

Date of Hearing: March 21, 2023

ASSEMBLY COMMITTEE ON ARTS, ENTERTAINMENT, SPORTS, AND TOURISM

Sharon Quirk-Silva, Chair

AB 1467 (Alanis) – As Introduced February 17, 2023

**SUBJECT:** Nevaeh Youth Sports Safety Act

**SUMMARY:** Establishes the Nevaeh Youth Sports Safety Act, which requires youth sports organizations to provide their athletes with access to an automated external defibrillator (AED) during any official practice or match.

Specifically, **this bill:**

- 1) Requires a youth sports organization that elects to offer an athletic program to ensure that its athletes have access to an AED during any official practice or match, as defined.
- 2) States that an AED must be administered, during an applicable medical circumstance, by a medical professional, coach, or other person designated by the youth sports organization, who holds AED certification and who complies with any other qualifications required pursuant to federal and state law applicable to the use of an AED.
- 3) Defines “coach” to mean a person appointed by the youth sports organization to supervise or instruct a participant in a sport.
- 4) Defines “Official practice or match” to mean a sport session in which live action or one or more drills are conducted, or a match, as scheduled by the youth sports organization, the coach, or other designee of the organization.
- 5) Defines “Youth sports organization” to have the same meaning set forth pursuant to existing law.

**EXISTING LAW:**

Requires a youth sports organization that elects to offer an athletic program to comply with all of the following (Health and Safety Code 124235):

- 1) Require an athlete who is suspected of sustaining a concussion or other head injury, or who has passed out or fainted, in an athletic activity to be immediately removed from the athletic activity for the remainder of the day, and not be permitted to return to any athletic activity until the athlete is evaluated by a licensed healthcare provider;
- 2) Prohibit the athlete from returning to athletic activity until the athlete receives written clearance to return to athletic activity from a licensed healthcare provider;
  - a) If the licensed healthcare provider determines that the athlete sustained a concussion or other head injury, the athlete must complete a graduated return-to-play protocol of no less than seven days in duration under the supervision of a licensed healthcare provider.

- b) If the licensed healthcare provider suspects that the athlete has a cardiac condition that puts the athlete at risk for sudden cardiac arrest or other heart-related issues, the athlete must remain under the care of the licensed healthcare provider to pursue follow-up testing until the athlete is cleared to play.
- 3) Require if an athlete who is 17 years of age or younger has been removed from athletic activity due to a suspected concussion or due to fainting or another suspected cardiac condition, the youth sports organization to notify a parent or guardian of that athlete of the time and date of the injury, the symptoms observed, and any treatment provided to that athlete for the injury;
    - a) On a yearly basis, the youth sports organization shall give both a concussion and head injury and a sudden cardiac arrest information sheet to each athlete. The information sheet shall be signed and returned by the athlete and, if the athlete is 17 years of age or younger, shall also be signed by the athlete's parent or guardian, before the athlete initiates practice or competition.
    - b) If the athlete is six years of age or younger, only the signature of the athlete's parent or guardian shall be required to comply with this paragraph. If the athlete is 18 years of age or older, only the signature of the athlete shall be required to comply with this paragraph.
    - c) The information sheet may be sent and returned through an electronic medium including, but not necessarily limited to, fax or electronic mail.
  - 4) Requires on a yearly basis, the youth sports organization to offer concussion and head injury and sudden cardiac arrest prevention education, or related educational materials, or both, to each coach, administrator, and referee, umpire, or other game official of the youth sports organization.
  - 5) Requires the youth sports organization to require both of the following:
    - a) Each coach, administrator, and referee, umpire, or other game official of the youth sports organization shall be required to successfully complete the concussion and head injury and sudden cardiac arrest prevention education offered pursuant to paragraph (4) at least once, either online or in person, before supervising an athlete in an activity of the youth sports organization.
    - b) The youth sports organization shall post related information, as referenced in paragraph (4), online, or provide educational materials to athletes and parents, or both.
  - 6) Requires the youth sports organization to identify both of the following:
    - a) Procedures to ensure compliance with the requirements for providing concussion and head injury and sudden cardiac arrest prevention education and a concussion and head injury and sudden cardiac arrest prevention information sheet, as referenced in paragraphs (3) to (5), inclusive.
    - b) Procedures to ensure compliance with the athlete removal provisions and the return-to-play protocol required pursuant to paragraph (1).

- 7) Establishes the definition of a “Licensed healthcare provider” to mean either of the following:
  - a) A licensed healthcare provider who is trained in the evaluation and management of concussions and is acting within the scope of the provider’s practice for evaluation and management of concussions or other head injuries.
  - b) A licensed healthcare provider who is trained in the evaluation and management of cardiac conditions and is acting within the scope of that provider’s practice for evaluation and management of sudden cardiac arrest, fainting, and shortness of breath.
- 8) Establishes the definition of a “Sudden cardiac arrest prevention education and educational materials” and a “sudden cardiac arrest information sheet” to at a minimum include information relating to all of the following:
  - a) Cardiac conditions and their potential consequences.
  - b) The signs and symptoms of sudden cardiac arrest.
  - c) Best practices for removal of an athlete from an athletic activity after fainting or a suspected cardiac condition is observed.
  - d) Steps for returning an athlete to an athletic activity after the athlete faints or experiences a cardiac condition.
  - e) What to do in the event of a cardiac emergency: this shall include calling 911, performing hands-only CPR, and using an automated external defibrillator (AED) if it is available.
- 9) Establishes the definition of a “Youth sports organization” means an organization, business, nonprofit entity, or a local governmental agency that sponsors or conducts amateur sports competitions, training, camps, or clubs in which persons 17 years of age or younger participate.
- 10) States that the above sections apply to all persons participating in the activities of a youth sports organization, irrespective of their ages. It does not prohibit a youth sports organization, or any other appropriate entity, from adopting and enforcing rules intended to provide a higher standard of safety for athletes than the standard established under this section.

**FISCAL EFFECT:** None. This measure is keyed non-fiscal by the Legislative Counsel.

**COMMENTS:**

- 1) Author statement. According to the author, “AEDs are critical pieces of medical equipment that can save lives, if used within minutes of a cardiac emergency. Despite efforts in recent years to increase AED accessibility and overall safety for young athletes, current law does not require private sports organizations to own or have access to an AED. When parents and guardians register their children for a sports team, they should feel comfortable knowing their child will remain safe in the event of an emergency. Unfortunately, this is not the case

anymore. AB 1467 fulfills a promise to Nevaeh's family and countless others that California is dedicated to keeping children safe.”

- 2) Committee Amendments. Add an implementation date of January 1, 2027 in order to give private organizations time to either rent or purchase an AED for their athletes. Other changes are minor and technical.
- 6) Prior and related legislation.
  - a) AB 245 (McKinnor) of this Session modifies the California High School Coaching Education and Training Program requirements by revising the component of training in cardiopulmonary resuscitation and first aid to include rehearsing the appropriate responses to the signs and symptoms of concussions, heat illness, and cardiac arrest. This bill is pending before this committee.
  - b) AB 1 (Cooper), Chapter 158, Statutes of 2019, among other provisions, required a coach appointed by a youth sports organization to supervise or instruct a participant in the sport of youth tackle football to annually receive first aid, cardiopulmonary resuscitation, and AED certification. Required at least one independent non-rostered individual, appointed by the youth sports organization, to be present at all practice locations. Requires the individual to hold current and active certification in first aid, CPR, AED, and concussion protocols.
  - c) AB 379 (Maienschein), Chapter 174, Statutes of 2019, added “an athlete who has passed out or fainted” to existing law that prohibits an athlete from returning to athletic activity until being evaluated and cleared by a health care provider. Required the athlete, if the health care provider suspects that the athlete has a cardiac condition that puts the athlete at risk for sudden cardiac arrest or other heart-related issues, to remain under the care of the healthcare provider to pursue follow-up testing until the athlete is cleared to play.
  - d) AB 2009 (Maienschein), Chapter 646, Statutes of 2018, Required a school district or charter school that elects to offer any interscholastic athletic program to ensure that there is a written emergency action plan in place and acquire at least one automated external defibrillator (AED) for each school for the purpose of emergency care in the event of cardiac arrest and other related medical emergencies. Clarifies that existing law providing conditional liability protections to those acquiring or using these AEDs would apply.
  - e) AB 2007 (McCarty), Chapter 516, Statutes of 2016, required amateur youth sports organizations to adopt concussion treatment and recognition protocols similar to those in existing law for student athletes in 27 designated sports, as specified. Also required youth sports organizations to develop return-to-play protocols, and provide yearly concussion and head injury information sheets and education, as provided.
  - f) AB 1639 (Mainschein), Chapter 792, Statutes of 2016, established the Eric Paredes Sudden Cardiac Arrest Prevention Act that requires the California Department of Education (CDE) to make available specified guidelines and materials on sudden cardiac arrest (SCA): pupils and parents to sign informational materials before athletic participation; training of coaches; and set requirements for action in the event a pupil experiences specified symptoms.

- g) AB 2127 (Cooley), Chapter 165, Statutes of 2014, among other things, limits full-contact practices for high school and middle school football teams for concussion and head injury prevention, and requires that a return-to-play protocol after concussion or head injury be no less than seven days in duration.
- h) AB 588 (Fox), Chapter 423, Statutes of 2013, applies existing law relating to students who sustain, or are suspecting of sustaining, a concussion during a school-sponsored athletic activity to charter schools and private schools.
- i) AB 1451 (Hayashi), Chapter 173, Statutes of 2012, includes a basic understanding of the signs and symptoms of concussions and the appropriate response to concussions within the California High School Coaching Education and Training Program, administered by school districts.
- j) h) AB 25 (Hayashi), Chapter 465, Statutes of 2011, requires a school district that elects to offer athletic programs to immediately remove an athlete who is suspected of sustaining a concussion or head injury during that activity; prohibits the return of the athlete to that activity until he or she is evaluated by, and receives written clearance from, a licensed health care provider; requires, on a yearly basis, a concussion and head injury information sheet to be signed and returned by the athlete and the athlete's parent or guardian before the athlete's initiating practice or competition.

**REGISTERED SUPPORT / OPPOSITION:****Support**

There is no support on file.

**Opposition**

There is no opposition on file.

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