

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2017

Legislative Fiscal Note

BILL NUMBER: House Bill 116 (Second Edition)

SHORT TITLE: Student Safety in Athletics.

SPONSOR(S): Representatives Warren, Lambeth, Murphy, and Rogers

FISCAL IMPACT					
(\$ in millions)					
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> No Estimate Available					
	FY 2017-18	FY 2018-19	FY 2019-20	FY 2020-21	FY 2021-22
State Impact					
General Fund Revenues:					
General Fund Expenditures:	De Minimis				
State Positions:					
NET STATE IMPACT	\$0.0	\$0.0	\$0.0	\$0.0	\$0.0
Local Impact					
Revenues:					
Expenditures:	Unknown				
NET LOCAL IMPACT	\$0.0	\$0.0	\$0.0	\$0.0	\$0.0
PRINCIPAL DEPARTMENT(S) & PROGRAM(S) AFFECTED: Department of Public Instruction					
EFFECTIVE DATE: This act would become effective when it becomes law and applies beginning with the 2017-18 school year. The reporting requirements apply to injuries and illnesses that occur on or after January 1, 2018.					
TECHNICAL CONSIDERATIONS: None					

BILL SUMMARY:¹ House Bill 116 creates a new article on student safety in athletics in the statutes governing elementary and secondary education (Chapter 115C of the General Statutes) that sets out the following:

- **Education requirements.** Directs the State Board of Education to develop guidelines and educational materials for local boards of education to provide to both students who participate in athletic activities and their parents on sudden cardiac arrest and heat-related illnesses on an annual basis. This bill also recodifies G.S. 115C-12(23) that governs middle and high school student interscholastic athletic activity involvement and eligibility for participation vis-à-vis concussion and head injuries as G.S. 115C-407.43.

¹ Bill summary based on bill analysis prepared by Jennifer Mundt, Committee Staff to House Committee on Health.

- **CPR certification.** With regard to sudden cardiac arrest, the statute would direct each local education agency to require that the head coach or athletic director for each athletic activity complete and maintain CPR certification, and be present during each athletic activity.
- **Mandatory protocols.** With regard to heat related illnesses, the statute would direct each local board of education to adopt a mandatory heat stroke prevention protocol and provides that if a student exhibits signs of heat exhaustion or heat stroke as determined by an official designated in the venue specific emergency action plan (EAP), then that student must be removed or prevented from participating in the activity until such time the student is cleared to return, in writing, either a licensed health care professional or an official designated in the venue-specific EAP. With regard to sudden cardiac arrest, the statute would require a student to annually complete a form that includes questions related to cardiac health history in order to participate in an athletic activity.
- **Documentation and Reporting.** Requires a parents' signature of receipt and review of the information awareness sheets developed for sudden cardiac arrest, heat-related illnesses and concussions before their student may participate in athletic activities and requires each school to maintain complete and accurate records of its compliance with the provisions of the Article.
- **State database.** Directs the State Board to create a database, maintained by the Department of Public Instruction (DPI), for high school and middle school personnel to report catastrophic illnesses and injuries and concussions that occur during athletic activities. The database may only be accessed by the North Carolina High School Athletic Association, the National Center for Catastrophic Sport Injury Research, and the Gfeller Sport-Related Traumatic Brain Injury Research Center housed at the University of North Carolina at Chapel Hill. Any information contained in the database must not contain personally identifiable student data and is not considered a public record.
- **Civil Liability.** The statute would provide that a local board of education, its members, employees, designees, agents, or volunteers, the members of the State Board, and DPI or its employees are not liable in civil damages to any party for any act authorized in this article or for any omission relating to the act unless that act or omission amounts to gross negligence, wanton conduct, or intentional wrongdoing.

ASSUMPTIONS AND METHODOLOGY:

State Costs: The Department of Public Instruction (DPI) anticipates the State costs associated with the implementation of HB 116 to be de minimis. DPI's cost of developing of guidelines, educational materials and forms for local boards of education to provide to both students who participate in athletic activities and their parents on sudden cardiac arrest, heat-related illnesses and concussions is nominal as these materials are readily available through the North Carolina High School Athletic Association (NCHSAA) and the Matthew A. Gfeller Sport-Related Traumatic Brain Injury Research Center at UNC-Chapel Hill. DPI also reports that the cost to create and maintain an online database for local boards of education to report catastrophic illnesses and injuries and concussions that occur during athletic activities is minimal.

Local Costs: The fiscal impact of requiring CPR training and certification for the head coach or the athletic director for each athletic activity is unknown as the bill does not require local boards of education to cover the expense, although many of them opt to pay. Additionally, NCHSAA already requires all high school coaches to have CPR training beginning August 2017 so the certification will not be a new requirement for high schools. However, there is not a similar middle school requirement at this time.

Schools are already required to provide concussion awareness materials and forms to students who participate in athletic activities and their parents so there is no cost associated with the recodification of this requirement. The cost of providing educational materials and forms on sudden cardiac arrest and heat-related illnesses is minimal as these materials can be made available to students and their parents through the school's website.

SOURCES OF DATA: Department of Public Instruction

TECHNICAL CONSIDERATIONS: None

FISCAL RESEARCH DIVISION: (919) 733 4910

PREPARED BY:
Jennifer Hoffmann

APPROVED BY:

Mark Trogdon, Director
Fiscal Research Division

DATE: May 24, 2017



Signed Copy Located in the NCGA Principal Clerk's Offices