



Senate Fiscal Agency  
P.O. Box 30036  
Lansing, Michigan 48909-7536



Telephone: (517) 373-5383  
Fax: (517) 373-1986

Senate Bill 307 (as introduced 5-9-19)  
Sponsor: Senator Peter J. Lucido  
Committee: Health Policy and Human Services

Date Completed: 9-5-19

## **CONTENT**

**The bill would amend the Public Health Code to do the following:**

- By January 1, 2021, require the Department of Health and Human Services (DHHS) to develop, adopt, or approve educational materials on the risk of opioid addiction to youth athletes who were prescribed opioids after suffering injuries while participating in athletic activities.**
- By September 1, 2021, require the DHHS to develop, adopt, or approve an opioid awareness program that included information related to the risk of opioid addiction.**
- Require the Department to make the educational materials and training program available to the public.**
- Require an organizing entity to comply with certain requirements of the bill before a youth athlete could participate in an athletic activity sponsored by or operated under the auspice of an organizing activity.**

### Educational Materials

Specifically, by January 1, 2021, the DHHS would have to develop, adopt, or approve educational materials on the risk of opioid addiction to youth athletes who were prescribed opioids after suffering injuries while participating in athletic activities. "Youth athlete" would mean an individual who participates in an athletic activity and who is under the 18 of age but is not less than 14 years of age. The term would not include an individual who is 17 years of age and enrolled solely in an institution of higher education.

"Athletic activity" would mean a program or event, including practice and competition, during which youth athletes participate or practice to participate in an organized athlete game or competition against another team, club, entity, or individual. Athletic activity would include participation in physical education classes that are part of a school curriculum. "Organizing entity" would mean a school, a state or local parks and recreation department or commission or other state or local entity, a nonprofit or for-profit entity, or a public or private entity. "School" would mean a nonpublic school, public school, or public school academy as those terms are defined in of the Revised School Code.

### Training Program

By September 1, 2021 the DHHS would have to develop, adopt, or approve an opioid awareness training program that included the following:

- The risk of opioid addiction to youth athletes who were prescribed opioids after suffering injuries while participating in athletic activities.
- "The Danger of the Game", a 2018 video by the Families Against Narcotics.
- Any other information that the DHHS determined was relevant.

As soon as they were available, the DHHS would have to make the educational materials and training program available to the public on its website. The Department also would have to make the training program available to all individuals required to participate in the training program and to any interested individual, including school personnel, coaches, parents, students, and athletes. The Department would have to review the training program periodically and make recommendations regarding the frequency of the training program based on changes to the program that were developed, adopted, or approved by the DHHS.

#### Organizing Entity; Requirements

Under the bill, before a youth athlete could participate in an athletic activity sponsored by or operated under the auspices of an organizing entity, the organizing entity would have to do the following:

- Comply with the bill's requirements with respect to its coaches, employees, volunteers, and other adults who were involved with the participation of youth athletes in athletic activities sponsored by or operated under the auspices of that entity and who had to participate in the training program.
- Ensure that each coach, employee, volunteer, and other adult who was required to participate in the training program completed the program once every three years, unless the Department recommended more frequent training.
- Provide the prescribed educational materials to each youth athlete who participated in an athletic activity sponsored by or operated under the auspices of the organizing entity and a parent or guardian of the youth athlete.
- Obtain a statement signed by each youth athlete and a parent or guardian of the youth athlete acknowledging receipt of the educational materials.

The organizing entity would have to maintain the statement in a permanent file for the duration of that youth athlete's participation in the athletic activity or until the youth athlete was 18 years of age. Upon request, the organizing entity would have to make the statements available to the DHHS.

The provisions described above would not apply to an athletic activity sponsored by or under the auspices of an organizing entity if all of the following requirements were met:

- The entity was a member of a private nonprofit multisport statewide interscholastic athletic association.
- The athletic activity was governed by a rule established by the interscholastic athletic association described above, and the rule established materials that were substantially similar to or more stringent than the educational materials required under the bill, and included an enforcement mechanism on its members.

The provisions described above also would not apply to an entity that would otherwise be considered an organizing entity under the bill if the primary focus of the program or event sponsored by or operated under the auspices of that entity was not participation in an organized athletic game or competition but that participation was only incidental to the primary focus of the program or event.

An organizing entity that was subject to the above provisions would have to ensure that it complied with the bill before it sponsored or operated an athletic activity in which youth athletes would participate, if that athletic activity were subject to the bill.

Proposed MCL 333.9157 & 333.9157a

Legislative Analyst: Tyler VanHuyse

### **FISCAL IMPACT**

The bill would lead to indeterminate minor costs for the DHHS resulting from the requirement that it develop educational materials and an opioid addiction awareness training program, periodically review the training program, and produce and distribute materials required under the bill.

The bill also would have an indeterminate negative fiscal impact on local intermediate school districts, local school districts, charter schools, and local units of government that sponsor youth athletic recreational programs. Requiring training for all coaches, employees, volunteers, other adults involved with youth athletics, and the athletes would require additional meeting times beyond those otherwise planned, which would increase costs to local athletic organizations. Making copies of the educational materials for each youth athlete would include additional printing costs to youth athletic organizations. Finally, requiring each youth athlete and their parent or guardian to sign statements and maintain them on file would add additional administrative costs to youth athletic organizations. Youth athletic organizations would incur minor costs, though an exact estimated cost is indeterminate because of variations in programs throughout the State.

Fiscal Analyst: Cory Savino  
Ellyn Ackerman

SAS\S1920\s307sa

This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.