

Amyotrophic Lateral Sclerosis (ALS), Concussions and Concussion Management Guidelines for Sports Organizations

Amyotrophic Lateral Sclerosis (ALS), known more commonly as “Lou Gehrig’s Disease,” is a debilitating and incurable fatal disease that results in a swift atrophy of voluntary muscle control. Those affected by this disease may have fully functioning brain activity in a body that continues to deteriorate.

In a release from the Journal of Neuropathology & Experimental Neurology dated August 17, 2010 (www.lww.com/newscenter/articledisplay/?newscenter_id=681), the organization has suggested that professional athletes, and possibly others with a history of head injuries may be prone to the development of a motor neuron disease which resembles Lou Gehrig’s disease. These findings would suggest that brain trauma while participating in sports can be a risk factor for ALS, and are the first firm pathological indication that brain trauma (concussions) may result in motor-neuron degeneration.

Within the professional and amateur sports communities, the issue of concussions has been widely discussed and analyzed over the past several years. According to statistics reported by the Centers for Disease Control and Prevention (CDC), 135,000 sports and recreation-related traumatic brain injuries (TBI), including concussions, occur each year. According to the CDC, traumatic brain injuries contribute to a substantial number of deaths and cases of permanent disability. The medical information now available does suggest that some of these life altering conditions may not present themselves for many years, or decades.

Given the serious nature of these injuries, the CDC has established concussion management guidelines (www.cdc.gov/concussion/sports/response.html) for sports organizations to follow. Several states have adopted similar guidelines as part of formal legislation. The State of Washington was one of the first to adopt legislation known as the Zackery Lystedt Law.

As this issue continues to receive national attention, organizations involved with athletes and youth sports will be expected to adhere to a greater degree of due diligence. Recognizing the signs of concussion, maintaining a proper medical history with respect to concussions, and having established procedures for handling manage occurrences with your athletes. Knowledge is not enough. A written protocol with specific steps will assist in mitigating serious injury, and the potential for litigation far into the future.

Here are some additional links to websites and articles that provide more insight into this sports safety issue:

The Zack Lystedt Law: A Concussion Survivor’s Return to Play:
www.cdc.gov/media/subtopic/matte/pdf/031210-Zack-story.pdf

National Council of Youth Sports Concussion Recognition and Response Information:
www.ncys.org/newsconcussion.html

After the Hits (Real Sports with Bryant Gumbel):
www.hbo.com/real-sports-with-bryant-gumbel

Link found between concussions and Lou Gehrig’s disease (Los Angeles Times 8/17/2010):
<http://articles.latimes.com/2010/aug/17/news/la-heb-brain-trauma-20100817>

A Misunderstanding, a Beating, and a Piece of the Gehrig Puzzle (New York Times 8/28/2010):
www.nytimes.com/2010/08/29/sports/baseball/29gehrig.html

This document provides general information concerning ALS, concussions and concussion management guidelines. ESIX is not engaged in rendering any legal opinions or compliance services with respect to these issues. This document should not be used as a substitute for legal advice from a company qualified to provide such services.