

1-1 By: Howard, King of Hemphill H.B. No. 961
1-2 (Senate Sponsor - Watson)
1-3 (In the Senate - Received from the House April 16, 2019;
1-4 April 17, 2019, read first time and referred to Committee on
1-5 Education; May 17, 2019, reported favorably by the following vote:
1-6 Yeas 11, Nays 0; May 17, 2019, sent to printer.)

1-7 COMMITTEE VOTE

| | Yea | Nay | Absent | PNV |
|------------------|-----|-----|--------|-----|
| 1-8 Taylor | X | | | |
| 1-9 Lucio | X | | | |
| 1-10 Bettencourt | X | | | |
| 1-11 Campbell | X | | | |
| 1-12 Fallon | X | | | |
| 1-13 Hall | X | | | |
| 1-14 Hughes | X | | | |
| 1-15 Paxton | X | | | |
| 1-16 Powell | X | | | |
| 1-17 Watson | X | | | |
| 1-18 West | X | | | |
| 1-19 | | | | |

1-20 A BILL TO BE ENTITLED
1-21 AN ACT

1-22 relating to the membership and training course requirements of a
1-23 public school concussion oversight team and the removal of a public
1-24 school student from an interscholastic athletic activity on the
1-25 basis of a suspected concussion.

1-26 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-27 SECTION 1. Section 38.154, Education Code, is amended by
1-28 adding Subsection (b-1) to read as follows:
1-29 (b-1) If a school district or open-enrollment charter
1-30 school employs a school nurse, the school nurse may be a member of
1-31 the district or charter school concussion oversight team if
1-32 requested by the school nurse.

1-33 SECTION 2. Section 38.156, Education Code, is amended to
1-34 read as follows:

1-35 Sec. 38.156. REMOVAL FROM PLAY IN PRACTICE OR COMPETITION
1-36 FOLLOWING CONCUSSION. A student shall be removed from an
1-37 interscholastic athletics practice or competition immediately if
1-38 one of the following persons believes the student might have
1-39 sustained a concussion during the practice or competition:

1-40 (1) a coach;
1-41 (2) a physician;
1-42 (3) a licensed health care professional;
1-43 (4) a person licensed under Chapter 201, Occupations
1-44 Code; [or]
1-45 (5) a school nurse; or
1-46 (6) the student's parent or guardian or another person
1-47 with legal authority to make medical decisions for the student.

1-48 SECTION 3. Sections 38.158(c), (e), and (g), Education
1-49 Code, are amended to read as follows:

1-50 (c) The following persons must take a training course in
1-51 accordance with Subsection (e) from an authorized training provider
1-52 at least once every two years:

1-53 (1) a coach of an interscholastic athletic activity;
1-54 (2) a school nurse who serves as a member of a
1-55 concussion oversight team;
1-56 (3) a licensed health care professional who serves as
1-57 a member of a concussion oversight team and is an employee,
1-58 representative, or agent of a school district or open-enrollment
1-59 charter school; and
1-60 (4) [+] a licensed health care professional who
1-61 serves on a volunteer basis as a member of a concussion oversight

2-1 team for a school district or open-enrollment charter school.
2-2 (e) For purposes of Subsection (c):
2-3 (1) a coach must take a course described by Subsection
2-4 (a);
2-5 (2) an athletic trainer must take:
2-6 (A) a course described by Subsection (b); or
2-7 (B) a course concerning the subject matter of
2-8 concussions that has been approved for continuing education credit
2-9 by the appropriate licensing authority for the profession; and
2-10 (3) a school nurse or licensed health care
2-11 professional, other than an athletic trainer, must take:
2-12 (A) a course described by Subsection (a) or (b);
2-13 or
2-14 (B) a course concerning the subject matter of
2-15 concussions that has been approved for continuing education credit
2-16 by the appropriate licensing authority for the profession.
2-17 (g) A school nurse or licensed health care professional who
2-18 is not in compliance with the training requirements under this
2-19 section may not serve on a concussion oversight team in any
2-20 capacity.
2-21 SECTION 4. This Act takes effect immediately if it receives
2-22 a vote of two-thirds of all the members elected to each house, as
2-23 provided by Section 39, Article III, Texas Constitution. If this
2-24 Act does not receive the vote necessary for immediate effect, this
2-25 Act takes effect September 1, 2019.

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