

THE DARK SIDE OF SPORTS



We Can Do Better

The legal consequences of slacking off in coaching

BY DR. MARC RABINOFF

I recently worked on a case involving a high school football player who suffered multiple concussions during practice in 2006, a case that is just now coming to litigation. I wanted to share this case with you because it deals with not only the hot topic of head

injuries in sport but also the increasing problem of coaching incompetence.

Five years may seem like a long time for a case to come to litigation – especially if you’re used to watching those law shows on TV that go from incident to jury decision in 60

minutes – but it’s not uncommon. When an accident occurs, especially one as serious as this, it can often take years for a jury decision or an out-of-court settlement to take place. One case I was involved with took 19 years to settle, and the final settlement of \$14,675,000 may end up bankrupting a public school district.

The 2006 football practice just happened to have been filmed, and I saw a copy. It involved a player blocking about 10 teammates in waves – boom, boom, boom. I watched these kids hit this young man, one right after the other, and counted eight helmet-to-helmet hits.

Before going any further, I must say that this sort of drill is really stupid, because it does not mirror what happens in a football game. This type of practice has a lot in common with what happened recently to 13 University of Iowa football players who were hospitalized after a conditioning practice. In fact, the Iowa incident resulted in the following statement by Jay Hoffman, president of the board for the National Strength and Conditioning Association: “This workout is not a common workout and has no scientific basis to be used to train college athletes.”

Reeths-Puffer photo by Action Sports Photograph





Concussion Signs and Symptoms Checklist

Student's Name: _____ Student's Grade: _____ Date/Time of Injury: _____

Where and How Injury Occurred: *(Be sure to include cause and force of the hit or blow to the head.)* _____

Description of Injury: *(Be sure to include information about any loss of consciousness and for how long, memory loss, or seizures following the injury, or previous concussions, if any. See the section on Danger Signs on the back of this form.)* _____

DIRECTIONS:

Use this checklist to monitor students who come to your office with a head injury. Students should be monitored for a minimum of 30 minutes. Check for signs or symptoms when the student first arrives at your office, fifteen minutes later, and at the end of 30 minutes.

Students who experience one or more of the signs or symptoms of concussion after a bump, blow, or jolt to the head should be referred to a health care professional with experience in evaluating for concussion. For those instances when a parent is coming to take the student to a health care professional, observe the student for any new or worsening symptoms right before the student leaves. Send a copy of this checklist with the student for the health care professional to review.

To download this checklist in Spanish, please visit: www.cdc.gov/Concussion. Para obtener una copia electrónica de esta lista de síntomas en español, por favor visite: www.cdc.gov/Concussion.

OBSERVED SIGNS

	0 MINUTES	15 MINUTES	30 MINUTES	<input type="checkbox"/> MINUTES Just prior to leaving
Appears dazed or stunned				
Is confused about events				
Repeats questions				
Answers questions slowly				
Can't recall events <i>prior</i> to the hit, bump, or fall				
Can't recall events <i>after</i> the hit, bump, or fall				
Loses consciousness (even briefly)				
Shows behavior or personality changes				
Forgets class schedule or assignments				
PHYSICAL SYMPTOMS				
Headache or "pressure" in head				
Nausea or vomiting				
Balance problems or dizziness				
Fatigue or feeling tired				
Blurry or double vision				
Sensitivity to light				
Sensitivity to noise				
Numbness or tingling				
Does not "feel right"				
COGNITIVE SYMPTOMS				
Difficulty thinking clearly				
Difficulty concentrating				
Difficulty remembering				
Feeling more slowed down				
Feeling sluggish, hazy, foggy, or groggy				
EMOTIONAL SYMPTOMS				
Irritable				
Sad				
More emotional than usual				
Nervous				

→ More

In the 2006 high school practice, I saw one football player much bigger than this kid hit him in the third wave, helmet to helmet – you could hear it! – causing the player to drop to the ground. Before he could get up, another teammate immediately hit him, helmet to helmet. After this assault the kid got up, walked over to one of the coaches and told him he wasn't feeling well, and then vomited. The coach sat him down, assured him that everything was OK and then sent him home. There's more.

This incident occurred in the summer during two-a-days, and this was just the first practice. At 3:00 p.m. the kid came back to practice; during the workout he passed out and was rushed to the hospital. The news was horrific. The concussions had caused what is medically referred to as a subdural hematoma, basically a hemorrhage in the brain. As a result, this young man suffered massive brain damage.

During the investigation of this incident it was found that the helmet being used was about three years old, and no one on the football staff remembers that the young man was fitted for the helmet. If you go to the Riddell website, you will find extensive instructions on how to fit a football



Dr. Marc Rabinoff has devoted his life to educating coaches, teachers and administrators on the importance of following the highest standards of care in their respective fields.

helmet, because a proper fit is crucial to help avoid injury. As the investigation continues, I believe the foam used in the helmet will be examined to ascertain its condition.

Damaged or improperly fitted equipment aside, what we have here is a tragic example of a case where the coaches could have stopped the young man from practicing but didn't. They either didn't know or didn't pay attention to the warning signs of a concussion, and they did nothing to stop the illegal hits. They are supposed to be coaching these kids, teaching them proper techniques so that when the kids go into a game they know

what they are allowed to do. I hope to eventually show this video in my classes and ask the students, "What do you think is wrong?"

A Call to Action

In the '80s I was involved in a video production called *Sports on Trial*, in which I played an expert witness in a mock trial. We acted out an incident that closely resembled what happened to this young man. So it's not that the dangers of concussions were not known. Nevertheless, we are seeing an increasing number of concussions in such sports as lacrosse and football. It's gotten to the point that many states are passing laws

about mandatory education for youth coaches to ensure they know what to look for regarding concussions.

Why has it taken so long to pass these laws? One reason is that we have an increasing number of lackadaisical coaches who don't really know what they are doing in many cases. All they care about is winning and not the welfare of the kids, which is why we are seeing more and more concussions. Letting a kid return to practice after suffering a concussion and not seeking appropriate medical care is not doing what the science is telling us to do. I see this in other sports as well, and the arrogance is phenomenal.


I challenge every person who reads this column to reflect on what they are doing to protect our kids in sports and PE programs. In the past we have had meetings and have taken action to raise



Yves Nadeau's speed skaters won medals in every world championship from 1982 to 1995, but he has never stopped learning. Although in his 70s, he has never stopped learning and is shown here at left in 2010 taking a coaching course at the Poliquin Strength Institute. At right he poses with two other successful coaches, Bulgaria's Ivan Abadjiev (center) and strength coach Charles Poliquin (right).

our standards, but now the concussion problem has reached such proportions that we are being forced to establish legislation to ensure that coaches do their jobs properly. Let's make a commitment to improve, because we can do better.

"The Dark Side of Sports" is a regular feature by Dr. Marc Rabinoff that answers questions about safety and liability based upon actual litigations.



Source: http://www.cdc.gov/concussion/pdf/Coach_Guide-a.pdf



DID YOU KNOW?

- * Athletes who have ever had a concussion are at increased risk for another concussion.
- * Young children and teens are more likely to get a concussion and take longer to recover than adults.³⁻⁶
- * A repeat concussion that occurs before the brain recovers from the first—usually within a short period of time (hours, days, or weeks)—can slow recovery or increase the likelihood of having long-term problems.^{7,8}

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