

WRONGFUL DEATH CASE VS. ATHLETIC TRAINER

SUMMARY OF FACTS AND ISSUES

James White was a 17 year-old African American preparing to enter his senior year in high school. He had lived most of his life in Southern California where the temperature and humidity were very mild. He participated in sports without any problems. He was never tested for sickle cell trait but his grandfather died of sickle cell disease. His parents were told that other family members might be at risk, but were never told that this could create problems related to sports participation.

During the late spring of 2009, James' family moved to Anywhere, AZ. James had enjoyed a good year as a wide receiver on his high school football team and was very upset that his family was moving. He wanted to stay behind and live with friends, but his family persuaded him to come to Anywhere and visit Anywhere high school.

James and his family met with the athletic director and head football coach, who took an immediate interest in James because of his size and sports experience. The coach told James their best wide receiver was graduating, and assured him that he'd start at wide receiver and defensive back if he attended Anywhere. The AD emphasized that they had an athletic trainer who took very good care of the athletes, which impressed James' parents because the school in California didn't have an athletic trainer. They were given the PPE form prescribed by the AIA.

The family moved in late May but James' school year did not end until the second week in June and he also wanted to work out with his buddies before moving to Arizona. He stayed with a friend's family and spent June and July doing strength and conditioning work, and playing in a passing league with his former team. He took the PPE form to his family doctor in Santa Barbara who had treated him for several years. Knowing that James was in good health, the doctor quickly filled out and signed the form.

James arrived in Anywhere two days before the start of football practice in August and was immediately impacted by the heat. Football practices were in the mornings and evenings but morning temperatures were well over 90 degrees and humidity readings in the range of 25-40%. In the evenings, the humidity was somewhat lower, but the temperatures were over 100 degrees.

During the first three days of practice the players wore shorts, t-shirts and helmets, but the coaches required them to keep their helmets on except during water breaks. Breaks were taken every 45 minutes in the morning, and every 30 minutes in the evening, for 5 minutes each. Each practice session lasted 2 ½ hours.

On the first day of practice the athletic trainer spoke briefly to the football team about rules of the athletic training room, the fact that they needed to let him know anytime they were injured or sick, and about the need to drink plenty of water before, during, and after practice. He stated that he was there to take care of their injury

problems but not to baby them, and said he wouldn't put up with anyone trying to use complaints to get out of practice.

The first day of practice James demonstrated substantial athletic skill but as the morning session continued he had difficulty keeping up his performance. During conditioning drills at the end of the session he consistently lagged behind other skill players. The coaches constantly reminded him that, if he wanted to be a two-way starter, he had to get in better shape.

Players were not weighed at school but James had always made weighed himself at home after each practice. The afternoon of his first day he told his mother he lost four pounds that morning, so he couldn't believe the coaches would say he wasn't working hard enough. He also complained to his mother of nasal congestion, so she gave him a Sudafed tablet.

During the evening session several players showed signs of fatigue and toward the end of practice the head coach announced that they weren't close to being in playing shape, so were going to be worked a lot harder. The session ended with the team divided into two groups and running 100 yard wind sprints. Weather reports later revealed that, for the most of the practice session, the temperature was at least 102 degrees and the humidity 25% because of a thunderstorm which arrived later that night.

Near the end of his second sprint James lagged behind his group, and stumbled slightly at the end of the sprint. While the other group ran their sprint, he was bent over struggling to catch his breath. When his group started their third sprint he immediately lagged behind, and after about 35 yards fell to the ground. Because it was the end of practice, the athletic trainer had begun gathering up his equipment and was headed toward the athletic training room. When James fell, one of the coaches yelled at the athletic trainer to come back and check on him.

The athletic trainer called for two players to help James get to his feet and walk to the water station which was still on the field. He told James to drink as much as he could and also poured water over his head. Wanting to get James out of the heat, he then had the two players walk James back to the athletic training room, about 100 yards away. James made it to the athletic training room but then collapsed and was unresponsive, so the athletic trainer called for EMS assistance. The EMS crew wasn't sure how to get to the athletic training room, so didn't arrive for 20 minutes. James died in the hospital ten hours later of organ failure caused by exertional rhabdomyolysis.

James' parents sued the high school and the athletic trainer for wrongful death. They allege that the athletic trainer violated the standard of care for his profession in several ways, including his failure to follow the dictates of "position statements" published by the NATA related to prevention of heat illness, preseason acclimatization, sickle cell trait and emergency planning. They also allege violation of the mandates of the Arizona Athletic Practice Act concerning physician direction.

