

# **Scholastic Student-Athlete Safety Act**

**(P.L. 2013, c.71)**

## **Frequently Asked Questions and Answers**

### **Acronyms:**

HCP:	Health care provider means the medical home physician, advanced practice nurse and physician assistant
NJDOE:	New Jersey Department of Education
NJDOH:	New Jersey Department of Health
PPE:	Preparticipation Physical Evaluation Form

### **GENERAL APPLICATION**

#### **1. Where should the date of the physical examination be recorded on the PPE form?**

The date of the physical exam is required at the top of page one, page two (if being used), and the bottom of pages three and four of the PPE. The PPE is intended to be completed and signed by the HCP at the date/time that the medical examination is conducted.

#### **2. When do the new PPE forms go into effect?**

The new forms went into effect on April 29, 2014. The NJDOE notified districts in a Broadcast memorandum which can be viewed at <http://education.state.nj.us/broadcasts> (Select April 29, 2014, then scroll down to the *Scholastic Student-Athlete Safety Act* for more information.)

#### **3. Where do we include information on the PPE about ongoing medical conditions, such as diabetes?**

The “History Form” of the PPE asks if the student has any ongoing medical conditions and includes diabetes, in Question #2.

#### **4. Are physical examinations performed in July and August compliant under the new rules?**

Yes, the new PPE became mandatory on April 29, 2014.

#### **5. Is the PPE required prior to the first day of practice or the first day of tryouts?**

The law requires that the PPE be completed prior to the first official practice session of the athletic season.

**6. How does the PPE address checking for scoliosis or a hernia?**

Although there are no questions specific to scoliosis and hernia, the HCP who conducts the examinations will include observations for hernias when examining the student's abdomen and groin. Similarly, the HCP would evaluate for scoliosis when examining the student's back and musculoskeletal system. In addition, scoliosis screening is mandated for students ages 10 through 18 in New Jersey, according to *N.J.A.C. 6A:16-2.2(k)4*.

**7. Where can the parent/guardian or HCP indicate on the PPE form the student has asthma or a life-threatening allergy that requires epinephrine?**

The "History Form" of the PPE provides an area for the parent/guardian in the box titled "Medicines and Allergies" to provide information on allergies and a checkbox under "General Questions" to indicate asthma. The "Physical Examinations Form" of the PPE provides space, as well, to document asthma under "Lungs/Abnormal Findings." Allergies, including life-threatening allergies requiring epinephrine, and asthma may also be indicated on the "Clearance Form" of the PPE under "Recommendations and Comments." Moreover, in New Jersey, school districts must follow the specific statutory and regulatory requirements for asthma treatment plans for students with asthma and individualized health plans and individualized emergency health plans for all students with life-threatening allergies. Those plans are already a part of the student's health record and do not need to be duplicated in the PPE.

**8. Does the term "physician" only mean MDs and DOs or are other individuals such as chiropractors allowed to complete physicals now?**

According to *N.J.S.A. 18A:40-1*, "physician" refers to physicians licensed to practice medicine and surgery within the state. The law allows physicians, advanced practice nurses and physician assistants to conduct the student-athlete's preparticipation physical evaluation. This has not changed. Since chiropractors are not licensed to practice medicine or surgery, nor are they specifically named in the law, they are not allowed to complete the physicals.

**9. Can a district have one general sign-off sheet for all required signatures (i.e., Sudden Cardiac Death Pamphlet, Steroid Testing Policy Consent, Sports-related Concussion and Head Injury Fact Sheet)?**

No. *N.J.S.A. 18A:40-41d* requires each student-athlete and the student's parent or guardian each year and prior to participation by the student in an athletic activity, sign and return to the student's school the form developed by the commissioner pursuant to the Scholastic Student-Athlete Safety Act. Therefore, the sign-off sheet cannot be combined with other required sign-off sheets.

**10. Can the *Sudden Cardiac Death in Young Athletes* pamphlet be collected by coaches along with other required forms such as the code of conduct, HIB form, Steroid Testing Consent form, etc.?**

The *Sudden Cardiac Death in Young Athletes* pamphlet must be distributed to each student-athlete and their parent or guardian as part of the student's preparticipation physical evaluation and completion of athletic permission forms, pursuant to *N.J.S.A. 18A: 40-41d*. The student-athlete and the parent or guardian may keep the pamphlet. The student-athlete and the parent or guardian must certify in writing that they received and reviewed the pamphlet. The coach may choose to collect the *Sudden Cardiac Death in Young Athletes* signed certification in the same

manner as the other sign-off sheets. The sign-off sheet for the pamphlet can be accessed at <http://www.state.nj.us/education/students/safety/health/services/SuddenCardiacDeathPamphletSignOffSheet.pdf>.

## **PREPARTICIPATION PHYSICAL EVALUATION FORM (PPE) MODIFICATION**

### **11. Can the Preparticipation Physical Evaluation (PPE) form be modified?**

Pursuant to the law, school districts and nonpublic schools shall require that, prior to participation of any student in grades six to 12 on a school-sponsored interscholastic or intramural athletic team or squad, the student shall have a physical examination using the PPE form jointly developed by the American Academy of Family Physicians, American Academy of Pediatrics, American College of Sports Medicine, American Medical Society for Sports Medicine, American Orthopedic Society for Sports Medicine, and American Osteopathic Academy of Sports Medicine (developers). Since the law mandates that this specific PPE form be used, the form may not be modified by an individual school district or nonpublic school, pursuant to *N.J.S.A. 18A:40-41.7*.

### **12. Is there a place on the PPE form for the physician's stamp?**

The PPE form developed pursuant to the law did not require a physician's stamp; however, the Department will pursue development of a form with a space for the physician's stamp.

### **13. Can the font size on the PPE form be increased?**

The Department will pursue development of a form with a larger font size.

### **14. Can the NJDOE add a line for the school physician to sign that he/she reviewed it?**

The NJDOE does not plan to require that the school physician sign on the student's PPE that he/she reviewed the form. Rather, the *N.J.A.C. 6A:16-2.2(h)1iv* and *N.J.A.C. 6A:16-2.3(a)3iv* require the school district to "provide written notification to the parent or guardian of the student-athlete *signed by the school physician* stating approval of the student's participation in athletics based upon the medical report or the reasons for the school physician's disapproval of the student's participation."

## **HISTORY FORM, SUPPLEMENTAL HISTORY FORM, AND HEALTH HISTORY UPDATE QUESTIONNAIRE**

### **15. Do you foresee a Spanish translation of the "History Form" of the PPE in the near future?**

Yes, the Spanish "Health History Form" is available online at <http://www.nj.gov/education/students/safety/health/records/>.

### **16. What is the supplemental history form of the PPE for students with special needs?**

The "Athletes with Special Needs: Supplementary History Form" of the PPE is for students who have physical disabilities due to birth injuries, genetic malformation, accidental injuries, trauma or other causes. This form is to be completed by the parent or guardian of the student prior to taking the student and PPE to the HCP for the medical examination.

- 17. On the “Athlete’s with Special Needs: Supplemental History Form” of the PPE, question number 7 regarding special braces and question number 10 regarding visual impairments are confusing. Do anterior cruciate ligament (ACL) braces, sport-specific braces, or contact lenses and glasses qualify under the special needs category?**

The “Athletes with Special Needs: Supplementary History Form” of the PPE is for students with physical disabilities. The Americans with Disabilities Act (ADA) defines a disability as impairment that limits a major life activity. Types of disabilities include, but are not limited to, cerebral palsy, deafness, paralysis, and amputation, as well as other disabilities that affect multiple systems such as autoimmune-mediated arthritis, muscular dystrophy, and multiple sclerosis. An athlete must first be determined to have a disability under the ADA before this form is used. When a student with a disability is using an ACL brace as part of the recovery phase from an injury or surgery, the brace is not included in question number 7. If a student with a disability has a visual impairment that limits major life activities even with corrective glasses or contact lenses, that would be noted in question number 10.

- 18. Why is the Health History Update Questionnaire now 90 days out?**

The new legislation requires that if a student’s PPE was completed more than 90 days prior to the first day of official practice in an athletic season that an updated health history is required.

- 19. Will additional clearances be needed if a parent denotes “yes” to one of the questions on the Health History Update Questionnaire?**

The certified school nurse is required to review the Health History Update Questionnaire and, if appropriate, the school athletic trainer may review it. The form includes only what the law requires. However, it is the certified school nurse’s and school physician’s responsibility, pursuant to *N.J.S.A. 18A:40-4*, to pursue appropriate follow-up for “yes” answers, including communication with the parent or guardian, student-athlete, and medical home, if appropriate, to determine whether medical attention is necessary and therefore, whether to delay clearance to participate in the athletic season to ensure that the student is healthy and fit to participate.

- 20. Does an 18 year old student need a parent to complete the history form of the PPE?**

Yes. Unless the student is legally emancipated, the PPE form includes questions regarding the student and family history and the law requires the parent or guardian to complete the form of the PPE and sign at the bottom of the page.

- 21. Does the school nurse have to sign the “Health History Update Questionnaire” indicating that he/she reviewed the form?**

No. There is no requirement for the certified school nurse to sign the form. The certified school nurse reviews the Health History Update Questionnaire and documents it on the students health record (A-45) pursuant to *N.J.A.C. 6A:16-2.3(b)3iii*.

#### **PROFESSIONAL DEVELOPMENT MODULE (PD module)**

- 22. How will the NJDOE notify HCP’s that are not in New Jersey about the requirement to complete the PD module?**

The NJDOE will notify all appropriate professional organizations and State agencies when the PD module is available. Additionally, as required by the legislation, the PD module will be posted on websites of the NJDOE, the American Academy of Pediatrics-NJ Chapter, the New Jersey Academy of Family Physicians, the American Heart Association, the American College of Cardiology-NJ Chapter, the Athletic Trainer's Society of New Jersey, New Jersey State Board of Medical Examiners, New Jersey State Board of Nursing, and the New Jersey State Society of Physician Assistants. In addition, the New York, Pennsylvania and Delaware State Boards of Medical Examiners will be notified.

**23. When will the Student-Athlete Cardiac Screening PD module be available for HCP's to complete?**

It is anticipated that the PD module will be posted in the fall 2014. When the availability of the PD module is announced, timelines for required completion will also be provided.

**24. Will HCP's receive CME or CNE credits upon completion of the PD module?**

No. The NJDOE does not have the capacity to provide continuing medical education credit or continuing nurse education credits since NJDOE does not belong to the American Nurses Credentialing Center or the American Medical Association credentialing division.

**GENERAL SCHOOL NURSE, SCHOOL PHYSICIAN, AND HEALTH CARE PROVIDER (HCP) RESPONSIBILITIES**

**25. Can a student participate in a school-sponsored athletic event or activity if the vision screening was not conducted by the HCP at the time of the preparticipation physical evaluation?**

The "Physical Examination Form" of the PPE requires documentation of vision screening. If the medical provider did not perform a vision screen during the examination, according to *N.J.A.C. 6A:16-2.2(h)1ii4*, "An incomplete form shall be returned to the student's medical home for completion *unless the certified school nurse can provide documentation to the school physician that the missing information is available from screenings completed by the certified school nurse or physician within the prior 365 days.*"

**26. Does the school nurse and the school physician still need to review the PPE?**

The certified school nurse is responsible for maintaining student health records, in accordance with *N.J.A.C. 6A:16-2.3(b)3iii*. Therefore, in order for the certified school nurse to record the medical examination on the student's health record (A-45), she/he must review it, as well as document significant findings, such as referral for follow-up of medical conditions, new medications, or new allergies, etc.

In addition, the school physician will also need to review the PPE, in accordance with *N.J.A.C. 6A:16-2.2(h)1iv* and *N.J.A.C. 16-2.3(a)3iv*, as the school physician must provide written notification to the parent or guardian stating approval or disapproval (and the reason for disapproval) of the student's participation in athletics based upon the medical report.

**27. Does the school nurse or school physician need to sign the PPE form?**

The PPE form does not have a place for the certified school nurse or school physician to place their initials and the law does not require their signature on the form.

**28. Does the HCP need to complete and sign the bottom of page three and page four of the PPE since both pages include clearance sections?**

Yes. The HCP is required to review the “History Form” of the PPE (page 1) and “Athletes with Special Needs: Supplementary History Form” of the PPE, if applicable (page 2), conduct the medical examination, complete page three of the “Physical Examination Form” of the PPE, and then sign at the appropriately designated signature line. The fourth page, the “Clearance Form” of the PPE, allows additional space for the HCP to document findings and comments. (In addition, the HCP will be required to attest to the completion of the PD module by providing his/her signature a second time on the “Clearance Form” of the PPE when the PD module becomes available. The signature on that line is not required at this time because the PD module has not been released. Physicians, APNs and PAs will be provided sufficient time to review the PD module after its release prior to this requirement being enforced.)