



Rowan's Law

Conference: OCA Club Development &
Excellence Summit and Coach Conference

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Governing Legislation

- Act and Regulation
 - *Rowan's Law (Concussion Safety), 2018*
 - *Ontario Regulation 161/19 ("General")*
- On **July 1, 2019**, the *Rowan's Law Concussion Code of Conduct* requirements came into effect.
- On **July 1, 2020**, the *Rowan's Law Removal-From/Return-To-Sport* requirements will come into effect.

Who Does *Rowan's Law* Apply To?

Rowan's Law applies to “sport organizations”:

- ✓ A person or entity that carries out, for profit or otherwise, a **prescribed activity** ...
 - **All** universities/colleges/post-secondary institutions (no age criteria);
 - **All other** “sport organizations” if at least 1 individual under 26 involved in a **prescribed activity**;
 - A “person or entity” ... for profit or otherwise ...
 - Not schools or private schools
- ✓ ... a **prescribed activity** in connection with an **amateur competitive sport**** ...:
 - **Training** athletes;
 - Conducting **practices** among athletes; and
 - Organizing or holding one or more **tournaments, contests or other competitions** among athletes.
- ✓ The activity is focused on competition - exclusions in *Regulation*, s. 2(4))
- ✓ ** A sport listed in the *Regulation's* Schedule and its parasport version (this list of 65 sports includes Cycling).

Who Does *Rowan's Law* Apply To?

Rowan's Law does not apply to - exclusions in *Regulation*, s. 2(4):

- ✘ Activities **focused primarily on the development of fundamental movement or sport skills** and that are not focused on competition.
- ✘ Activities where **all of the following** apply:
 - individuals of **various skills or various experience or various ages** ordinarily practice or play together;
 - the activity does **not involve coaches or officials**;
 - the **composition of team members may change** between games; and
 - the activity does **not involve keeping track** of an individual's or a team's **standing** between games or practices.
- ✘ Schools or private schools as defined in the *Education Act*.
- ✘ The sport is not one of the 65 prescribed sports listed in *Regulation*.

Mandatory Requirements under *Rowan's Law*

A sport organization must comply with the following:

- 1) As of July 1, 2019, “establish” (develop and make available) a Concussion Code of Conduct (which **must** comply with *Regulation* - and **be reviewed annually** (and be made to comply with *Regulation* requirements “asarp” (“as soon as reasonably possible”))
- 2) **Shall not register** an individual** under 26 in a sports activity unless it has **annual confirmation** (in writing or electronically) by individual** that the following have been reviewed:
 - 1) organization’s Concussion Code of Conduct; and
 - 2) the Minister-approved **Concussion Awareness Resources**
- 3) ** For individuals under 18, parent or guardian **must also** give **annual confirmation**.

Mandatory Requirements under *Rowan's Law (Cont.)*

A sport organization must also comply with the following:

- 1) **Cannot allow**, for activities that include any individual under age 26:
 - 1) **coaches** (any type of coach including head or assistant);
 - 2) **officials** (such as an **umpire**, a **referee** or a **judge** – “but only if the official presides over the field of play”);
 - 3) **team trainer**; or
 - 4) a “**designated person**” under Removal-From-Sport Protocol or Return-To-Sport Protocol;

to serve as such unless it has **annual confirmation** (in writing or electronically) that the Minister-approved **Concussion Awareness Resources** have been reviewed.

- 2) **Cannot allow**, for activities that include any individual under age 26:
 - 1) **coaches** (any type of coach including head or assistant); or
 - 2) **team trainer**;

to serve as such unless it has **annual confirmation** (in writing or electronically) that the **sport organization's Concussion Code of Conduct** has been reviewed.

Mandatory Requirements under *Rowan's Law (Cont.)*

- 1) By **July 1, 2020**, a sport organization must develop a Removal-From-Sport Protocol and a Return-To-Sport Protocol.
- 2) **Guest – Host Rule:** Where an individual registered with guest sport organization attends a competition held by host sport organization, Concussion Code of Conduct of host sport organization applies (and Protocols of host sport organization will apply) in respect of the individual while they are participating in the competition (and **not** those of the guest sport organization).
- 3) **Non-Ontario resident exceptions:** *Regulation s. 3(8) and s. 4(12)* – but **not** regarding Protocols.
- 4) **Exemptions regarding non-Ontario corporations holding competitions in Ontario:** *Regulation s. 3(9) and s. 4(13)* – but **not** regarding Protocols.

Code of Conduct Content (*Regulation* s. 4(1))

Description of Commitment or Acknowledgment	Individuals Required to Make the Commitment/Give Acknowledgment			
	Athletes	Parents/ Guardians (re under 18 athletes)	Coaches	Team Trainers
Commitment to fair play and respect for all	✓	✓	✓	✓
Commitment to concussion recognition and reporting, including self-reporting of possible concussion and reporting to a designated person when an individual suspects that another individual may have sustained a concussion	✓	✓	✓	✓
Commitment to supporting the Return-To-Sport process	✓	✓	✓	✓
Commitment to sharing any pertinent information regarding incidents of a removal from sport with the athlete's school and any other sport organization with which the athlete has registered	✓	✓		
Commitment to providing opportunities before and after each training, practice and competition to enable athletes to discuss potential issues related to concussions			✓	
Commitment to zero-tolerance for prohibited play that is considered high-risk for causing concussions (<u>required</u> if sport organization has adopted zero tolerance)	✓	✓	✓	
Acknowledgment of mandatory expulsion from competition for violating zero-tolerance for prohibited play that is considered high-risk for causing concussions (<u>required</u> if sport organization has adopted mandatory expulsion)	✓	✓	✓	
Acknowledgment of escalating consequences for those who repeatedly violate the concussion code of conduct (<u>required</u> if sport organization has adopted a rule regarding escalating consequences)	✓	✓	✓	

Removal-From-Sport Protocol

The Removal-From-Sport Protocol must:

1. Include details of the process to ensure the removal by a designated person of an athlete who has or is suspected of having sustained a concussion **anywhere**.
2. Include identification and specific responsibilities of designated person(s)
3. Include requirement for sport organization to make and keep records of all instances of an athlete's removal from sport because athlete is suspected of having sustained a concussion.
4. Not permit an athlete who has been removed from sport to return to training, practice, or competition, except in accordance with the sport organization's Return-To-Sport Protocol.

The duties of the designated person are to:

- ✓ Immediately **remove an athlete** from further **training, practice, or competition** if the athlete has or is suspected of having sustained a concussion. For athletes under 18, inform the parent/guardian of the removal.
- ✓ **Call 911** if an athlete is suspected of having a concussion or they believe doing so is necessary.
- ✓ Inform the athlete (and parent/guardian) that the **athlete is required to undergo a medical assessment** by a physician or nurse practitioner before the athlete will be permitted to return to training, practice, or competition.
- ✓ Ensure that the athlete (or the parent/guardian) **receives the sport organization's Removal-From-Sport Protocol and Return-To-Sport protocol** as soon as practicable.

Return-To-Sport Protocol

The Return-To-Sport Protocol must include the following:

1. Identification of a designate and the specific duties of the designated person(s).	2. A detailed process that must be followed before an athlete returns to training, practice, or competition.
<p>The duties of the designated person are to:</p> <ul style="list-style-type: none">✓ Ensure that an athlete who has sustained a concussion or is suspected of having sustained a concussion anywhere does not return to training, practice, or competition until permitted to do so in accordance with the Protocol.✓ Receive all confirmations from the athlete (or parent/guardian) about the outcome of the athlete's medical assessment.✓ Inform an athlete who has been diagnosed as having a concussion (or parent/guardian) about the importance of disclosing the diagnosis to any other sport organization with which the athlete is registered or school they attend.✓ Ensure the athlete (or parent or guardian) receives the sports organization's Return-To-Sport protocol as soon as practical.	<p>The process must include the following:</p> <ul style="list-style-type: none">✓ In all cases, the athlete (or parent/guardian) must provide confirmation of medical treatment and diagnosis.✓ If the athlete has been diagnosed with a concussion, the athlete must process through the graduated Return-To-Sport steps.✓ An athlete is not permitted to return to training, practice, or competition unless the athlete (or the athlete's parents or guardian) has shared with the designated person the medical advice or recommendations they received.✓ Make a record of the athlete's progression through the graduated Return-To-Sport steps up until the athlete (or parent/guardian) has provided a confirmation of medical clearance by a physician or nurse practitioner.



*If athlete has **NOT** been diagnosed as having a concussion **AND** has been medically cleared by physician or nurse practitioner to return to training, practice or competition **ONLY THEN** can athlete return to practice, training, or competition.*

Protocols – Special Rules

- **Threshold age** for parent / guardian involvement in processes: under 18.
- **Designated person can rely on information** from athlete (or from parent / guardian if athlete under 18) for Return to Sport Protocol.
- **Both Protocols must be made available to:**
 - each designated person; and
 - each athlete removed from training, practice or competition pursuant to Removal-from-Sport Protocol (or to parent / guardian if athlete under 18)
- See **Guest-Host Rule** above.
- Protocols and Personal Information:
 - Limit *collection, use and disclosure* of personal information to that reasonably necessary for carrying out Protocols
 - Limit *access* to personal information on a ‘need-to-know’ basis
 - *Retain, disclose and dispose* of personal information in a *secure* manner
 - **Sport organization must create a “retention policy for personal information”**

Concussion Toolkit

*What are the signs and symptoms of a concussion?**

*(*not medical advice)*

PHYSICAL	SLEEP-RELATED	COGNITIVE (THINKING)	EMOTIONAL
<input type="checkbox"/> Headache	<input type="checkbox"/> Sleeping more or less than usual	<input type="checkbox"/> Not thinking clearly	<input type="checkbox"/> Irritability (easily upset or angered)
<input type="checkbox"/> Pressure in the head	<input type="checkbox"/> Having a hard time falling asleep	<input type="checkbox"/> Slower thinking	<input type="checkbox"/> Depression
<input type="checkbox"/> Dizziness		<input type="checkbox"/> Feeling confused	<input type="checkbox"/> Sadness
<input type="checkbox"/> Nausea or vomiting		<input type="checkbox"/> Problems concentrating	<input type="checkbox"/> Nervous or anxious
<input type="checkbox"/> Blurred vision		<input type="checkbox"/> Problems remembering	
<input type="checkbox"/> Sensitivity to light or sound			
<input type="checkbox"/> Ringing in the ears			
<input type="checkbox"/> Balance problems			
<input type="checkbox"/> Tired or low energy			
<input type="checkbox"/> Drowsiness			
<input type="checkbox"/> "Don't feel right"			

Concussion Toolkit

What do you do if you think an athlete might have a concussion?

If an athlete experiences a blow to the head, face, neck, or body—or you suspect a concussion based on symptoms—the following steps should be taken:

- ✓ The athlete should stop playing right away, even if they insist they are able to continue playing.
- ✓ The athlete should not be left alone and should be seen by a doctor as soon as possible that day.
- ✓ The athlete should not be allowed to drive.
- ✓ Do not move the athlete or remove any equipment such as a helmet.
- ✓ The athlete should not return to play the same day.
- ✓ If the athlete loses consciousness or has a seizure, call an ambulance to take them to the hospital right away.



WHEN IN DOUBT SIT THEM OUT!

Return-To-Sport Strategies

The following are the six stages of the general “return to sport” strategies:

STAGE 1:	STAGE 2:	STAGE 3:	STAGE 4:	STAGE 5:	STAGE 6:
<p>No sporting activity</p> <p>Physical and cognitive rest until symptoms start to improve OR after resting for 2 days max.</p>	<p>Light aerobic exercise</p> <p>Walking, swimming, stationary cycling. No resistance training. The pace of these activities should be at the point where you are still able to have a conversation.</p>	<p>Sport-specific exercise</p> <p>Skating drills (ice hockey), running drills (soccer). No head-impact activities.</p>	<p>Non-contact drills</p> <p>Progress to complex training drills (e.g. passing drills). May start resistance training.</p>	<p>Full-contact practice</p> <p>Following medical clearance participate in normal training activities.</p>	<p>Back in the game</p> <p>Normal game play</p>
Recovery	Increase heart rate	Add movement	Exercise, coordination, cognitive load	Restore confidence; assess functional skills	Note: Premature return to contact sports (full practice and game play) may cause a significant setback in recovery.
Symptoms improve or 2 days rest max?	No new or worsening symptoms for 24 hours?	No new or worsening symptoms for 24 hours?	Symptom-free for 24 hours?	Symptom-free for 24 hours?	
Yes: Move to stage 2 No: Continue resting	Yes: Move to stage 3 No: Return to stage 1	Yes: Move to stage 4 No: Return to stage 2	Yes: Move to stage 5 No: Return to stage 3	Yes: Move to stage 6 No: Return to stage 4	

If new or worsening symptoms are experienced at any stage, go back to the previous stage for at least 24 hours. You may need to move back a stage more than once during the recovery process.

Medical clearance required before moving to stage 5

Source: “Return to Sport”, online: *Concussion Awareness Training Tool*
<https://cattonline.com/wp-content/uploads/2017/10/CATT-Return-to-Sport-V11.pdf>.

Practical and Legal Commentary

- Rowan's Law is the focus but Concussion Management is the goal
- OCA is a 'sport organization'; a Club is a 'sport organization'
- Care for participants / Club Affiliation / risk management
- Best practice / Standard of Care / Negligence
- Insurance – Limits, Coverage Considerations (e.g. record-keeping), and Compliance (e.g. reporting)
- Templates useful – e.g. *OCA Concussion Guidelines and Return to Compete Policy*
- Err on the side of caution!

Questions?

Rowan's Law Day: last Wednesday in September each year

Additional Resources:

- [Ontario Ministry's Concussion Awareness Resources](#)
 - [For players under 10 years of age](#)
 - [For players aged 11 to 14](#)
 - [For players ages 15 and above](#)
- [Coaches Association of Ontario Concussion Toolkit](#)
- [Canadian Guideline on Concussion in Sport](#)
- [Statement on Concussion Baseline Testing in Canada](#)
- [Ontario Physical Activity Safety Standards in Education on Concussions](#)