



## **Rowan's Law Section 4 Proclamation Date Change: January 1, 2021**

### **Frequently Asked Questions**

***\* The following information is not a substitute for legal advice, and we encourage all sport organizations to seek independent legal counsel to better understand their obligations under Rowan's Law (Concussion Safety), 2018, (referred to as "Rowan's Law" in this document) and determine how to implement these requirements.***

#### **1.) What is changing?**

Section 4 of *Rowan's Law (Concussion Safety), 2018* ("Rowan's Law") will now come into effect on January 1, 2021. Previously, Section 4 of *Rowan's Law* was scheduled to come into effect on July 1, 2020 as the second phase of implementation. Section 4 of *Rowan's Law* requires sport organizations to have removal-from-sport and return-to-sport protocols in place for their athletes. Only the effective date of Section 4 implementation is being changed. All requirements related to the protocols in the legislation and regulation will remain the same.

#### **2.) Why has this change been made?**

As a result of COVID-19, the risk of athletes sustaining a concussion through competitive sport is reduced due to individual and team organized amateur sport activities and events not being offered while public health measures, including physical distancing, are in place. In addition, sport organizations may be limited in their capacity to meet the requirements for Phase 2 implementation of *Rowan's Law* by July 1, 2020 given the current focus on sector recovery efforts.

The health care system's capacity is expected to continue to be strained throughout the summer and fall, reducing the availability of physicians and nurse practitioners to diagnose and clear suspected and sustained concussions across Ontario (i.e., emergency room visits, doctors' offices, walk-in clinics, etc.) as required under *Rowan's Law*.

Moving the proclamation for Phase 2 implementation of *Rowan's Law* to January 1, 2021 will help to reduce the impact on the health care system and sport organizations in the coming months and enable them to more fully prepare for these responsibilities.

### **3.) What obligations does Phase 2 implementation of Rowan's Law place on sport organizations?**

For Phase 2 implementation, sections of *Rowan's Law* requiring sport organizations to establish Removal-from-Sport and Return-to-Sport protocols for their athletes will come into effect on January 1, 2021.

The establishment of these protocols are mandatory for sport organizations to ensure that consistent processes are in place for the immediate removal of an athlete from sport when a concussion is suspected, and to ensure that an athlete with a concussion or a suspected concussion does not return until medically cleared to do so. Under *Rowan's Law*, only physicians and nurse practitioners are permitted to medically assess (i.e., diagnose) and medically clear an athlete from a suspected or sustained concussion according to the protocols.

### **4.) What support will be provided to sport organizations to prepare them for Phase 2 implementation?**

The Ministry of Heritage, Sport, Tourism and Culture Industries (MHSTCI) plans to engage with sport organizations about Phase 2 implementation requirements in advance of the January 1, 2021 proclamation date. Planned sector engagement activities include meeting with stakeholders and hosting information webinars about *Rowan's Law*.

A sample of the Removal-from-Sport and Return-to-Sport protocol template is now posted on the government's Concussion Webpages at [www.ontario.ca/concussions](http://www.ontario.ca/concussions) for sport organizations to use or adapt.

### **5.) Does this change the work sport organizations have already done to prepare for Phase 2 Rowan's Law implementation?**

Postponing the effective date to have Removal-from-Sport and Return-to-Sport protocols in place by January 1, 2021 will provide sport organizations with additional time to implement these requirements and reduce additional burdens during the COVID-19 recovery period. Only the effective date of Phase 2 implementation is being changed. Any work already completed by sports organizations in preparation for the Phase 2 effective date will still assist you in meeting your

organization's obligations under *Rowan's Law*. Sport organizations are welcome to implement the Removal-from-Sport and Return-to-Sport protocols in advance of the proclamation date on a voluntary basis.

**6.) Who can I contact for more information?**

Sport organizations can send their inquiries about *Rowan's Law* to [Sport@ontario.ca](mailto:Sport@ontario.ca). Provincial/Multi Sport Organizations (PSOs/MSOs) can contact their designated ministry Sport Consultant directly.