

# SENATE BILL NO. 307

May 09, 2019, Introduced by Senator LUCIDO and referred to the Committee on Health Policy and Human Services.

A bill to amend 1978 PA 368, entitled  
"Public health code,"  
(MCL 333.1101 to 333.25211) by adding sections 9157 and 9157a.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 9157. (1) By January 1, 2021, the department shall  
2       develop, adopt, or approve educational materials on the risk of  
3       opioid addiction to youth athletes who are prescribed opioids after  
4       suffering injuries while participating in athletic activities.

1           (2) By September 1, 2021, the department shall develop, adopt,  
2 or approve an opioid awareness training program that includes all  
3 of the following:

4           (a) The risk of opioid addiction to youth athletes who are  
5 prescribed opioids after suffering injuries while participating in  
6 athletic activities.

7           (b) "The Danger of the Game", a 2018 video by the Families  
8 Against Narcotics.

9           (c) Any other information that the department determines is  
10 relevant.

11           (3) As soon as they are available, the department shall make  
12 the educational materials and training program described in this  
13 section available to the public on the department's internet  
14 website. The department shall also make the training program  
15 available to all individuals required to participate in the  
16 training program and to any interested individual, including school  
17 personnel, coaches, parents, students, and athletes. The department  
18 shall periodically review the training program and make  
19 recommendations regarding the frequency of the training program  
20 based on changes to the training program that are developed,  
21 adopted, or approved by the department.

22           (4) As used in this section and section 9157a:

23           (a) "Athletic activity" means a program or event, including  
24 practice and competition, during which youth athletes participate  
25 or practice to participate in an organized athletic game or  
26 competition against another team, club, entity, or individual.  
27 Athletic activity includes participation in physical education  
28 classes that are part of a school curriculum.

29           (b) "Institution of higher education" means a degree or

1 certificate granting public or private college or university,  
2 junior college, or community college.

3 (c) "Organizing entity" means any of the following:

4 (i) A school.

5 (ii) A state or local parks and recreation department or  
6 commission or other state or local entity.

7 (iii) A nonprofit or for-profit entity.

8 (iv) A public or private entity.

9 (d) "School" means a nonpublic school, public school, or  
10 public school academy as those terms are defined in section 5 of  
11 the revised school code, 1976 PA 451, MCL 380.5.

12 (e) "Youth athlete" means an individual who participates in an  
13 athletic activity and who is under 18 years of age but is not less  
14 than 14 years of age. Youth athlete does not include an individual  
15 who is 17 years of age and enrolled solely in an institution of  
16 higher education.

17 Sec. 9157a. (1) An organizing entity that is subject to this  
18 section shall ensure that it is in compliance with this section  
19 before it sponsors or operates an athletic activity in which youth  
20 athletes will participate, if that athletic activity is subject to  
21 this section.

22 (2) Before a youth athlete may participate in an athletic  
23 activity sponsored by or operated under the auspices of an  
24 organizing entity, the organizing entity shall do all of the  
25 following:

26 (a) Comply with all of the requirements of this section with  
27 regard to its coaches, employees, volunteers, and other adults who  
28 are involved with the participation of youth athletes in athletic  
29 activities sponsored by or operated under the auspices of that

1 organizing entity and who are required to participate in the  
2 training program described in section 9157.

3 (b) Ensure that each coach, employee, volunteer, and other  
4 adult who is required to participate in the training program  
5 described in section 9157 completes the training program once every  
6 3 years, unless the department recommends more frequent training.

7 (c) Provide the educational materials described in section  
8 9157 to each youth athlete who participates in an athletic activity  
9 sponsored by or operated under the auspices of the organizing  
10 entity and a parent or guardian of the youth athlete.

11 (d) Obtain a statement signed by each youth athlete and a  
12 parent or guardian of the youth athlete acknowledging receipt of  
13 the educational materials described in section 9157. The organizing  
14 entity shall maintain the statement obtained under this subdivision  
15 in a permanent file for the duration of that youth athlete's  
16 participation in athletic activity sponsored by or operated under  
17 the auspices of that organizing entity or until the youth athlete  
18 is 18 years of age. Upon request, the organizing entity shall make  
19 the statements obtained under this subdivision available to the  
20 department.

21 (3) This section does not apply to an athletic activity  
22 sponsored by or operated under the auspices of an organizing entity  
23 if all of the following requirements are met:

24 (a) The entity is a member of a private nonprofit multisport  
25 statewide interscholastic athletic association.

26 (b) The athletic activity is governed by a rule established by  
27 the interscholastic athletic association described in subdivision

28 (a), which rule establishes materials that are substantially  
29 similar to or more stringent than the educational materials

1 described in section 9157, and includes an enforcement mechanism on  
2 its members.

3 (4) This section does not apply to an entity that would  
4 otherwise be considered an organizing entity under this section if  
5 the primary focus of the program or event sponsored by or operated  
6 under the auspices of that entity is not the participation in an  
7 organized athletic game or competition but that participation is  
8 only incidental to the primary focus of the program or event.