
DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Broadwater

HB No. 691

Abstract: Revises the La. Athletic Trainers Law.

Proposed law provides that La. Athletic Trainers Law has the purpose of protecting the public health, safety, and welfare by providing for the licensing and regulation of the practice of athletic trainers in the state.

Present law provides for an athletic trainers certificate.

Proposed law removes reference to an athletic trainers certificate and changes it to athletic trainers license.

Present law provides for definitions.

Proposed law revises definitions in present law.

Present law requires the La. State Board of Medical Examiners (board) certify and keep a record of all persons certified as athletic trainers and collect examination fees (\$75), athletic trainer certification fees (\$35), renewal fees (\$25), and issuance of duplicate license fee (\$5).

Proposed law requires the board to license and keep a record of all persons licensed as athletic trainers and establish and collect fees in accordance with its rules.

Proposed law provides that the board shall approve, deny, revoke, suspend, probate, and renew licensure of a duly qualified candidate.

Proposed law requires the board to conduct administrative hearings on the denial, suspension, revocation, or refusal to issue or to renew a license.

Present law provides that no member of the board shall be liable in any civil action performed in good faith in the execution of his duties.

Proposed law provides that there shall be no liability on the part of and no action for damages against any member of the board, its agents or employees, in any civil action for any act performed in good faith.

Proposed law provides that no person, committee, association, organization, firm or corporation

shall be held liable for damages pursuant to any law of the state of La., or any political subdivision thereof for providing information to the board without malice and under the reasonable belief that such information is accurate and, whether providing such information as a witness or otherwise.

Present law provides that no person shall hold himself out as an athletic trainer or perform, for compensation or any other means of remuneration, any of the activities of an athletic trainer without first obtaining a certificate, but can be a student-trainer, assistant trainer, teacher-trainer, or any similar position.

Present law does not require the certification of athletic trainers at nonpublic schools.

Present law does not prevent an assigned athletic coach from administering and supervising his normal sports activities.

Proposed law repeals present law and provides that a person who is not licensed as an athletic trainer or whose license has been suspended or revoked shall not perform any of the following:

- (1) Activities of an athletic trainer as defined in proposed law.
- (2) Use in connection with his name or place of business the words "trainer", "licensed athletic trainer", "athletic trainer", "certified athletic trainer", "teacher/trainer", "first aid trainer", "sports trainer", "sports medic", the abbreviations "LAT", "ATC", "AT", or any other words, letters, abbreviations, or insignia indicating or implying that he is an athletic trainer, or in any way, orally, in writing, in print or by sign, directly or by implication, represent himself as an athletic trainer.

Proposed law shall not prevent an assigned athletic coach from administering and supervising his normal sports activities.

Present law provides that a person who applies for an athletic trainer certificate must possess at least one of the following qualifications:

- (1) Meet the athletic training curriculum requirements of a college or university approved by the board and provide proof of graduation.
- (2) Hold a degree in physical therapy from a school approved by the board and shall have completed a basic athletic training course, a first aid course as approved by the American Red Cross, a cardiopulmonary resuscitation course as approved by the American Heart Association or American Red Cross, and a nutrition course, and the applicant shall have spent two years in association with an athletic team, show proficiency in acute athletic care, and have letters of recommendation from a physician and a licensed athletic trainer.
- (3) Complete, beyond the secondary school level, either as an undergraduate or graduate student, at least four years as an apprentice athletic trainer at a college or university under the direct supervision of an athletic trainer approved by the board. Three of the four years shall be consecutive years under such supervision, military duty excepted. An applicant for certification shall provide proof of graduation from an accredited college or university and of successful completion of courses in athletic training, first aid, cardiopulmonary resuscitation, and nutrition.

Present law provides that the board may certify as an athletic trainer in this state after a written examination given by the board a person who has been so certified or licensed in another state of the United States and who meets all requirements of present law.

Proposed law repeals present law and provides that a person who applies for an athletic trainer license shall possess all of the following qualifications:

- (1) A certificate issued by the National Athletic Trainers' Association Board of Certification, Inc (BOC) evidencing the successful passage of the BOC Certification Examination or its successor.
- (2) A degree in athletic training from a Commission on Accreditation of Athletic Training Education (CAATE) accredited program, or such comparable degree accepted by the BOC and approved by the board.
- (3) Good moral character, as determined by rules established by the board.

Proposed law provides that a person currently certified by the board as a certified athletic trainer on the effective date of proposed law shall be issued a license by the board, without meeting the qualification requirements of proposed law, upon the submission of a renewal application and payment of the applicable renewal fee to the board during the year immediately following the effective date of proposed law. An athletic trainer granted a license pursuant to this provision of proposed law shall be required to meet all requirements of proposed law prior to renewal upon expiration of the license issued pursuant to this provision of proposed law.

Present law requires a person who wishes to apply for an athletic trainer certificate to apply to the board on forms prescribed by the board and pay the examination fee required.

Present law provides that the applicant shall be entitled to an athletic trainer's certificate if he possesses the qualifications enumerated in present law, successfully completes the examination administered by the board to the satisfaction of the board, pays the certificate fee required, and has not committed an act which constitutes grounds for denial of a certificate under present law.

Present law provides that a certificate issued pursuant to present law shall expire on June 30th of each year. Each certificate shall be renewed on or before June 30th of each year in accordance with the procedure established by the board and upon payment of the renewal fee.

Proposed law repeals present law.

Proposed law provides that the board may refuse to issue a license to an applicant or may suspend, or revoke or impose probationary terms, conditions or restrictions on any license issued under proposed law if the license issued or applicant has committed any one of a list of acts.

Proposed law provides that the board may, as part of a decision, consent order, or other agreed order, require the applicant or license holder to pay all costs of the board's proceedings and a fine

not to exceed one thousand dollars.

Present law provides that any person whose application for a certificate or for renewal of a certificate is denied shall be entitled to a hearing in accordance with procedures established by the Administrative Procedure Act (APA).

Proposed law repeals present law.

Proposed law provides that denial, refusal to renew, suspension or revocation of a license, or the imposition of probationary terms, conditions, or restrictions upon a licensee, may be ordered by the board in a decision made after a hearing in accordance with procedures established by the APA or by consent of the parties.

Present law authorizes the board to suspend or revoke a certificate for any cause stated in present law, but only after notice and opportunity for a hearing are provided to the certificate holder. Proceedings for such revocation or suspension of a certificate shall be commenced by filing charges against the certificate holder in writing and under oath with the board.

Proposed law repeals present law.

Proposed law provides that any license suspended, revoked, or otherwise restricted may be reinstated by the board.

Proposed law provides that provisions of the La. Athletic Trainers Law shall not apply to any athletic training student pursuing a course of study leading to a degree in athletic training at an institution whose program is accredited, recognized, or approved by the CAATE, if such activities and services constitute a part of a supervised course of study and the individual's status is designated by a title which clearly indicates his status as an "athletic training student".

Proposed law provides that a license and renewal issued pursuant to present and proposed law shall be conspicuously displayed in the principal office of the licensee. Licensees shall, upon request, present proof of state licensure when engaged in professional activities as a licensed athletic trainer (LAT).

(Amends R.S. 37:3301, 3302, 3303, 3304, and 3307; Adds R.S. 37:3305.1, 3306.1, 3308.1, 3309.1, 3311(C), and 3313; Repeals R.S. 37:3305, 3306, 3308, 3309, and 3310)

Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on Health and Welfare to the original bill.

1. Made technical corrections.
2. Added a definition for athlete.

3. Corrected the names of referenced organizations.
4. Removed the assessment component from the definition of emergency management.
5. Clarified that an athletic trainer may use methods approved by any of the following: the American Red Cross, the American Heart Association, or protocol previously established by the athletic trainer and the team or consulting physicians.
6. Clarified that an athletic trainer previously certified by the board shall be issued a renewal license without having to meet the qualification requirements of proposed law only during the year immediately following the effective date of proposed law.
7. Changed the prohibited act of engaging in cognitive or clinical conduct to the demonstration of cognitive or clinical incompetency.

House Floor Amendments to the engrossed bill.

1. Made technical changes.
2. Deleted requirement that a physician, other than a team physician, prescribing treatment be a consulting physician for the team or athletic organization.