



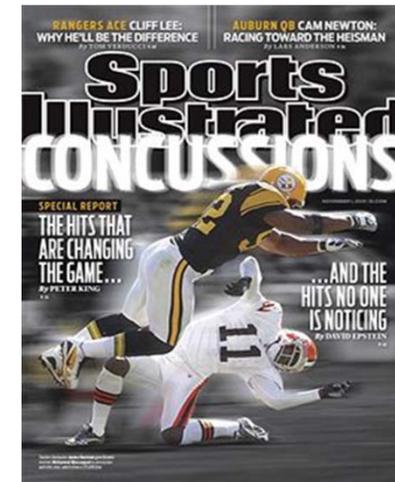
Commonwealth of Massachusetts
Department of Public Health

Helping People Lead Healthy Lives In Healthy Communities

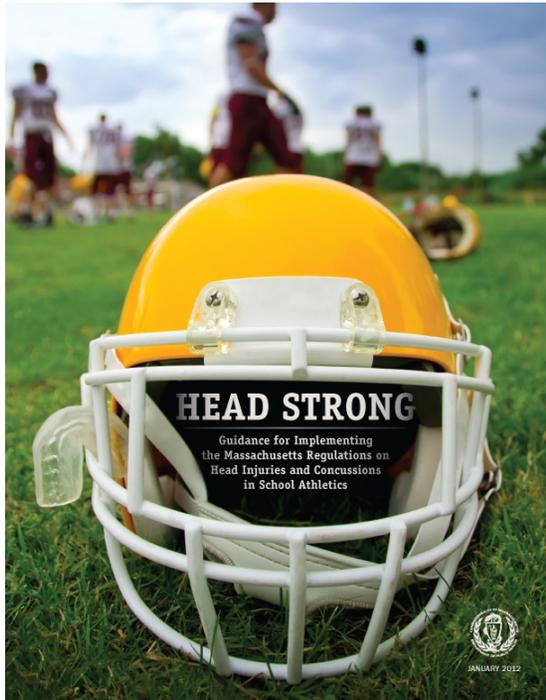
Final Proposed Amendments to 105 CMR 201: Head Injuries and Concussions in Extracurricular Athletic Activities



July 16, 2014



Overview



- Brief review of recommended changes to the existing regulation
- Description of hearings and public comments
- DPH response to public comments
- Expected timeline
- Questions

Proposed Amendments

May 14, 2014 informational briefing regarding
the proposed amendments to 105 CMR 201



Proposed Revision:

Clinicians Providing Medical Clearance

Recommend adding **physician assistants** to those able to provide medical clearance section

- The following individuals may authorize a student to return to play:
 - A duly licensed physician
 - A duly licensed certified athletic trainer, in consultation with a licensed physician
 - A duly licensed nurse practitioner in consultation with a licensed physician
 - A duly licensed neuropsychologist, in coordination with the physician managing the student's recovery
 - **A duly licensed physician assistant under the supervision of a licensed physician**

Accompanying Revisions

In addition to adding physician assistants to the list in Section 201.11(A):

- Add a definition of “physician assistant” to Section 201.005.
- Amend Section 201.11(B) to mandate that physician assistants, like other health care providers who provide medical clearance, take and verify completion of concussion assessment and management training as part of their licensure or continuing education.

Proposed Revision: Clarify Timing of Medical Clearance

Section 201.010(E)(3): “Exclusion from Play.”

- The original text of the regulation was not clear as to whether medical clearance for return to play was required prior to a student beginning the graduated re-entry plan or upon completion of the graduated re-entry plan.
- Proposed new text:
“The student must be completely symptom free at rest in order to begin graduated reentry to extracurricular athletic activities. The student must be symptom free at rest and during exertion in order to complete the graduated re-entry plan and be medically cleared to play under 105 CMR 201.011.”

Technical Revisions

- Removing dates that occurred in the past
- Other technical edits



Public Hearing and Comment Process

- Public Hearing held on June 19th. One organization provided oral testimony: Athletic Trainers of Massachusetts (ATOM), Kathleen Thornton, President



- Period for written testimony closed on June 26th. Written comments were received from Massachusetts Physician Assistants Association (MAPA) as well as ATOM.

Comments Received:

Addition of Physician Assistants

- Both ATOM and MAPA provided comments in support of the addition of physician assistants
 - ATOM noted that PAs are now serving as primary care providers since the expansion of their role by the Legislature in 2012.
 - Both ATOM and MAPA commented that this change will have a positive impact on access to care for injured student athletes.

Note: MAPA has filed legislation (HB1983) to provide PAs with authority to medically clear student athletes, but commented that they would prefer this change to happen through DPH regulation. They believe the change “must be made as soon as possible”

Comments Received: Medical Clearance Procedures

- ATOM's comments supported DPH's proposed change clarifying that athletes be "symptom free at rest" prior to beginning graduated re-entry and "symptom free at rest and during exertion in order to complete the graduated re-entry plan and be medically cleared".
- Urged DPH to add "during cognitive activity" as a requirement to completing graduated re-entry.



Comments Received: Additional Topics

ATOM raised the following additional issues in their comments:

- Replace “certified athletic trainer” with “licensed athletic trainer”.
- Proposed strengthening training/reporting requirements for the annual training for parents and athletes.
- Proposed a durational requirement for the stages of graduated re-entry to play - such as 24 hours.
- Asked for clarification from DPH about whether to accept Medical Clearance forms that do not indicate the provider has been trained.

DPH Response:

Recommended Regulatory Change

In addition to revisions proposed in May, two additional revisions based on public comment:

- Delete the modifier “certified” and substituting the modifier “licensed” when referring to athletic trainers.
- Add “during cognitive activity” to the requirements of “symptom-free” prior to beginning graduated re-entry.

DPH Response: Additional Actions

- Provide additional guidance to schools regarding implementation of regulations
- Modifications to DPH forms
- Reconvene Clinical Advisory



Final Proposed Amendments

- A replacement definition for “licensed athletic trainer” in Section 201.005 and use this language throughout the document.
- A new definition of “physician assistant” and associated clarification of the definition of “diagnosed” in Section 201.005.
- Amending Section 201.011(A): “Medical Clearance and Authorization to Return to Play” to allow for clearance by a “duly licensed physician assistant under the supervision of a licensed physician.”

Final Proposed Amendments

- Amending Section 201.011 (B) to require that physician assistants who provide medical clearance complete Department-approved training.
- Clarifying section 201.010(E)(3): “Exclusion from Play.” The amended text states: “The student must be completely symptom free at rest in order to begin graduated reentry to extracurricular athletic activities. The student must be symptom free at rest, during exertion, *and with cognitive activity* in order to complete the graduated re-entry plan and be medically cleared to play under 105 CMR 201.011.”

Timeline and Next Steps

- Public Health Council Vote for final promulgation of revised regulation.
- DPH will file regulations with the Secretary of the Commonwealth for publication in Mass. Register.
- Once regulations become effective (likely August 1), DPH will post revised regulations on its website.
- DPH will notify Schools, Massachusetts Interscholastic Athletic Association, and School Health Unit of changes for implementation with the new school year.
- Work with Massachusetts Association of Physician Assistants to assure they are aware of changes and training requirements.

Questions?

