

BOARD ACTIONS REGARDING PHYSICAL EXAMINATIONS

Dear Association School Leaders,

During its June 7 meeting, the Board of Directors addressed the fact that our current physical examination rule is now non-compliant with the Department of Public Health (DPH) standards. Last summer, the DPH assured the Board during its August meeting that the Association's rule would be unaffected by the Department. That position was restated during DPH-sponsored teleconferences on the new concussion regulations later in the summer, and then re-asserted by me throughout the MIAA Fall Workshop series.

However, the DPH's position has evolved during this academic year, and now is reflected in question #28 (copied below) on the DPH FAQs related to the concussion law and regulations.

After discussion at the end of last week, your MIAA Board concluded that it had no reasonable option but to modify the MIAA physical examination rule to remove the possibility of putting families and schools out of compliance with DPH regulations. As a result, the answer to DPH FAQs #28 clearly eliminates the possibility of student athletes completing their season beyond the thirteen-month anniversary of their most recent physical examination. The Board was cognizant of the potential hardship and inconvenience this action may cause, but acted to ensure that all student athletes receive the protection that the more stringent DPH standard represents.

r.f.n - 6/11/12

DPH-FAQ #28

The regulations specify that school policies must include documentation of a physical examination prior to a student's participation in extracurricular athletic activities on an annual basis consistent with 105 CMR 200.100(B)(3): Physical Examination of School Children. The MIAA has a rule for its members (Rule 56.1 Student Eligibility/School Requirements: Physical Examinations/Medical Coverage/Concussions) which requires a physical exam within 13 months of the start of each season, but allows a student "who meet[s] this criterion at the start of the season will remain eligible for that season." What do we do if a student needs another physical exam during the sports season?

The DPH regulations regarding head injuries and concussions in extracurricular athletic activities, 105 CMR 201.006(A)(3), were written to be consistent with existing DPH regulations regarding physical exam requirements for students, 105 CMR 200.100(B)(3), and to apply to all public middle and high schools and MIAA member schools. Both require a physical exam "on an annual basis." DPH is sensitive to issues of insurance coverage in those cases where repeat physical examinations within a 12 month period would not be covered. For that reason, the DPH regulations do not specifically define "on an annual basis" as being strictly within a 12 month period, but left that policy-making decision to schools. To comply with DPH regulations, schools have the option to choose to adopt a policy that requires physical examinations within 12 or 13 months of the student's last physical.