



RISK MANAGEMENT INFORMATION  
**YOUTH SPORTS AND CONCUSSION AWARENESS**

*Recently the Minnesota State Legislature passed a new law, which goes into effect September 1, 2011, aimed at preventing and identifying concussions in youths participating in sports. The new law has understandably caused some concern among cities. Read below to find the answers to some common questions about the new requirements.*

**Does the law apply to cities? Who must provide training and information on concussions?**

The new law does not only apply to school sports, it also applies to city organized youth athletic events. The law emphasizes education about concussions to coaches, officials, parents and students. If a city organizes a sport league, club or athletic event, the burden to provide this educational information now falls directly on the city.

Beginning September 1, 2011, the following must provide concussion training and information:

- A municipality, business, or nonprofit organization;
- Someone that *organizes* a youth athletic activity; or
- Someone that charges a fee for a youth athletic activity.

The term “organize” is not closely defined in the new law. Some activities that may be considered “organized” may include:

- Providing staff to coach, officiate or supervise;
- Enrolling participants;
- Advertising the event or activity; or
- Providing equipment or supplies.

Many cities allow other groups, such as a non-profit or a school district, to use its facilities for sporting events. Merely providing recreation space could reasonably be interpreted to fall short of “organizing” an event. However, in these instances, it would be prudent for the city to require (preferably through written agreement) the actual event organizer to comply with the law’s requirements.

Many cities jointly offer or organize sporting events with other cities or entities. Usually these situations are governed by a joint powers agreement or other contractual arrangement. In these instances, it would also be prudent for cities to discuss with its partners which entity will be responsible for following the new requirements. It may be necessary to revise existing written agreements to reflect this new understanding.

This material is provided as general information and is not a substitute for legal advice.  
Consult your attorney for advice concerning specific situations.

## **Does the new law apply to volunteer coaches/officials and cities that rely upon volunteer coaches/officials?**

Yes. The law applies if there is any type of fee charged for athletic activities that are organized.

## **What types of sports or athletic activities does the law apply to?**

The law applies to all “youth (18 and under) athletic activities.” This means any sport or other athletic activity where there is a:

- Competition, practice, or training exercises; AND
- Coach or official is present in an official capacity as a coach or official.

The law was drafted as broadly as possible and may apply to a diversity of youth sports including yoga, football, baseball and swimming.

## **Under the new law, what training and information do cities need to offer?**

Beginning September 1, 2011 sports and athletic event organizers must:

- Make information accessible to all participating coaches, officials, and youth athletes and their parents or guardians about the nature and risks of concussions; AND
- Require all participating coaches and officials to receive initial online training on the nature and risks of concussions. Training must be repeated every three years.

The online training for coaches/officials and information for parents and participants must be consistent with training provided by the National Centers for Disease Control and Prevention (CDC) and must address:

- The nature and risks of concussions associated with the athletic activity;
- The signs, symptoms, and behaviors consistent with a concussion;
- The need to alert appropriate medical professionals for urgent diagnosis and treatment when a youth athlete is suspected or observed to have received a concussion; AND
- The need for a youth athlete who sustains a concussion to follow proper medical direction and protocols for treatment and returning to play.

The simplest approach for a city may be to use the free online course and printable information already found on the CDC [website](#). The CDC program is titled *Heads Up: Concussion in Youth Sports*. Once coaches and officials finish the e-learning program and quiz, they can print a certificate demonstrating completion.

The city should document compliance with the law by preserving copies of coaches and officials' certificates of completion and copies of materials provided to parents and participants. Cities are not required to use the CDC program. However, any program a city uses or designs must be consistent with the CDC program.

## **What are coaches and officials required to do under the new law?**

The law has additional requirements for coaches and officials. In addition to completing the training already discussed, a coach or official must also remove youth athletes from participating in activities when:

- The youth exhibits signs, symptoms, or behaviors consistent with a concussion; or
- The youth is suspected of sustaining a concussion.

When a coach or official removes a youth athlete from participating in a youth athletic activity because of a concussion, the youth athlete may not again participate in the activity until the youth athlete:

- No longer exhibits signs, symptoms, or behaviors consistent with a concussion; AND
- Is evaluated by a healthcare provider trained and experienced in evaluating and managing concussions; AND
- The healthcare provider gives the youth athlete written permission to again participate in the activity.

## **Does the new law make the city liable for concussion injuries that youth may receive?**

No. The new law does not create any additional liability for, or create any new cause of legal action against a city providing youth sports activities. In addition, the law does not alter immunities given to volunteer coaches under state law. Currently, [Minn. Stat. 604A.11](#) provides that volunteer coaches and trainers are generally not liable to players, participants, or spectators for injuries during sporting events. The new concussion law specifically provides that these protections remain in place for coaches, even if a coach fails to remove a youth athlete from an activity after a concussion is suspected.

### **More Information**

Contact the city's loss control consultant for assistance with the new concussion law. If the city is unsure of its consultant, contact Cheryl Brennan, Field Service Manager at [cbrennan@lmc.org](mailto:cbrennan@lmc.org) or 651-215-4079.