

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 1347**

OFFERED BY M r. Pallone

Strike all after the enacting clause and insert the following:

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-

1 cluding standards for such children to return to play
2 after experiencing such a concussion.

3 “(2) CONFERENCE.—The Secretary shall con-
4 vene a conference of medical, athletic, and edu-
5 cational stakeholders for purposes of assisting in the
6 establishment of the guidelines.

7 “(b) GRANTS TO STATES.—

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

11 “(A) providing for the collection by target
12 entities of information on the incidence and
13 prevalence of concussions among school-aged
14 children attending or participating in such enti-
15 ties;

16 “(B) adopting, disseminating, and ensur-
17 ing the implementation by target entities of the
18 guidelines;

19 “(C) funding implementation by target en-
20 tities of pre-season baseline and post-injury
21 testing, including computerized testing, for
22 school-aged children; and

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

25 “(2) GRANT APPLICATIONS.—

1 “(A) IN GENERAL.—To be eligible to re-
2 ceive a grant under this subsection, the Sec-
3 retary shall require a State to submit an appli-
4 cation to the Secretary at such time, in such
5 manner, and containing such information as the
6 Secretary shall require.

7 “(B) MINIMUM CONTENTS.—The Secretary
8 shall require that an application of a State
9 under subparagraph (A) contain at a min-
10 imum—

11 “(i) a description of the strategies the
12 State will use to disseminate, and ensure
13 the implementation by target entities of,
14 the guidelines, including coordination with
15 ongoing State-based efforts to implement
16 State laws governing youth concussion
17 management; and

18 “(ii) an agreement by the State to pe-
19 riodically provide data to the Secretary
20 with respect to the incidence of concussions
21 and second impact syndrome among
22 school-aged children in the State.

23 “(3) UTILIZATION OF HIGH SCHOOL SPORTS
24 ASSOCIATIONS, YOUTH SPORTS ASSOCIATIONS, AND
25 LOCAL CHAPTERS OF NATIONAL BRAIN INJURY OR-

1 GANIZATIONS.—In disseminating and ensuring the
2 implementation by target entities of the guidelines
3 pursuant to a grant under this subsection, the Sec-
4 retary shall require States receiving grants under
5 this subsection to utilize, to the extent practicable,
6 applicable expertise and services offered by high
7 school sports associations, youth sports associations,
8 and local chapters of national brain injury organiza-
9 tions in such States.

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

15 “(d) REPORTS.—

16 “(1) ESTABLISHMENT OF THE GUIDELINES.—
17 Not later than 2 years after the date of the enact-
18 ment of this section, the Secretary shall submit to
19 the Congress a report on the implementation of sub-
20 section (a).

21 “(2) GRANT PROGRAM AND DATA COLLEC-
22 TION.—Not later than 4 years after the date of the
23 enactment of this section, the Secretary shall submit
24 to the Congress a report on the implementation of
25 subsection (b), including—

1 “(A) the number of States that have
2 adopted the guidelines;

3 “(B) the number of target entities that
4 have implemented pre-season baseline and post-
5 injury testing, including computerized testing,
6 for school-aged children; and

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

10 “(e) DEFINITIONS.—In this section:

11 “(1) The term ‘guidelines’ means the concus-
12 sion management guidelines established under sub-
13 section (a).

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

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

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

1 “(5) The term ‘Secretary’ means the Secretary
2 of Health and Human Services, acting through the
3 Director of the Centers for Disease Control and Pre-
4 vention.

5 “(6) The term ‘State’ means each of the 50
6 States and the District of Columbia.

7 “(7) The term ‘target entity’ means an elemen-
8 tary school, a secondary school, or a youth sports as-
9 sociation.”.

Amend the title so as to read: “A bill 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.”.

