CAMBRIDGE PUBLIC HEALTH DEPARTMENT

Cambridge Health Alliance

To: Richard C. Rossi, City Manager

From: Claude Jacob, Chief Public Health Officer

Cc: Cambridge Public Health Subcommittee

Date: April 29, 2015

Re: **Concussion Regulation**

In an effort to protect youth from head injury in any organized sport or athletic activity that takes place on a City of Cambridge owned facility, the Cambridge Public Health Commission has promulgated the following:

A regulation that prevents and manages concussions in youth activities at City of Cambridge facilities modeled after the current state concussion regulation.

Massachusetts state law 105 CMR 201.000 regulates the concussion education and return to play protocols for all public/private middle and high schools, serving grades six through twelve, subject to the official rules of the Massachusetts Interscholastic Athletic Association.

This new regulation extends to youth sports organizations operating at younger ages and those which operate outside of the public/private school authority. It is the intention of this regulation that all youth athletic programs ensure head injury trainings on the prevention and management of head injury and concussion to all program coaches and that in the event of a suspected head injury or concussion the youth is removed from the activity and has the appropriate medical clearance before returning to the activity. This regulation also requires reporting practices to the Cambridge Public Health Department. This department is committed to ensuring a safe environment for all youth participating in youth activities at City of Cambridge facilities.

This regulation goes into effect **September 1, 2015**. Please feel free to direct related questions to my attention.

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A REGULATION TO PREVENT AND MANAGE CONCUSSIONS IN YOUTH ACTIVITIES AT CITY OF CAMBRIDGE FACILITIES

WHEREAS, Concussions are one of the most commonly reported injuries in children and adolescents participating in sports and recreational activities; and

WHEREAS, The Centers for Disease Control and Prevention estimates that as many as 3.9 million sports-related and recreation-related concussions occur in the United States each year; and

WHEREAS, In June 2011, the Massachusetts Department of Public Health promulgated regulations governing the training of school staff in the identification, disclosure, and medical clearance for the return to play of children to promote the health and safety of students engaged in extracurricular sports; and

WHEREAS, The risk of catastrophic injuries and death are significant when a concussion or a head injury is not properly evaluated and managed; and

WHEREAS, Research indicates that young, developing brains take longer to heal, requiring that treatment must be tailored for specific ages; and

WHEREAS, The Cambridge Public Health Department is committed to creating a safe environment for all youth participating in athletic activities and is committed to working with students, coaches, leagues, and families to develop a comprehensive approach to the prevention and management of sports-related head injuries within the City of Cambridge.

NOW THEREFORE, The Commissioner of Public Health for the City of Cambridge ("Commissioner") enacts the following regulation to protect the health of Cambridge residents, workers, students, and visitors.

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Section 1.00 Purpose

The purpose of this regulation is to protect the health of youth by preventing and managing concussions that may occur in any Youth Athletic Activity that takes place at any facility owned by the City of Cambridge.

Section 2.00 Authority

This regulation is adopted under authority of M.G.L. c. 111, §31, Chapter 147 of the Acts of 1996 (also codified as M.G.L. c. 111 App. §3-8), Chapter 201 of the Acts of 1976, and pursuant to any other authority conferred by state or local laws on the Commissioner.

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Section 3.00 Definitions

Coach shall mean a coach, assistant coach, certified athletic trainer, trainer, team physician, nurse, or athletic director, whether in a volunteer or for pay capacity, of a Youth Athletic Program.

Concussion means a complex disturbance in brain function, due to direct or indirect trauma to the head, related to neurometabolic dysfunction, rather than structural injury.

Department shall mean the Massachusetts Department of Public Health.

Head Injury shall mean a direct blow to the head or indirect trauma to the head including a Concussion or a Traumatic Brain Injury. Scalp or facial laceration alone shall not be included in this definition.

Parent shall mean the parent or guardian or foster parent of a Youth Athlete.

Physician shall mean a duly licensed doctor of medicine or osteopathy.

Second Impact Syndrome shall mean a potentially lethal condition that can occur when a person sustains a Head Injury prior to complete healing of a Traumatic Brain Injury.

Traumatic Brain Injury ("TBI") shall mean a complex pathophysiological process affecting the brain, induced by traumatic biomechanical forces. TBI may be caused either by a direct blow to the head, face, neck or elsewhere on the body with an impulsive force transmitted to the head. TBI includes, but is not limited to, a Concussion.

Youth Athlete shall mean a minor (those being under the age of eighteen) who prepares for or participates in a Youth Athletic Activity.

Youth Athletic Activity shall mean those sports and athletic activities that are more fully set forth in the definition of Extracurricular Athletic Activities in 105 CMR 201.005 of the Department's Regulations as it may be amended, provided however, that the provisions of this regulation shall only be applicable to Youth Athletic Programs as defined in this Section.

Youth Athletic Program shall mean any youth sports program organized or operated for athletic activities, competition or instruction for participants under the age of eighteen.

Section 4.00 Concussion Prevention & Training

1. All Youth Athletic Programs shall ensure that all of its Coaches annually complete a head injury training program approved by the Department as found on the Department's website. Youth Athletic Program Coaches must, in addition to online training programs approved by the Department, participate in any additional training required by the Commissioner for the administration of this regulation. In addition to the training required by this regulation and any guidelines issued by the Commissioner, Youth

Athletic Program Coaches may be required to participate in live training programs that provide training in the recognition, management, response, and prevention of Concussions and other sports-related Head Injuries.

2. Each Youth Athletic Program shall maintain a record of completion of annual training for all persons required to complete any and all training required by this regulation.

Section 5.00 Concussion Management

1. A Youth Athlete who sustains a Concussion or Head Injury or suspected Concussion or Head Injury, or exhibits signs and/or symptoms of a Concussion or Head Injury, or loses consciousness even briefly, shall be immediately removed from participation in the Youth Athletic Activity by the Coach.

   a. The Youth Athlete's Coach shall

      1) Immediately notify the Parent of the Youth Athlete that the Youth Athlete has been removed from participation in the Youth Athletic Activity for a known or suspected Concussion or Head Injury;

      2) Notify the Commissioner of the same no later than seventy-two (72) hours after any such incident; and

      3) Send written notice to the Parent in a form approved by the Commissioner advising the Parent to notify the Youth Athlete's school and any other Youth Athletic Program that the Youth Athlete participates in that a Youth Athlete has been removed from participation in a Youth Athletic Activity for a known or suspected Concussion or Head Injury.

2. A Youth Athlete who has been removed from participation in a Youth Athletic Activity for the reasons stated above may not return to participation in the Youth Athletic Activity until the Youth Athlete receives appropriate medical clearance as required by guidelines promulgated by the Commissioner.

Section 6.00 Permitting Requirements

Before the first permitting or use of a facility owned by the City of Cambridge and annually thereafter, any Youth Athletic Program must certify on a form that the completed training provided to the coaches has been approved by the Commissioner.

Section 7.00 Administration

The Commissioner or his or her designee shall be the chief enforcement officer of this regulation and shall have the authority to issue guidelines to administer and promote the purposes of this regulation which includes publicly disseminating information about the nature and risk of Concussions and other sports-related Head Injuries; regulating the prevention and management

of such injuries; regulating Head Injury training requirements and regulating the criteria for removal from and return to physical participation in a Youth Athletic Activity; or any other matter the Commissioner determines will promote the purposes of this regulation.

Section 8.00 Exemption

The Commissioner, in his or her sole discretion, may exempt a Youth Athletic Program from the requirements of this regulation upon a finding by the Commissioner that the Youth Athletic Program is governed by a policy, program or law mandating substantially equivalent requirements as found in this regulation.

Section 9.00 Violations

1. Civil Penalty.
   Any Coach who violates this regulation may be subject to a civil fine of up to $300.00 pursuant to the City of Cambridge's Noncriminal Disposition of Violations Ordinance found at Section 1.24.030 of the Cambridge City Code. Each day's violation shall constitute a separate offense.

2. Should any Youth Athletic Program be found in noncompliance with any of the provisions of this regulation, such Youth Athletic Program may be suspended from using any facilities owned by the City of Cambridge for Youth Athletic Activities for a period of up to thirty (30) days or until such violation is cured, whichever is sooner.

Section 10.00 Enforcement

1. Authority to enforce this regulation shall be held by the Commissioner, or his or her designees.

2. Any violation of this regulation may be enforced by the Commissioner, or his or her designees, in the manner provided in M.G.L. c. 111, §187.

Section 11.00 Severability

If any provision, clause, sentence, paragraph or word of this regulation or the application thereof to any person, entity or circumstances shall be held invalid, such invalidity shall not affect the other provisions of this article which can be given effect without the invalid provisions or application and to this end the provisions of this regulation are declared severable.

Section 12.00 Effective Date

This regulation shall take effect on September 1, 2015.

This regulation was promulgated by the Commissioner of Public Health for the City of Cambridge on April 9, 2015.