

ASSEMBLY, No. 1599

STATE OF NEW JERSEY 219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

Assemblywoman PAMELA R. LAMPITT

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Assemblyman DANIEL R. BENSON

District 14 (Mercer and Middlesex)

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District 35 (Bergen and Passaic)

Co-Sponsored by:

Assemblywoman Tucker, Assemblyman Giblin, Assemblywomen N.Munoz, Chaparro, Assemblyman Bramnick, Assemblywomen McKnight, B.DeCroce, Vainieri Huttel, Reynolds-Jackson, Assemblymen Danielsen, Schaer, Assemblywomen DiMaso, Carter and Dunn

SYNOPSIS

Requires public school students with concussion to be evaluated by licensed health care professionals before return to school; requires school districts to provide restrictions or limitations to student as needed.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.

(Sponsorship Updated As Of: 3/16/2020)

1 AN ACT concerning the health of students and supplementing
2 chapter 40 of Title 18A of the New Jersey Statutes.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

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7 1. a. A student enrolled in a school district who sustains a
8 concussion shall receive an evaluation by a licensed health care
9 professional and written clearance from the licensed health care
10 professional to return to school. In the event that the licensed
11 health care professional provides notice that the student requires
12 restrictions or limitations, the school district 504 team as defined in
13 N.J.A.C.6A:8-1.3 shall immediately implement the restrictions or
14 limitations and shall notify all teachers and staff who have contact
15 with students of the restrictions or limitations. The school district's
16 504 team shall promptly identify the manner in which the
17 restrictions or limitations will be provided to the student during
18 recovery and the need for the continuation or adjustment of the
19 restrictions or limitations, and to determine the duration of the
20 restrictions or limitations.

21 b. A student enrolled in a school district who sustains a
22 concussion is prohibited from engaging in any physical activity at
23 school including, but not limited to, recess or physical education,
24 and shall not participate in any physical activity at school until the
25 student is evaluated by a licensed health care professional and
26 receives written clearance from the licensed health care professional
27 to participate in physical activity.

28 c. As used in this section, "licensed health care professional"
29 means a health care provider whose scope of practice includes the
30 ability to diagnose and treat concussion.

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32 2. This act shall take effect immediately.

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35 STATEMENT

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37 This bill provides that a student enrolled in a school district who
38 sustains a concussion must receive an evaluation by a licensed
39 health care professional and written clearance from the licensed
40 health care professional to return to school. In the event that the
41 licensed health care professional provides notice that the student
42 requires restrictions or limitations, the school district 504 team, as
43 defined in N.J.A.C.6A:8-1.3, (a group of persons that makes
44 program and placement decisions according to Section 504 of the
45 Rehabilitation Act of 1973, 29 U.S.C. § 794, and 34 CFR §
46 104.35(c)), must immediately implement the restrictions or
47 limitations and notify all teachers and staff who have contact with
48 the student of the restrictions or limitations. The school district's

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1 504 team would promptly identify the manner in which the
2 restrictions or limitations would be provided to the student during
3 recovery and the need for the continuation or adjustment of the
4 restrictions or limitations, and to determine the duration of the
5 restrictions or limitations.

6 The bill also provides that a student enrolled in a school district
7 who sustains a concussion is prohibited from engaging in any
8 physical activity at school including, but not limited to, recess or
9 physical education. The student may not participate in any physical
10 activity until evaluated by a licensed health care professional and
11 receives written clearance to participate.

12 As defined in the bill, "licensed health care professional" means
13 a health care provider whose scope of practice includes the ability
14 to diagnose and treat a concussion.