

TESTIMONY OF

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and
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Spine Committee

BEFORE THE

HOUSE COMMITTEE ON EDUCATION AND
LABOR

10:00 a.m. E.S.T.

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Chairman Miller, Ranking Member Kline, and Members of the Committee,

My name is Dr. Stan Herring. I am the Co-Medical Director of the Seattle Sports Concussion Program and a Clinical Professor at the University of Washington. In addition, I serve as a team physician for the Seattle Seahawks and the Seattle Mariners. I appear before you today as a member of the National Football League's Head, Neck and Spine Committee and the Chairman of the Subcommittee on Education and Advocacy.

Mr. Chairman, today you received a letter from Commissioner Roger Goodell of the National Football League supporting your legislation. The Commissioner's letter states that, "The NFL is grateful for the opportunity to work closely with you in developing this important legislation which will further our shared goals of increasing concussion awareness and preventing these injuries among our youngest athletes, not only in football but in all sports." I join the Commissioner in thanking you and the Committee for your work to protect youth athletes of all ages, of both genders, and in all sports, from the dangers of concussions.

The "Protecting Student Athletes from Concussions Act" is a significant step forward in the campaign to protect our kids. As a physician, educator, advocate, and as a representative of the NFL, I am proud to testify here today after years of work in this area.

Mr. Chairman, my testimony today is very personal. The Committee has heard the name Zackery Lystedt by now. In October 2006 Zackery was a 13-year old star football player who suffered an undiagnosed concussion with a few minutes left in the first half. An injury time out was called. After resting during halftime, Zackery returned to play in the second half while still having symptoms from his injury. He sustained further head blows during the second half of the game, and at the end of the game collapsed in his father's arms. He lapsed into a coma suffering from life-threatening injuries. Zackery survived, but continues to face a long road of rehabilitation.

In the meanwhile, a coalition including brain injury advocates, doctors, athletic trainers, school administrators, risk managers and local elected officials in Washington State began work on a law designed to prevent the next child and the next family from suffering the way Zackery and his family did.

It is during this process that I met Zackery. Seated in his wheelchair at a Seahawks practice with his parents, Victor and Mercedes by his side, Zack looked me straight in the eye and very slowly and deliberately said, "The reason I'm here is to help people." Perhaps because he could not speak for nine months, or because he almost lost his life and has had to work so hard to regain any sense of normalcy, I knew how incredible that statement was. He has had choices along the way: anger or contentment, depression or acceptance, bitterness or peace. Each choice has made him who he is today -- the driven, witty, fabulous 17-year-old young man who, along with his family, is changing the face of youth sports across the country.

The coalition succeeded in passing a law in Washington State and in seven more states since then. Like your bill, Mr. Chairman, it contains three core principles:

1. Student athletes and a parent or guardian must sign an education sheet that provides them with information about the signs and symptoms of concussion;
2. Any youth athlete who appears to have suffered a concussion in any sport is removed from play or practice at that time; and
3. That athlete must be cleared by a licensed healthcare provider trained in the diagnosis and management of concussions before returning to play or practice.

If this bill were to become law, it would protect the athletes in every state that has not passed Zack's law. Commissioner Goodell has already given you the NFL's pledge to work diligently in support of your legislation. At the same time, we are engaged in a state by state effort to pass Zack's law. We are actively working in California, Mr. Chairman, and just this week are pleased that the bill was introduced in Washington D.C.

As part of this state-level effort, the NFL will convene an educational and advocacy summit next month in Seattle. It will be available on-line to anyone interested in learning more.

Passing state laws can take time. Public awareness need not wait. That is why the NFL has taken the lead in promoting concussion education at all levels of sport and in every sport. Before the start of the season, a new concussion awareness poster was developed by a group of independent medical experts working with the CDC. This poster, and a related player fact sheet, has been distributed throughout the NFL. I have attached copies to my testimony. I want to thank the group of organizations that worked together to produce this consensus document -- NFL, NFLPA, CDC, Professional Football Athletic Trainers Association, and the NFL Physicians' Society.

The NFL, working with the Players Association and independent experts, ensures that professional football players receive the most information about concussions and the best treatment from the finest doctors. Yet, we also recognize that the risks of concussions go beyond the professional ranks and beyond football. We know that it is our responsibility to share what we know with all athletes at all levels. So, the NFL is replicating this poster idea for youth athletes in all sports, and together with the CDC and our other partners, we will make available shortly – and at no cost – a concussion education poster designed specifically for younger athletes.

I am personally involved in the design of the poster. So, once again I would like to commend your bill for the concept of publishing concussion information in schools. The NFL wholeheartedly supports the idea and is working to distribute more information as we speak.

In addition, the NFL is working closely with the CDC, USA Football, and others, to disseminate CDC educational materials for young athletes and their coaches. The NFL has assisted in the production of a concussion video developed jointly by the National Athletic Trainers Association and the National Academy of Neuropsychology. In addition, USA Football – the independent, non-profit organization that serves as the official youth football development partner of the NFL and its 32 teams – will conduct a national campaign from mid-September through November 2010, titled “Put Pride Aside for Player Safety” to emphasize concussion awareness in youth

sports, particularly football. The campaign challenges and instructs coaches, parents and youth players to make the right decision about concussions. And I am personally involved with another initiative that the NFL is supporting – the development of a training module for coaches and health professionals that will provide them with the information they need to properly diagnose and treat athletes who have had a concussion.

Last December, in conjunction with the CDC, the NFL produced a public service announcement devoted to youth athletes as well as their parents and coaches regarding the importance of concussion awareness. The message aired repeatedly on national media throughout the end of the NFL season and the playoffs.

The NFL is also investing in the science around concussions, including support for research being conducted by doctors at Boston University.

Our medical committee, in conjunction with the NFL Players Association, will host a conference later this fall to consider new methods of testing the performance of safety equipment, such as football helmets. We are hopeful that this work will improve safety of athletes not just in football but other sports as well.

As more has become known about the dangers of head injuries, the NFL has become the leader on concussions not just for the safety of its own players, but for all athletes at all levels of football as well as all other sports. I see them every day – boys and girls, soccer, basketball and lacrosse players – young athletes who have endured concussions. Those children can recover and play again if they receive proper treatment. I am proud of what the NFL has done in the professional game, but I am particularly pleased to share with you the NFL's initiatives to educate and inform all sports at all levels about concussions.

The NFL understands its obligation to continue to lead in this area to provide the model for all sports. The NFL looks forward to continue working with this Committee and all other advocates for the benefit of youth athletes everywhere.

I look forward to any questions.

Thank you.