

# **WEST VIRGINIA LEGISLATURE**

## **2026 REGULAR SESSION**

**Introduced**

### **Senate Bill 162**

By Senator Grady

[Introduced January 14, 2026; referred

to the Committee on Education]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding a new section,  
2 designated §18-5-22f, relating to requiring the West Virginia Board of Education to  
3 promulgate a legislative rule in consultation with the West Virginia Board of Physical  
4 Therapy that governs concussion protocol, education, and training to prevent concussions  
5 and the development of a Concussion Education Prevention and Response Plan; allowing  
6 the West Virginia Board of Physical Therapy to provide a draft rule; specifying who the rule  
7 applies to; requiring initial rule to comply with certain concussion-related code section;  
8 allowing recommendation for code section to be amended or repealed; requiring rule to  
9 specify individuals who are to receive concussion-related education; and requiring a  
10 school to adopt a Concussion Education, Prevention, and Response Plan in accordance  
11 with the rule.

*Be it enacted by the Legislature of West Virginia:*

**ARTICLE 5. COUNTY BOARD OF EDUCATION.**

**§18-5-22f. Concussion Education, Prevention, and Response Plan.**

1       (a) For the purposes of this section, the following terms are defined:  
2       "Concussion Education, Prevention, and Response Plan " or "the plan" means a written  
3       document that establishes concussion related education requirements for appropriate personnel  
4       and sets forth practices for preventing concussions and responding to concussions when they do  
5       occur.  
6       "School" means any elementary or secondary school under the jurisdiction of a county  
7       board of education.  
8       "Youth sports league team" means any team that is a member of an entity that organizes  
9       and establishes rules for competitive youth sports activities other than the West Virginia  
10       Secondary School Activities Commission or any other entity that organizes and establishes rules  
11       for competitive youth sports activities exclusively for teams that are created by and represent  
12       schools.

13        (b) The state board shall promulgate a legislative rule pursuant to §29A-3B-1 et seq., in  
14        consultation with the West Virginia Board of Physical Therapy, that governs concussion protocol,  
15        education, and training to prevent concussions and the development of a Concussion Education,  
16        Prevention, and Response Plan. The West Virginia Board of Physical Therapy may provide a draft  
17        rule for the state board to consider. The rule shall be applicable to athletic practices or events in  
18        which an individual or team represents a school, youth sports league teams that play or practice  
19        on school grounds, and practices and events under the regulation of the West Virginia Secondary  
20        School Activities Commission. The initial rule shall comply with §18-2-25a of this code, relating to  
21        management of concussions and head injuries in activities regulated by the West Virginia  
22        Secondary School Activities Commission, but the state board or West Virginia Board of Physical  
23        Therapy may recommend to the Legislature that the code section be amended or repealed if either  
24        determines it has a better method of educating appropriate personnel or preventing or responding  
25        to concussions. The rule also shall specify the individuals required to receive the concussion  
26        related education.

27        (c) A school shall adopt a Concussion Education, Prevention, and Response plan in  
28        accordance with the state board rules promulgated pursuant to this section.

NOTE: The purpose of this bill is to require the West Virginia Board of Education, in consultation with the West Virginia Board of Physical Therapy, to promulgate a rule that governs concussion protocol, education, and training to prevent concussions and the development of a Concussion Education, Prevention, and Response Plan.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.