

**TRAINING OF SCHOOL NURSES**

2013 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Paul Ray**

Senate Sponsor: Allen M. Christensen

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**LONG TITLE**

**General Description:**

This bill modifies Title 26, Chapter 53, Protection of Athletes with Head Injuries Act, and Title 53A, Chapter 6, Educator Licensing and Professional Practices Act, by clarifying the requirements of a school nurse engaged in treating a student who sustains a concussion or traumatic head injury.

**Highlighted Provisions:**

This bill:

▶ permits a school nurse to ~~H→~~ **[treat] assess** ~~←H~~ a child who sustains a concussion or traumatic head injury during school hours on school property; ~~H→~~ **and** ~~←H~~

▶ prohibits a school nurse from providing a written statement permitting the child to return to ~~H→~~ **free play or** ~~←H~~ physical education class after sustaining a concussion or traumatic head injury unless the nurse has been trained in the evaluation and management of a head injury ~~H→~~ **[;] . [and**

~~—————▶ requires a school nurse to, as funding allows, undergo training in the evaluation and management of a concussion, unless the school where the nurse is employed has an athletic trainer or other qualified health care provider who is trained in the evaluation and management of a concussion.] ←H~~

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**



28 None

29 **Utah Code Sections Affected:**

30 ENACTS:

31 **26-53-401**, Utah Code Annotated 1953

32 **53A-6-113**, Utah Code Annotated 1953



34 *Be it enacted by the Legislature of the state of Utah:*

35 Section 1. Section **26-53-401** is enacted to read:

36 **26-53-401. School nurses evaluating student injuries.**

37 (1) A school nurse may ~~H→~~ [treat] assess ~~←H~~ a child who is suspected of sustaining a  
37a concussion or a

38 traumatic head injury during school hours on school property regardless of whether the nurse  
39 has received specialized training in the evaluation and management of a concussion.

40 (2) A school nurse who does not meet the requirements of Subsections  
41 ~~H→~~ [23] 26 ~~←H~~ -53-301(1)(b)(i) and (1)(b)(ii)(A), but who ~~H→~~ [treats] assesses ~~←H~~ a child who  
41a is suspected of sustaining a  
42 concussion or traumatic head injury under Subsection (1):

43 (a) shall refer the child to a qualified health care provider who is trained in the  
44 evaluation and management of a concussion; and

45 (b) may not provide a written statement permitting the child to resume participation in  
45a ~~H→~~ free play or ~~←H~~  
46 physical education class under ~~H→~~ [Subjection] Subsection ~~←H~~ 26-53-301(1)(b)(ii).

47 (3) A school nurse shall undergo training, described in Section 53A-6-112, in the  
48 evaluation and management of a concussion, as funding allows.

49 ~~H→~~ [Section 2. Section 53A-6-113 is enacted to read:

50 ~~53A-6-113. Training of school nurses to evaluate and manage a concussion.~~

51 ~~(1) Except as provided in Subsection (2), a school nurse shall, as funding allows:~~

52 ~~(a) be trained in the evaluation and management of a concussion; and~~

53 ~~(b) complete a continuing education course in the evaluation and management of a~~  
54 ~~concussion at least once every three years.~~

55 ~~(2) A school nurse is excused from the requirements of Subsection (1) if the nurse~~  
56 ~~works at a school that has an athletic trainer or other qualified health care provider on staff who~~  
57 ~~meets the requirements to be able to evaluate a child who sustains a concussion or traumatic~~  
58 ~~head injury described in Section 26-53-301.] ~~←H~~~~

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**Legislative Review Note**  
as of 10-9-12 2:02 PM

**Office of Legislative Research and General Counsel**