department of Education's web site.

12. I have a Pupil Activity Permit. Do I need to take the online concussion training?

Under the law (ORC 3319.303), individuals who possess a current permit will be required, as a condition of renewing their Pupil Activity Permit, to present evidence that the individual has successfully completed, within the previous three years, a training program in recognizing the symptoms of concussions and head injuries that is linked on the Department of Health's web site or a training program authorized and required by an organization that regulates interscholastic conferences or events.

Those who apply for a first-time Pupil Activity Permit to coach interscholastic athletics will be required to successfully complete a training program that is specifically focused on concussion management as part of their application requirements. (ORC 3319.303)

13. Where can I download the concussion information sheet?

The forms can be accessed by using the links below or visiting:
www.healthyohioprogram.org/concussion

Student Athlete Concussion Information Sheet (*for Interscholastic Activities*) – Starting April 26th, 2013, Ohio law (ORC 3313.539) prohibits schools from allowing a student to practice for or compete in interscholastic athletics until the student has submitted this signed form stating that the student and the student's parent or guardian have received the information contained in the information sheet.

Youth Sports Organization Concussion Information Sheet (*for Youth Sports Organizations)* – Starting April 26th, 2013, Ohio law (ORC 3707.511) requires a youth sports organization to provide this sheet to the parent or other guardian of an individual who wishes to practice for or compete in an athletic activity organized by the organization.

14. What are the approved online training courses?

The following free online trainings have been approved by the Ohio Department of Health for coaches and referees:

National Federation of State High School Associations Concussion in Sports - What you Need to Know:

http://www.nfhslearn.com/electiveDetail.aspx?courseID=38000

(This free on-line course is available through the NFHS. You will need to click the "order here" button and complete a brief registration form to take the course. However, you do not need to be a member of NFHS to access this course.) Follow these steps to complete the course:

1) Click on the button that says, please login to order. In the window that appears, click Register Now.

2) When your registration is complete you may "order" the free concussion course offered along the left hand side of the page. Continue following prompts. Although it may look like you'll be charged for the course, there is no cost.

3) Once you've completed "checkout," you'll be able to take the free online course.

4) When you've completed and passed the course, you have the option of printing a certificate of completion.

Centers for Disease Control and Prevention Heads Up Concussion in Youth Sports On-Line Training Program:

http://www.cdc.gov/concussion/HeadsUp/online_training.html

PLEASE NOTE: Both courses offer a "certificate of completion" upon successful passage. The NFHS course allows organizations to search for and track coaches who have completed the course while the CDC course does not.

15. How often are student athletes (interscholastic athletics) required to submit the signed Concussion Information Sheet?

Students are required to submit a completed form each school year for each sport or other category of interscholastic athletics for which the student practices or competes. (ORC 3313.539)

16. If a student submits the signed concussion information sheet for an activity in the fall and would like to participate in another interscholastic athletic activity during the same school year, does he or she have to turn in another concussion information sheet?

Yes. Student athletes are required to submit the form for each sport or other category of interscholastic athletics for which the student practices or competes. (ORC 3313.539)

17. How often are youth sports organizations required to provide the ODH concussion information sheet?

Youth sports organizations are required to provide the information sheet annually for each sport or other category of athletic activity. (ORC 3707.511)

18. What if a coach or referee thinks a player should be removed from practice or a game after a head injury, but the player's parent/guardian disagrees and thinks the player should continue playing – who makes the final decision?

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Ideally, parents who have received and reviewed the ODH concussion information sheet will recognize the signs and symptoms of a possible concussion. However, coaches, referees (and officials in the case of youth sports organizations) are responsible for removing an athlete from play if he or she shows the signs and symptoms of a concussion – even if a parent or the player disagrees (ORC 3313.539 and ORC 3707.511). The athlete is not permitted to return to play on the same day as he/she is removed.

19. What are the signs, symptoms, or behaviors consistent with having sustained a concussion or head injury?

Athletes do not have to be "knocked out" to have a concussion. In fact, less than 1 out of 10 concussions result in loss of consciousness. Concussion symptoms can develop right away or up to 48 hours after the injury. *Ignoring any signs or symptoms of a concussion puts a child's health at risk!*

Signs Observed by Parents of Guardians:

- Appears dazed or stunned.
- Is confused about assignment or position.
- Forgets plays.
- Is unsure of game, score or opponent.
- Moves clumsily.
- Answers questions slowly.
- Loses consciousness (even briefly).
- Shows behavior or personality changes (irritability, sadness, nervousness, feeling more emotional).
- Can't recall events before or after hit or fall.

Symptoms Reported by Athlete:

- Any headache or "pressure" in head. (How badly it hurts does not matter.)
- Nausea or vomiting.
- Balance problems or dizziness.
- Double or blurry vision.
- Sensitivity to light and/or noise
- Feeling sluggish, hazy, foggy or groggy.
- Concentration or memory problems.
- Confusion.
- Does not "feel right."
- Trouble falling asleep.
- Sleeping more or less than usual.

20. Are there any resources available for health care providers on clearing an athlete to return to play?

The Centers for Disease Control and Prevention (CDC) have a number of resources to assist health care providers in helping to identify, diagnose and manage concussions. These resources can be accessed here: www.cdc.gov/concussion/clinician.html

21. Are there any resources available for parents, coaches, teachers and school administrators to help students return to school after sustaining a concussion?

Nationwide Children's Hospital offers a number of resources to educate parents, coaches, teachers and school administrators about the signs, symptoms, treatment and management of concussions. These materials can be accessed here: http://www.nationwidechildrens.org/concussion-toolkit

22. Does the law apply to out of state coaches and referees?

If an individual from out-of-state is to coach or referee for an Ohio youth sports organization in Ohio, then that individual must comply with Ohio law, including successfully completing the concussion and head injury recognition training program identified by the Ohio Department of Health and removing an athlete from practice or play if they exhibit the signs and symptoms of a concussion.

23. What do youth sports organizations have to do to comply with the training requirements under the law?

The youth sports organization for which the individual intends to act as a coach or referee shall inform the individual of the requirement described in Ohio law.

24. Is physician defined under the law?

"Physician" means a person authorized under Chapter 4731 of the Revised Code to practice medicine and surgery (MD) or osteopathic medicine and surgery (DO).

25. Does an out-of-state coach of referee have to take the online training if they completed a concussion awareness training in their own state?

If an out-of-state coach or referee took the one of the two ODH identified training courses to meet the requirements in their own state within the past three years, then they do not have re-take the training. If they took another course that has not been approved by ODH, then they would have to take one of the two identified trainings to ensure compliance with Ohio law.

26. If my youth sports organization is part of a larger youth sports organization, who is responsible for providing the concussion information sheet to parents/guardians?

Which ever organizational unit or entity that has direct contact with the athlete is the most reasonably appropriate entity to distribute the concussion information sheet. Several organizations are incorporating the sheet into their registration procedures.

27. Is there a form that health care providers must sign to permit an athlete to return to practice or play after they are removed?

For school sports that are members of the Ohio High School Athletic Association, there is an OHSAA sanctioned form available here: http://ohsaa.org/medicine/AuthorizationToReenter.pdf

For youth sports organizations and schools that are not part of the OHSAA, there is no specific form that must be filled out by a healthcare provider authorizing an athlete to return to play. The law only requires that the athlete must present evidence in writing by a physician (MD or DO) or other authorized health care provider that they have been cleared to return.

Disclaimer: *This document is intended to serve as guidance for Ohio's "Return to Play" Law and should not be construed as legal advice or legal opinion on specific facts or circumstances. You should consult an attorney with respect to any particular issue or concern.*