

Government of the District of Columbia  
Office of the Chief Financial Officer



**Natwar M. Gandhi**  
Chief Financial Officer

**MEMORANDUM**

**TO:** The Honorable Kwame R. Brown  
Chairman, Council of the District of Columbia

**FROM:** Natwar M. Gandhi   
Chief Financial Officer

**DATE:** February 22, 2011

**SUBJECT:** Fiscal Impact Statement – “Athletic Concussion Protection Act of 2011”

**REFERENCE:** Bill 19-7, Draft Committee Print Shared with the OCFO on Feb. 17, 2011

---

**Conclusion**

Funds are sufficient in the FY 2011 through FY 2014 budget and financial plan to implement the provisions of the proposed legislation.

**Background**

The proposed legislation would establish new laws regarding concussions for athletes 18 and younger who participate in school-sponsored interscholastic athletic programs or athletic activities sponsored by the District of Columbia Department of Parks and Recreation. Specifically, it would require:

- An athlete suspected of sustaining a concussion in an athletic activity to be removed immediately from continued physical participation and prohibited from returning to physical participation until he or she is evaluated by a licensed health care provider and receives written clearance to return.
- The Department of Health (DOH) to establish through rulemaking a training program on concussions, and the Mayor to determine through rulemaking which individuals would be required to complete the program.
- DOH to create educational materials on the nature and risk of concussions, the organizing entity for an athletic event to provide these materials to the athlete, and the parent or guardian of the athlete to sign a statement acknowledging receipt of the materials before the athlete is allowed to participate.

The proposed bill also would provide immunity from civil liability to the District, a school, and an employee of a school for the good-faith performance or responsibilities under the Act and immunity

The Honorable Kwame R. Brown

FIS: Bill 19-7, "Athletic Concussion Protection Act of 2011," Draft Committee Print Shared with the OCFO on Feb. 17, 2011

from civil damages to a volunteer at an athletic activity for reasons related to the requirements of the Act.

Lastly, it would require the Mayor to issue rules to implement this Act and provide him the authority to include other athletic activities under his purview.

### **Financial Plan Impact**

Funds are sufficient in the FY 2011 through FY 2014 budget and financial plan to implement the provisions of the proposed legislation. The Community Health Administration (CHA) within DOH would not require any additional resources to create educational materials on the nature and risk of concussions. CHA already has identified existing resources that can be adopted for this purpose, including resources from the *Heads Up: Concussion in High School Sports* initiative, which was launched by the Centers for Disease Control and Prevention's National Center for Injury Prevention and Control in 2010. In addition, any printing costs or other minor costs could be absorbed within DOH's existing budget.

The requirement that DOH establish a training program on concussions is likely to have cost implications, but an estimate cannot be provided at this time since no determination has been made on how to provide this training.<sup>1</sup> Once the proposed rules are written, the Office of the Chief Financial Officer can provide a cost estimate and a determination on the fiscal impact of the proposed training program.

---

<sup>1</sup> A web-based module and in person trainings twice a year have been discussed as possible methods, but DOH plans to seek stakeholder input and conduct internal discussions before making the final determination.