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| <p>Subject: <i>Requiring Emergency Action Plans for Sports Related Injuries</i></p> <p>Date issued: <i>September 29, 2022</i></p> | <p>Legal Reference—SB 148 (2020-2021 Legislative Session)</p> <ul style="list-style-type: none">• RSA 200:40-c |
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This Technical Advisory continues the New Hampshire Department of Education’s communication regarding new legislation, which was passed during the 2020-2021 legislative session.

*SB 148 creates a new section which pertains to the creation and publication of emergency plans for sports related injuries at schools. **This law is applicable to public and non-public schools.***

*This bill was passed into law on August 10, 2021 and became effective on **September 1, 2022.***

During the 2020-2021 legislative session, SB 148, which was part of an omnibus bill, was passed into law. Part three (3) of SB 148 provided for a new section within Chapter 200 which pertains to health and sanitation. Specifically, SB 148 created RSA 200:40-c, which requires the establishment of an emergency action plan for sports related injuries at all school districts and **non-public schools** which include any of the grades 4 through 12. The plans which are required by this new statute are to be implemented by the start of the 2023-2024 academic year.

RSA 200:40-c, requires each school district or each non-public school’s governing body to create an emergency action plan for responding to serious or potentially life-threatening, sports-related injuries. The emergency plan must be posted within each school and provided to and coordinated with emergency medical services (EMS), the local fire department, and local law enforcement. If a school district has a School Resource Officer (SRO), it is suggested that the district work with that individual to fulfill the above-mentioned requirement that the plan be coordinated with the local first responders.

Each plan must include the following items:

- Document the proper procedures to be followed when a student sustains a serious injury or illness while participating in school sponsored sports or other athletic activity;
- List the employees, team coaches, and licensed athletic trainers in each school who are trained in first aid or cardiopulmonary resuscitation;
- Identify the employees, team coaches, or licensed athletic trainers responsible for carrying out the emergency action plan;
- Identify the activity location, address, or venue for the purpose of directing emergency personnel;
- Identify the equipment and supplies and location thereof needed to respond to the emergency;

- Identify the location of any automated external defibrillators and personnel trained in the use of the automated external defibrillator; and
- Document policies related to cooling for an exertional heat stroke victim consistent with guidelines established by the American College of Sports Medicine and the National Athletic Trainers' Association.

The emergency action plan for sports related injuries is to be added to each respective school's emergency response plan.

In addition to the items listed above, school districts¹ are further required to adopt procedures for the following issues:

- Obtaining student-participant medical information relative to any injury or illness related to or involving any head, face, or cervical spine, cardiac injury or diagnosis, exertional heat stroke, sickle cell trait, asthma, allergies, or diabetes for each student athlete prior to participation; and
- When students can return to play after a sports or illness-related injury.

Furthermore, school districts are required to adopt policies which pertain to hydration, heat acclimatization and wet bulb globe temperature guidelines as established by the American College of Sports Medicine and the National Athletic Trainers' Association.

These required policies and procedures must be kept on file by each respective district, are to be reviewed annually and updated as necessary, and made available to the Department of Education and the public upon request. Finally, the access, filing, and confidentiality of student-participant medical information must be done in accordance with the Health Insurance Portability and Accountability Act (HIPAA) and the Family Educational Rights and Privacy Act (FERPA).

For questions related to this Technical Advisory, please contact:

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¹ The second part of RSA 200:40-c, utilizes the term "school district" and does not explicitly include the governing body of non-public schools. Regardless, as a matter of best practices, non-public schools are similarly encouraged to follow the second section of the statute.