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Int. No. 85

By Council Members Levin, Johnson, Levine, Williams, Eugene, Dromm, Van Bramer, Rose and Koo

A Local Law to amend the administrative code of the city of New York, in relation to the health and safety of youth football teams.

Be it enacted by the Council as follows:

Section 1. Title 10 of the administrative code of the city of New York is amended by adding a new chapter 9 to read as follows:

CHAPTER 9

Youth Football Safety

§10-901 Definitions

§10-902 Doctor or athletic trainer required

§10-903 Permit requirements

§10-904 Standardized assessment of concussion tests

§10-905 Reporting

§ 10-901 Definitions. a. “Athletic trainer” shall have the same meaning as section 8351 of the New York state education law.

b. “Football game” shall mean a game of football which involves tackling.

c. “Football practice” shall mean a practice for the game of football which involves tackling.

d. “School” shall mean any public or private school which is located in the city of New York.

e. “Standardized assessment of concussion test” shall mean an objective research-based evaluation tool that tests neuropsychological functions most commonly affected by a concussion including measures of orientation, immediate memory, concentration, and delayed recall, as well as objective questions regarding loss of consciousness and post-traumatic amnesia.

f. “Youth participant” shall mean any person under the age of eighteen who participates in a football game or practice which involves the participation or sponsorship of a school or for which a permit from the department of parks and recreation is required.

§10-902 Doctor or athletic trainer required. a. A doctor shall be present at any football game in which there are youth participants. Such doctor shall be present prior to the start of the football game and must remain present until the completion of the game.

b. A doctor or an athletic trainer shall be present at any football practice in which there are youth participants. Such doctor or athletic trainer shall be present prior to the start of the football practice and must remain present until the completion of such practice.

c. At each football game or football practice in which there are youth participants, a form must be filled out by the doctor or athletic trainer assigned to such event, returnable to the department of health and mental

hygiene, the department of education, if such game or practice involves the sponsorship or participation of a school, and to the department of health and mental hygiene and the department of parks and recreation, if such game or practice requires a permit from the department of parks and recreation pursuant to section 18-142 of this local law. Such form shall include (i) affirmation that the doctor or athletic trainer was present at the event, (ii) a list of the number, type, and severity of all injuries suffered by youth participants during the course of event (iii) the results of any standardized assessment of concussion tests that were administered to any youth participant, and (iv) whether any injured youth participant was permitted to return to the game and the reasons for each such decision. If available, the form shall also include the date medical clearance was given for the youth participant to resume athletic activities, the school sponsoring or participating in such football game or football practice and the number of school days missed due to injuries suffered by youth participants during such football games and practices.

§10-903 Permit requirements. Pursuant to section 18-142 of this local law, no permit for a football game or practice shall be provided by the department of parks and recreation unless the applicant affirms that a doctor will be present for all football games at which there are youth participants and either a doctor or athletic trainer will be present for each football practice at which there are youth participants.

§ 10-904 Standardized assessment of concussion tests. a. Only a doctor or athletic trainer may administer a standardized assessment of concussion test to a youth participant who is suspected of having a concussion. If a youth participant, their parent or guardian, or any other official refuses to allow a standardized assessment of concussion test to be administered, such youth participant shall not be allowed to return to nor participate in athletic activity until he or she has been symptom free for twenty-four hours, and has been evaluated by and received written and signed authorization to participate from a licensed physician.

b. No youth participant may return to a game or practice if such participant has been administered a standardized assessment of concussion test regardless of the result of such test. Such youth participant shall not be allowed to return to nor participate in any athletic activity until he or she has been symptom free for twenty-

four hours, and has been evaluated by and received written and signed authorization to participate from a licensed physician. Notice of such standardized assessment of concussion test and the result must be provided to the youth participant's parent or guardian and to the youth participant's school principal and/or school health official.

§10-905 Reporting. a. The department of health and mental hygiene shall submit an annual report to the city council and the mayor, compiling the data from the forms submitted to the department pursuant to section 10-902 of this local law. Such report shall contain the number of concussions sustained throughout the year during football practices or games, and any other serious injuries that occurred during such games or practices, disaggregated by type of injury, severity of injury, date of injury, and games missed as well as the date medical clearance was given for the youth participant to resume athletic activities, the name of the school sponsoring or participating in such football game or football practice and school days missed where such data is available. Such report shall also be published on the department of health and mental hygiene's website.

b. No information that is otherwise required to be reported pursuant to this section shall be reported in a manner that would violate any applicable provisions of federal, state or local law relating to the privacy of student information. If a category contains between 0 and 9 students, or allows another category to be narrowed to between 0 and 9 students, the number shall be replaced with a symbol.

§2. Chapter one of Title 19 of the administrative code of the city of New York is amended by adding a new section 18-142 to read as follows:

§18-142 a. For the purposes of this section "youth" shall mean any person under the age of eighteen.

b. No football game or practice shall take place in any park within the jurisdiction of the department unless a permit has been provided by the department.

c. No permit for a football game or practice shall be provided by the department unless the applicant affirms that a doctor will be present for all football games at which there are youth participants and either a doctor or athletic trainer will be present for all football practices at which there are youth participants. The

permit application shall also include the name, address, and telephone number of such doctor or athletic trainer and a copy of the professional license of the doctor or athletic director.

d. The department shall promulgate such rules as may be necessary to implement the provisions of this section.

§3. This local law shall take effect one hundred and eighty days after its enactment into law.

LS 592
JW
2/19/14