

111TH CONGRESS
2D SESSION

H. R. 1347

IN THE SENATE OF THE UNITED STATES

NOVEMBER 15, 2010

Received; read twice and referred to the Committee on Health, Education,
Labor, and Pensions

AN ACT

To amend title III of the Public Health Service Act to provide for the establishment and implementation of concussion management guidelines with respect to school-aged children, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Concussion Treatment
3 and Care Tools Act of 2010” or the “ConTACT Act of
4 2010”.

5 **SEC. 2. CONCUSSION MANAGEMENT GUIDELINES WITH RE-**
6 **SPECT TO SCHOOL-AGED CHILDREN.**

7 Part B of title III of the Public Health Service Act
8 (42 U.S.C. 243 et seq.) is amended by inserting after sec-
9 tion 317T the following:

10 **“SEC. 317U. CONCUSSION MANAGEMENT GUIDELINES WITH**
11 **RESPECT TO SCHOOL-AGED CHILDREN.**

12 “(a) CONCUSSION MANAGEMENT GUIDELINES.—

13 “(1) ESTABLISHMENT.—Not later than 2 years
14 after the date of the enactment of this section, the
15 Secretary shall establish concussion management
16 guidelines that address the prevention, identification,
17 treatment, and management of concussions (as de-
18 fined by the Secretary) in school-aged children, in-
19 cluding standards for such children to return to play
20 after experiencing such a concussion, and shall make
21 available such guidelines and standards to the gen-
22 eral public, including health professionals.

23 “(2) CONFERENCE.—The Secretary shall con-
24 vene a conference of medical, athletic, and edu-
25 cational stakeholders for purposes of assisting in the
26 establishment of the guidelines.

1 “(b) GRANTS TO STATES.—

2 “(1) IN GENERAL.—After establishing the
3 guidelines under subsection (a), the Secretary may
4 make grants to States for purposes of—

5 “(A) providing for the collection by target
6 entities of information on the incidence and
7 prevalence of concussions among school-aged
8 children attending or participating in such enti-
9 ties;

10 “(B) adopting, disseminating, and ensur-
11 ing the implementation by target entities of the
12 guidelines;

13 “(C) funding implementation by target en-
14 tities of pre-season baseline and post-injury
15 testing, including computerized testing, for
16 school-aged children; and

17 “(D) any other activity or purpose speci-
18 fied by the Secretary.

19 “(2) GRANT APPLICATIONS.—

20 “(A) IN GENERAL.—To be eligible to re-
21 ceive a grant under this subsection, the Sec-
22 retary shall require a State to submit an appli-
23 cation to the Secretary at such time, in such
24 manner, and containing such information as the
25 Secretary shall require.

1 “(B) MINIMUM CONTENTS.—The Secretary
2 shall require that an application of a State
3 under subparagraph (A) contain at a min-
4 imum—

5 “(i) a description of the strategies the
6 State will use to disseminate, and ensure
7 the implementation by target entities of,
8 the guidelines, including coordination with
9 ongoing State-based efforts to implement
10 State laws governing youth concussion
11 management; and

12 “(ii) an agreement by the State to pe-
13 riodically provide data to the Secretary
14 with respect to the incidence of concussions
15 and second impact syndrome among
16 school-aged children in the State.

17 “(3) UTILIZATION OF HIGH SCHOOL SPORTS
18 ASSOCIATIONS, YOUTH SPORTS ASSOCIATIONS, ATH-
19 LETIC TRAINER ASSOCIATIONS, AND LOCAL CHAP-
20 TERS OF NATIONAL BRAIN INJURY ORGANIZA-
21 TIONS.—In disseminating and ensuring the imple-
22 mentation by target entities of the guidelines pursu-
23 ant to a grant under this subsection, the Secretary
24 shall require States receiving grants under this sub-
25 section to utilize, to the extent practicable, applica-

1 ble expertise and services offered by high school
2 sports associations, youth sports associations, ath-
3 letic trainer associations, and local chapters of na-
4 tional brain injury organizations in such States.

5 “(c) COORDINATION OF ACTIVITIES.—In carrying
6 out activities under this section, the Secretary shall coordi-
7 nate in an appropriate manner with the heads of other
8 Federal departments and agencies that carry out activities
9 related to concussions and other traumatic brain injuries.

10 “(d) REPORTS.—

11 “(1) ESTABLISHMENT OF THE GUIDELINES.—
12 Not later than 2 years after the date of the enact-
13 ment of this section, the Secretary shall submit to
14 the Congress a report on the implementation of sub-
15 section (a).

16 “(2) GRANT PROGRAM AND DATA COLLEC-
17 TION.—Not later than 4 years after the date of the
18 enactment of this section, the Secretary shall submit
19 to the Congress a report on the implementation of
20 subsection (b), including—

21 “(A) the number of States that have
22 adopted the guidelines;

23 “(B) the number of target entities that
24 have implemented pre-season baseline and post-

1 injury testing, including computerized testing,
2 for school-aged children; and

3 “(C) the data collected with respect to the
4 incidence of concussions and second impact syn-
5 drome among school-aged children.

6 “(e) DEFINITIONS.—In this section:

7 “(1) The term ‘guidelines’ means the concus-
8 sion management guidelines established under sub-
9 section (a).

10 “(2) The term ‘return to play’ means, with re-
11 spect to a school-aged child experiencing a concus-
12 sion, the return of such child to participating in the
13 sport or other activity related to such concussion.

14 “(3) The term ‘school-aged children’ means in-
15 dividuals who are at least 5 years of age and not
16 more than 18 years of age.

17 “(4) The term ‘second impact syndrome’ means
18 catastrophic or fatal events that occur when an indi-
19 vidual suffers a concussion while symptomatic and
20 healing from a previous concussion.

21 “(5) The term ‘Secretary’ means the Secretary
22 of Health and Human Services, acting through the
23 Director of the Centers for Disease Control and Pre-
24 vention.

