

MEMORANDUM

Agenda Item No. 11(A)(36)

TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

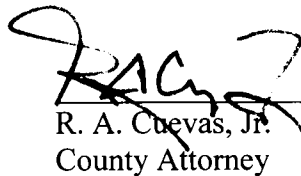
DATE: November 3, 2011

FROM: R. A. Cuevas, Jr.
County Attorney

SUBJECT: Resolution urging the Florida
Legislature to pass SB 256, HB
291 or similar legislation
improving safeguard for high
school athletes who may have
suffered concussions

Resolution No. R-943-11

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Chairman Joe A. Martinez.



R. A. Cuevas, Jr.
County Attorney

RAC/jls



MEMORANDUM

(Revised)

TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

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SUBJECT: Agenda Item No. 11(A)(36)

Please note any items checked.

- ☐ "3-Day Rule" for committees applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☒ Ordinance creating a new board requires detailed County Manager's report for public hearing
- ☐ No committee review
- ☐ Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous____) to approve
- ☐ Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor

Agenda Item No. 11(A)(36)

Veto _____

11-3-11

Override _____

RESOLUTION NO. R-943-11

RESOLUTION URGING THE FLORIDA LEGISLATURE TO
PASS SB 256, HB 291 OR SIMILAR LEGISLATION
IMPROVING SAFEGUARD FOR HIGH SCHOOL ATHLETES
WHO MAY HAVE SUFFERED CONCUSSIONS

WHEREAS, the Centers for Disease Control and Prevention (CDC) define a concussion as a type of traumatic brain injury that is caused by a bump, blow or jolt to the head that can change the way the brain normally works; and

WHEREAS, the CDC estimate there are 135,000 emergency-room visits per year for traumatic brain injuries among youths age 5 to 18, but it is believed that many more concussions go unreported or even undetected among this age group; and

WHEREAS, the CDC estimates that there may be as many as 3.8 million sports and recreation-related concussions in the U.S. each year; and

WHEREAS, according to the Brain Injury Association of Florida:

- More than 40 percent of high school athletes who are seriously injured in the head return to participate in sports before they are fully recovered;
- Approximately 400,000 high school athletes received concussions from sports activities during the 2005 to 2008 school years;
- From 1997 to 2007, the number of youth athletes seen with sports-related concussions in emergency rooms doubled and for those between ages 14 and 19, it more than tripled;
- High school athletes with three or more concussions are nine times more likely to have permanent mental changes; and
- Children and teens are more likely to get a concussion and take longer to recover than adults; and

WHEREAS, advocates for legislation related to youths receiving sports-related concussions promote the following three components:

- Education on the dangers of concussions;
- Removal from participation for players who receive a head injury; and
- Delayed return until a medical professional provides a clearance; and

WHEREAS, named for a young football player who sustained serious injury after he returned to play too soon following a concussion, the “Zackery Lystedt Law” has been adopted in several states, including Washington and Oregon, and is under consideration in several other states, as well as before the U.S. Congress; and

WHEREAS, on June 3, 2010, this Board adopted Resolution No. 635-10 setting policy for Miami-Dade County that, for any youth team sports taking place at Miami-Dade County facilities, the Parks, Recreation and Open Spaces Department shall provide information regarding traumatic brain injury and concussion prevention in the form of pamphlets and other documents, make such information available at various Parks Department locations and accessible on the Department’s website; and

WHEREAS, Resolution No. 635-10 also directed the Mayor or Designee to create an educational campaign about the dangers of concussions for athletes, parents and coaches who participate in youth team sports at Miami-Dade County Parks or other County owned or operated facilities; and

WHEREAS, bills were considered during the Florida Legislature’s 2011 session, SB 730 by Senator Anitere Florida (R – Miami) and HB 301 by Representative Ronald “Doc” Renuart (R – Ponte Vedra Beach) that would have required physicians or osteopaths to issue medical clearances, prior to a head-injured student’s return to play, and would have required the Florida

High School Athletic Association and independent sanctioning authorities of youth athletic teams to adopt policies regarding educating athletes, parents and administrators on sports-related concussions and head injuries; and

WHEREAS, while both the House and Senate passed versions of this legislation, both chambers did not pass the same bill, resulting in no legislation passing the Florida Legislature during the 2011 session; and

WHEREAS, such legislation related to youth athletes and concussions has been refiled for consideration during the 2012 session, SB 256 by Senator Flores and HB 291 by Representative Renuart; and

WHEREAS, this Board supports passage of this legislation,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board:

Section 1. Urges the Florida Legislature to pass SB 256, HB 291 or similar legislation improving safeguards for high school athletes who may have suffered concussions.

Section 2. Directs the Clerk of the Board to transmit certified copies of the resolution to the Governor, the Senate President, the House Speaker, Senator Anitere Florida, the Chair and remaining members of the Miami-Dade State Legislative Delegation, and Representative Ronald “Doc” Renuart.

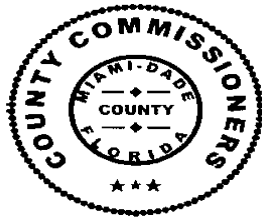
Section 3. Directs the County’s state lobbyists to advocate for the issue identified in Section 1 above, and authorizes and directs the Office of Intergovernmental Affairs to amend the 2012 state legislative package to include this item.

5

The Prime Sponsor of the foregoing resolution is Chairman Joe A. Martinez. It was offered by Commissioner **Joe A. Martinez**, who moved its adoption. The motion was seconded by Commissioner **Rebeca Sosa** and upon being put to a vote, the vote was as follows:

Joe A. Martinez, Chairman	aye
Audrey M. Edmonson, Vice Chairwoman	aye
Bruno A. Barreiro	aye
Esteban L. Bovo, Jr.	aye
Sally A. Heyman	aye
Jean Monestime	aye
Rebeca Sosa	aye
Xavier L. Suarez	aye
Lynda Bell	aye
Jose "Pepe" Diaz	aye
Barbara J. Jordan	aye
Dennis C. Moss	aye
Sen. Javier D. Souto	aye

The Chairperson thereupon declared the resolution duly passed and adopted this 3rd day of November, 2011. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.



MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: **Christopher Agrippa**
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

A handwritten signature in black ink, appearing to be "JMM".

Jess M. McCarty

A handwritten mark or signature in black ink, possibly a stylized "P" or a flourish.