



Written Testimony

Submitted by:

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for the

Senate Committee on Commerce, Science and Transportation

**Hearing on Concussions and the
Marketing of Sports Equipment**

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Mr. Chairman and Members of the Committee, on behalf of the National Association of State Head Injury Administrators (NASHIA) thank you for allowing NASHIA the opportunity to submit public testimony with regard to concussions and the marketing of sports equipment. Our organization represents State government employees who administer brain injury programs and services to individuals with traumatic brain injury (TBI). These services include an array of rehabilitation, community long-term and short-term supports that enable individuals with TBI to return to work, school, and their communities after injury. While we support funding and legislation to enable States to provide these services, NASHIA also supports efforts to reduce the incidence and prevalence of TBI in order to reduce the financial burden for public programs, families and caregivers. In that regard, NASHIA supports S. 601, Children's Sports Athletic Equipment Safety Act, sponsored by Sen. Tom Udall (D-NM), to determine standards regarding youth football helmets, reconditioned helmets and new helmet concussion resistance.

During the last decade, emergency department visits for sports and recreation-related TBIs, including concussions, also known as mild TBI, increased by 60 percent among children and youth (from birth to 19 years). Children and youth who have previously sustained concussions are at higher risk of repeated injury and may find that it takes longer to recover after a second concussion. While symptoms and problems vary, some of these children and youth will no doubt experience cognitive impairments that disturb rational thought processes, problem-solving skills, and memory, resulting in a disruption of their abilities to function at school, with peers and with their families.

To minimize TBI in sports and recreation activities, a number of secondary prevention strategies have been implemented at both the national and State levels. Through the initiatives of the Centers for Disease Control and Prevention (CDC), and its partnership with the National Football League, CDC has produced informational materials on sports-related concussions for health-care providers, coaches, athletic trainers, school nurses, teachers, counselors, parents,

and student athletes. CDC is now embarking on developing national guidelines for managing sports-related concussions.

In 2009, the State of Washington became the first State to enact legislation to prohibit athletes under 18, who are suspected of sustaining a concussion, from returning to play without a licensed health care provider's written approval. Since then, other States, and the District of Columbia, have followed suit. States that have enacted legislation include: Alabama, Alaska, Arizona, Colorado, Connecticut, District of Columbia, Idaho, Illinois, Indiana, Iowa, Kansas, Maine, Massachusetts, Missouri, Nebraska, Nevada, New Jersey, New Mexico, North Carolina, North Dakota, Oklahoma, Oregon, Rhode Island, South Dakota, Texas, Utah, Vermont, Virginia, Washington, and Wyoming.

These laws, for the most part, address: 1) removal from play if an athlete is suspected of having suffered a concussion; 2) referral to a medical professional trained in the diagnosis and management of concussion; and 3) a provision for requiring an athlete to obtain a written medical authorization returning to physical activity. Most States also include an educational component and require training of various parties.

While these State laws and efforts are targeted to minimizing the results of a concussion sustained during sports-related activities, efforts need to be focused on primary prevention to prevent concussions from even taking place. Primary prevention includes using protective equipment that fits correctly, is well-maintained and designed to prevent concussions. This country has a long history of ensuring that consumers use safe and well designed equipment in a number of venues. For example, the National Highway Traffic Safety Administration has a legislative mandate to issue Federal Motor Vehicle Safety Standards (FMVSS) and Regulations to which manufacturers of motor vehicle and equipment items must conform and certify compliance. Certainly, our children and youth deserve no less with regard to assurance that sporting equipment will protect them as intended.

We appreciate your attention to this issue and look forward to working with you on policies that prevent the incidence of brain injury.