

# CALIFORNIA STATE ATHLETIC COMMISSION

## PROPOSED EMERGENCY LANGUAGE

Concerning Resiliency Procedures  
(Note: All text is new and being added)

*Add Section 299.5 of Article 6 of Chapter 1 of Division 2 of Title 4 of the California Code of Regulations to read as follows:*

### **§ 299.5. Procedures to Hold Combative Sporting Events When an Infectious Disease Causes a State of Emergency**

As determined and noticed by the California State Athletic Commission, (Commission) this regulation shall apply to an Event (defined below) held during any state of emergency stemming from an infectious disease declared by the State of California as a public health emergency, including, but not limited to, the Novel Corona Virus 19 (COVID-19) in 2020 and shall be in place until the Commission notices that such regulations are no longer applicable because the emergency is no longer present. For purposes of this section, determination by the Commission shall be at a publicly noticed meeting subject to the Bagley-Keene Open Meeting Act, and such notices shall be posted on the Commission's website.

It is the responsibility of the Promoter to brief all Event and Event Venue Personnel about the following procedures for an Event. Personnel that do not comply with these procedures shall not be permitted to enter or remain at the Venue premises or Host Accommodation(s) during any part of the Event. Any definitions within this section shall have the same meaning as set forth in Division 2 of Title 4, unless otherwise defined herein.

#### (a) Definitions.

The following definitions apply for this section:

- (1) "Applicable Infectious Disease" is defined as an infectious disease declared by the State of California as a public health emergency, including, but not limited to, the Novel Corona Virus 19 (COVID-19) in 2020.
- (2) "Disposable Gloves" are defined as non-latex single-use gloves commonly used in hospitals or other medical settings.
- (3) "Event" is defined as all bouts, matches, contests subject to the jurisdiction of the Commission that are held during a during a state of emergency, as defined in (a)(1).
- (4) "Face coverings" are defined as personal protective equipment or gear determined necessary by the Center for Disease Control (CDC) to help prevent the spread of the specific Applicable Infectious Disease, which at a minimum covers the nose and mouth. Face coverings shall be worn in compliance with CDC guidelines for the Applicable Infectious Disease.
- (5) "Host Accommodation" or "Accommodation" are defined as a designated hotel, motel or other place of lodging as identified by the Promoter and approved by the Executive Officer of the Commission.

- (6) "Isolation" is defined as the separation of a person from other persons in a manner that minimizes and restricts such person's interaction with others to avoid exposure to the Applicable Infectious Disease. Should a CDC or CDPH guideline regarding isolation be in effect for the Applicable Infectious Disease, at the time of the fight, the more specific guideline shall apply.
- (7) "Medical Personnel" is defined as Ringside Physicians and Paramedics, along with any other medically trained and licensed personnel that must attend any activity at the Event.
- (8) "Officials" are defined as the following Commission personnel: Lead Athletic Inspector, Athletic Inspectors, and Ringside Officials (judges, referees, timekeepers and any other Personnel deemed necessary by the Commission's Executive Officer).
- (9) "Personnel" is defined as persons present at the Event, including, but not limited to Commission personnel, promoter, promoter personnel, officials, athletes, seconds, media and television crew.
- (10) "Traffic Area" is defined as the areas of the Host Accommodation between the point of entry, the room(s) which Personnel shall lodge, the gym or workout room, and any other areas of ingress or egress within the Host Accommodation, including the front lobby and front desk. At the Venue, Traffic Area is defined as the area surrounding or adjacent to the ring or cage where Personnel perform their duties, any locker or dressing room, rest room, and the routes within the Venue, to and from the ring or cage through which Personnel may pass.
- (11) "Vehicle" is defined as the mode of transportation to/from an Event, Host Accommodation(s) or Venue used by Personnel.
- (12) "Venue" is defined as the sporting event location for the subject Event.

(b) Health and Safety Procedures.

The Promoter shall provide training, prior to the Event, on specific health and safety protocols necessary to prevent the spread of the Applicable Infectious Disease and shall certify, in writing, to the Executive Officer of the Commission that the training complies with or exceeds the then-applicable protocols deemed necessary or recommended by the CDC for the Applicable Infectious Disease, and that the protocols were developed in consultation with the California Department of Public Health (CDPH) and the Advisory Committee on Medical and Safety Standards ["Medical Advisory Committee" (MAC)].

(1) Physical Distancing.

- (A) Athletes, along with their licensed seconds (cornermen), shall travel separately from other Personnel to the Event location (city, Host Accommodation(s), and Venue), unless they are part of the same household.
- (B) In Traffic Areas of the Host Accommodation(s) and entry to the Venue, athletes and their licensed seconds shall maintain at least a six (6) foot distance from other persons, unless the applicable CDC guidelines recommend a more restrictive distancing for the Applicable Infectious Disease, in which case the more restrictive standard shall apply.

- (C) Athletes and their licensed seconds (cornermen) shall be assigned space in locker rooms in which they can maintain at least a six (6) foot physical distance from other athletes and their seconds, unless the applicable CDC guidelines recommend a more restrictive distancing, in which case the more restrictive standard shall apply, or be assigned space in another area large enough to comply with applicable CDC or CDPH physical distancing guidelines for the Applicable Infectious Disease, whichever is determined by the Executive Officer of the Commission to provide the best protection to all Personnel at Event proceedings. The Executive Officer of the Commission shall make these determinations based upon the specific layout and design of the Venue and may change its determination if layout and design conditions change during the Event.
- (D) All Personnel shall maintain at least six (6) feet of distance from others, unless the applicable CDC guidelines for the Applicable Infectious Disease recommend a more restrictive distancing, in which case the more restrictive standard shall apply. Applicable physical distancing must be maintained during the weigh-in, where all Personnel present must also wear Face Coverings and Disposable Gloves in accordance (b)(2).
- (E) All Personnel shall remain on premises at the Host Accommodation(s) until departure to the Venue of the Event. If Personnel leave the premises of the Host Accommodation(s), they shall not be re-admitted to the Host Accommodation(s) before conclusion of the Event or be admitted into the Venue.
- (F) The Promoter shall ensure Host Accommodation(s) designate(s) Host Accommodation(s) staff to accept and distribute food to rooms lodging Personnel pursuant to then-applicable CDC standards for the Applicable Infectious Disease.
- (G) All Personnel shall remain on premises at the Venue each day of the Event until the Executive Officer of the Commission approved departure time and shall not be permitted to re-enter the Venue once they exit the Venue. All Personnel, except athletes, shall not use Host Accommodation(s) spas, pools, or fitness facilities.

(2) Face Coverings and Disposable Gloves.

A sufficient amount of Disposable Gloves or any other disposable personal protective equipment deemed necessary by the CDC to prevent the spread of the Applicable Infectious Disease, shall be supplied by the Promoter to all Personnel to allow Personnel to change such items, as needed, throughout the Event. All Personnel shall have their own Face Coverings supplied by the Promoter and shall not share Face Coverings. All Personnel, except for the athletes during their applicable bouts, contests, or matches, are required to wear a Face Covering that covers their nose and mouth and any other body parts recommended by the CDC for the Applicable Infectious Disease. At all times while in the common areas at the Host Accommodation and Venue, including during transportation to and from the Venue, the Promoter shall ensure that all Personnel wear Disposable Gloves and Face Coverings or any other personal protective equipment recommended to prevent the spread of the Applicable Infectious Disease when in the presence of another individual. The Promoter shall also ensure that all Host Accommodation(s) staff and

the staff at the Venue and Event follow the following protocol when performing any job functions that may cause interaction with any other individual. Promoter shall train its Personnel on the proper use of face coverings and disposable gloves, including:

- (A) Face coverings do not necessarily protect the wearer.
  - (B) Face coverings can help protect people near the wearer, but do not replace the need for physical distancing and frequent handwashing or any other recommended activity identified by the CDC to minimize the spread of the Applicable Infectious Disease.
  - (C) Face coverings shall cover the nose and mouth, at a minimum.
  - (D) Personnel shall wash or disinfect hands before and after using or adjusting face coverings.
  - (E) Personnel shall avoid touching the eyes, nose, and mouth.
  - (F) Face coverings shall be washed or discarded after each use.
  - (G) Proper Disposable Glove donning and removal procedures.
- (3) Applicable Infectious Disease Advance Screening and Testing.
- (A) All Personnel present at the Event shall be subject to testing for the Applicable Infectious Disease prior to the Event within a timeframe that is deemed acceptable by the Executive Officer of the Commission given the type of Applicable Infectious Disease, and shall utilize a reliable form of testing, as determined by the Executive Officer of the Commission in consultation with CDPH.
  - (B) Promoter shall be responsible for the cost of the Applicable Infectious Disease testing for all Personnel.
  - (C) If the test results of any Personnel (including athletes and seconds) indicate that the Personnel are positive for the Applicable Infectious Disease, the Personnel shall be excluded from the Event. In addition, the entire Event may be cancelled, at the sole discretion of the Executive Officer of the Commission, after considering the health risks to Personnel at the Event.
  - (D) The Promoter shall complete the following no later than 14 days prior to the Event nor earlier than 21 days prior to the Event, unless notified by the Executive Officer of the Commission, in writing, of an alternative timeframe:
    - 1. All athletes shall be tested for the Applicable Infectious Disease and the results of the test shall be submitted to the Commission personnel within 24-hours of the Promoter receiving the test results.
    - 2. Submit to the Commission personnel a completed "COVID-19/Infectious Disease Pre-Event Screening Questionnaire" (New 5/2020) (Questionnaire), which is hereby incorporated by reference, for each athlete on the bout card.
    - 3. If there are any Applicable Infectious Disease related health issues or concerns found on the Questionnaire, the Commission's Executive Officer or medical personnel may require additional testing.

- (E) 48 Hours prior to any Personnel arriving at the Event's Host Accommodation(s), the Promoter must have the following completed:
1. Submit a completed "COVID-19/Infectious Disease Pre-Event Screening Questionnaire" (New 5/2020) (Questionnaire) for all Event Personnel. If there are any health issues or concerns related to the Applicable Infectious Disease found on the Questionnaire, the Commission personnel may require additional testing.
  2. All Personnel shall have their temperature taken, and anyone with a temperature at or greater than 100.4° F, or that display other health indicators related to the Applicable Infectious Disease, shall not proceed to the Event city or Host Accommodation(s) if their Applicable Infectious Disease test, in subsection (b)(3), proves positive.
  3. Personnel with a temperature at or greater than 100.4° F, or that display other health indicators related to the Applicable Infectious Disease, may be re-tested, at the discretion of the Executive Officer of the Commission, prior to travel.
- (F) Unless revised pursuant to paragraph (b)(3)(A) or paragraph (b)(3)(G), all Personnel shall arrive at the Host Accommodation(s) at least 24-hours prior to the scheduled start time of the official weigh-in and abide by the following:
1. Upon arrival to the Host Accommodation(s), all Personnel shall remain in their Vehicle until directed by Commission personnel to the designated screening area for symptom and temperature screening and Applicable Infectious Disease testing.
  2. If any Personnel has a temperature at or greater than 100.4° F, or displays other health indicators related to the Applicable Infectious Disease, that Personnel shall not be permitted to enter the Venue or remain on the Host Accommodation(s) premises. Personnel with a temperature at or greater than 100.4° F, or that display other health indicators related to the Applicable Infectious Disease, may be re-tested, at the discretion of the Executive Officer of the Commission.
  3. Personnel with a temperature below 100.4° F and who do not display any health indicators related to the Applicable Infectious Disease, shall then undergo the Applicable Infectious Disease test and shall be required to remain in Isolation at the Host Accommodation(s), until the results of the Applicable Infectious Disease test are received by Commission medical staff from the Promoter.
  4. The Promoter shall submit the Applicable Infectious Disease test results to Commission personnel for review prior to the athlete and the athlete's seconds reporting to the official weigh-in, as required in subsection (b)(3)(A).
  5. Upon receipt of the Applicable Infectious Disease test results, the Commission medical staff shall review the results. All Personnel with negative test results for the Applicable Infectious Disease may proceed to the weigh-in.
  6. Any Personnel with a positive Applicable Infectious Disease test result shall be immediately isolated and shall not travel back to the

Personnel's home city using public transportation. If any Personnel test positive for the Applicable Infectious Disease, it shall be the Promoter's responsibility to get that person(s) home safely. If any Commission personnel test positive for the Applicable Infectious Disease, it shall be the Commission's responsibility to get that person(s) home safely. Home is defined as the location that the Personnel identifies as their city of residence.

7. All Personnel that test negative for the Applicable Infectious Disease shall be issued an identifiable wristband or other type of identifying tracker by the Promoter, which shall be approved by the Executive Officer of the Commission and shall always be worn and visible for inspection until the conclusion of the Event. Such identifiable tracker shall be issued for each day of the Event, such that the tracker shall be able to be differentiated between previously issued trackers provided on other days of the Event. Personnel shall not be allowed to attend the weigh-in or enter the Venue without the tracker issued for that date.
8. All Personnel shall remain in their Host Accommodation(s) rooms, until travelling to the weigh-in and then the Venue, except as allowed by the Commission personnel, in writing (i.e. permission to use gym or weight room or lounge at Host Accommodation).
9. Promoter shall provide 24-hour security to ensure that those required to be self-isolated in their hotel rooms do not leave their rooms or the Host Accommodation(s) until traveling to the Venue, except as allowed by the Commission personnel, in writing.

(G) Notwithstanding paragraph (F) above, any Personnel deemed to be non-essential for the weigh-in by the Executive Officer of the Commission shall be allowed to arrive at the Host Accommodation(s) no later than 24-hours prior to the Event, so long as such Personnel's only duties occur during the day of the Event and only after such Personnel test negative for the Applicable Infectious Disease. All other requirements in paragraph (F) shall apply to the non-essential for weigh-in Personnel described in this paragraph.

(4) Cleaning/ Disinfecting of Host Accommodation(s) and Venue.

The Promoter shall ensure that the Venue and Host Accommodation(s) implement cleaning and disinfecting protocols deemed necessary by the CDC, CDPH, and the county health officer(s) in the jurisdiction(s) where the Event, Venue and Host Accommodation(s) are located to prevent the spread of the Applicable Infectious Disease.

(A) The Promoter shall be responsible for coordinating a cleaning and disinfection plan with the Host Accommodation(s) and Venue that meets or exceeds the then-current CDC cleaning and disinfecting standards applicable for the Applicable Infectious Disease. At least four (4) hours prior to the arrival of any Personnel at either the Host Accommodation(s) or Venue, the Promoter, in consultation with the Host Accommodation(s) and/or Venue, shall certify, in writing, to the Commission personnel that such Host Accommodation(s) and Venue have implemented a cleaning and disinfection plan that meets or

exceeds the then-current CDC cleaning and disinfecting standards applicable for the Applicable Infectious Disease.

(B) The event Venue shall be cleaned and disinfected prior to the Event, which, at a minimum, shall include the following:

1. All Event surfaces, including the ring or cage mat, ropes, cage fence, and padded areas shall be disinfected according to product instructions and following each bout with disinfectants effective against the Applicable Infectious Disease using products satisfying the criteria set forth by the United States Environmental Protection Agency (EPA) for disinfecting, as applicable.
2. All tables, chairs and stools around the ring or cage shall be disinfected according to product instructions, before and after each use, with disinfectants effective against the Applicable Infectious Disease using products recommended by the EPA.
3. Disinfectants used must be effective against emerging viral pathogens for the Applicable Infectious Disease, using products satisfying the criteria set forth by the EPA. Personnel using disinfectants shall be trained on manufacturer's directions and California Occupational Safety and Health Administration (Cal/OSHA) and CDPH requirements for safe use of the product.
4. Operating dispensers with hand sanitizer containing 70% or more alcohol (or other sanitizer recommended by the CDC for the Applicable Infectious Disease) shall be placed in all Traffic Areas, at all Event locations, including at the Host Accommodation(s) and Venue, unless guidelines provided by the CDC regarding the Applicable Infectious Disease require a higher percentage of alcohol (or other sanitizer recommended by the CDC for the Applicable Infectious Disease) be present, in which case such dispensers shall contain the CDC required amount.
5. Disposable Gloves shall be placed in all Traffic Areas at various locations at the Host Accommodation(s) and Venue.

(5) Athletic Resources.

(A) Promoter shall arrange with the Host Accommodation(s) exclusive use of the gymnasium/work out room (if one is available) for athlete use subject to a schedule that shall ensure physical distancing protocols determined necessary by the CDC, CDPH, and the county health officer(s) in the jurisdiction(s) where the Host Accommodation(s) are located to prevent the spread of the Applicable Infectious Disease are met.

(B) The gymnasium/work out room at the Host Accommodation(s) shall be cleaned and disinfected prior to each athlete's use per then-current CDC cleaning and disinfecting standards applicable for the Applicable Infectious Disease.

(C) Promoter shall establish a written schedule for use of the gymnasium/work out room, which shall be submitted to Commission personnel and each athlete participating in the Event no later than 48-hours prior to the weigh-in, listing all workout times for the athletes and their licensed seconds to use the gymnasium/work out room. Sufficient time between the aforementioned workout times shall be provided for the Host Accommodation(s) to clean and disinfect the gymnasium/workout room as described in subsection (b)(5)(B).

(D) Promoter shall ensure Referees have access to a private room and shower at the Venue that has been properly disinfected in accordance with the plan described in subsection (b)(4)(A) and remains unused by any other individuals during the entirety of the competition at the Venue.

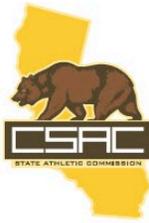
(c) General Event Operations.

- (1) The Commission shall regulate Events with only its essential Personnel which shall be the following:
  - (A) Ringside Physicians
  - (B) Lead Athletic Inspector
  - (C) Athletic Inspectors
  - (D) Ringside Officials (judges, referees, timekeepers and any other personnel deemed necessary by the Commission's Executive Officer)
- (2) Promoter shall operate Events with only its essential Personnel determined by the Promoter and approved by the Executive Officer of the Commission.
  - (A) Seven (7) days prior to the Event, Promoter shall submit to the Executive Officer of the Commission a list of names of the essential Personnel and their role at the Event.
  - (B) The forgoing lists of Personnel shall be submitted, in writing, by the Promotor's designated contact with the Commission.
- (3) After the athletes and their licensed seconds have completed their bout and the athlete has been medically cleared by the ringside physician, athletes and their seconds or team shall return to the Host Accommodation(s).
- (4) The Promoter shall ensure that all paramedic staff shall be trained and required to test, as outlined by CDC and CDPH guidelines, by their employer for the Applicable Infectious Disease.
- (5) Any fighter that is injured and requires hospitalization shall travel directly to the hospital and may only be accompanied by one other person. All remaining Personnel related to the injured fighter shall return directly to the Host Accommodation(s).
- (6) Personnel seated ring/cage side shall be placed at least six (6) feet back from the ring/cage perimeter and away from one another behind some form of physical barrier, such as a table, barricade, etc., unless the Applicable Infectious Disease protocol, at the time, requires placement further than six (6) feet, in which case the then-applicable CDC physical distancing requirement shall apply. Judges shall be seated ring/cage side behind a plexiglass, clear shatterproof and impermeable barrier or provided with a clear face shield or clear safety goggles with a Commission personnel approved Face Covering provided by the Promoter that will protect them from coming into contact with bodily fluids expelled from the ring/cage. Judges shall be seated at least six (6) feet away from each other unless the Applicable Infectious Disease protocol, in effect at the time, requires physical

distancing of more than six (6) feet, in which case the greater then-applicable CDC physical distancing requirement shall apply.

Note: Authority cited: Sections 18611 and 18725, Business and Professions Code.

Reference cited: Sections 18640, 18700, 18705.5, 18706, 18711, and 18732, Business and Professions Code. State of California *Resiliency Roadmap, Phase III* (April 28, 2020). CDC *Guidance for Cleaning and Disinfecting*, available online at [www.cdc.gov](http://www.cdc.gov).



## California State Athletic Commission COVID-19/Infectious Disease Pre-Screening Questionnaire

NAME: \_\_\_\_\_ DATE OF BIRTH: \_\_\_\_\_  
(LAST) (MIDDLE INITIAL) (FIRST)

DATE OF EVENT: \_\_\_\_\_ PROMOTER: \_\_\_\_\_

### Your role at the event:

- Athlete                       Second                       Manager                       Official
- Commission Personnel    Promotion Personnel    Media

In the last fourteen (14) days, have you experienced any of the following: (check all that apply):

- Cough     A temperature at or above 100.4° Fahrenheit
- Shortness of breath                               Sore throat
- Muscle aches that you cannot attribute to a specific activity such as physical exercise
- Close contact with someone who is currently sick with or suspected to have or had COVID-19 or an infectious disease declared by the State of California as a public health emergency.

### Authorization to Use and Disclose Protected Health Information

The California State Athletic Commission (Athletic Commission) is a public health authority, as defined in 45 CFR 164.501, exempt from HIPAA, and is authorized by California Business and Professions Code (BPC) Sections 18600, *et seq.*, to collection information about the applicant's mental and physical health.

I hereby authorize my personal physicians and other healthcare providers and all hospitals or similar institutions or organizations to furnish to the Athletic Commission or its successors copies of all my medical records, hospital records, records of treatment for drug and/or alcohol abuse or dependency, or other information requested by the Athletic Commission in connection with this application or any further or future investigation by that commission necessary to determine my fitness for licensure.

I further authorize the Athletic Commission or its successors to release any medical or other personal information with respect to my application or licensure to the organizations, individuals or groups listed above and to other regulatory bodies. The Athletic Commission will release this information only to those athletic commissions (or similar regulatory bodies) that have a need to know, as determined by the Athletic Commission. This disclosure of records is required for official use, including investigation of my fitness for licensure by the Athletic Commission. I understand that the recipient of my information is not a health plan or health care provider and the released information may no longer be protected by federal privacy regulations, including HIPAA.

I understand that I have a right to receive a copy of this authorization if I request it. I may inspect or obtain a copy of the protected health information that I am being asked to disclose.

I understand that I have a right to revoke this authorization by sending written notification to the California State Athletic Commission, 2005 Evergreen Street, Suite 2010, Sacramento, California 95815. I understand that if I revoke this authorization, I may not be allowed to continue in the licensure process, or, if I am licensed, my license may be adversely affected.

This authorization shall remain valid for one year from the date a license is issued to me. A copy of this authorization shall be as valid as the original.

SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_