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Kirsch
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HOUSE CS FOR CS FOR SENATE BILL NO. 119(L&C)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SEVENTH LEGISLATURE - SECOND SESSION

BY THE HOUSE LABOR AND COMMERCE COMMITTEE

**Offered:
Referred:**

Sponsor(s): SENATORS MEYER, McGuire, Ellis, Menard, Davis, Paskvan

A BILL

FOR AN ACT ENTITLED

"An Act relating to athletic trainers; relating to student participation in interscholastic activities; and providing for an effective date."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

*** Section 1.** AS 08.01.010 is amended by adding a new paragraph to read:

(39) regulation of athletic trainers under AS 08.07.

*** Sec. 2.** AS 08 is amended by adding a new chapter to read:

Chapter 07. Athletic Trainers.

Sec. 08.07.010. License required. (a) An individual may not practice or offer to practice athletic training, or allow another person to offer athletic training by the individual, in the state without being licensed under this chapter, unless the individual

(1) is a student in an accredited athletic trainer program;

(2) is present in the state for not more than 90 days for a specific athletic event or series of athletic events with an individual or group not based in the state; or

(3) is authorized to practice athletic training under another provision of Alaska law.

(b) This section does not prohibit a person licensed under another chapter of this title from performing functions defined as athletic training if those functions are within the scope of that person's license and the person does not use a title listed in (c) of this section.

(c) Unless licensed under this chapter, an individual may not use the titles "athletic trainer," "licensed athletic trainer," "A.T.," or any combination of those terms to indicate that the individual is a licensed athletic trainer.

Sec. 08.07.020. Qualifications for license; fee; renewal. (a) The department shall issue an athletic trainer license to an individual who

- (1) applies to the department on a form provided by the department;
- (2) meets the requirements established by the department in regulation;
- (3) pays the fees established by the department; and
- (4) provides proof of certification by the National Athletic Trainers' Association Board of Certification, Inc.

(b) An athletic trainer license may be renewed on proof of certification by the National Athletic Trainers' Association Board of Certification, Inc., and as provided in AS 08.01.100.

Sec. 08.07.030. Regulations. After consulting the professional standards issued by the National Athletic Trainers' Association Board of Certification, Inc., or another nationally recognized professional association approved by the department, the department shall adopt regulations to protect the public, ensure quality patient care, and regulate the licensing of athletic trainers that include

- (1) minimum standards for licensure as an athletic trainer;
- (2) minimum standards of care for practice as an athletic trainer; and
- (3) continuing education requirements.

Sec. 08.07.040. Definition. In this chapter, "athletic training" means the prevention of athletic injuries and the evaluation, care, and treatment of an athlete's injury at the time and place of the injury or according to a written prescription, standing order, or protocol of a physician licensed under AS 08.64, using exercise and

physical modalities such as heat, light, sound, cold, electricity, or mechanical devices for rehabilitation and treatment.

* **Sec. 3.** AS 09.65.300(c) is amended to read:

(c) In this section,

(1) "health care provider" means a state licensed physician, physician assistant, dentist, dental hygienist, osteopath, optometrist, chiropractor, registered nurse, practical nurse, nurse midwife, advanced nurse practitioner, naturopath, physical therapist, occupational therapist, marital and family therapist, psychologist, psychological associate, licensed clinical social worker, athletic trainer, or certified direct-entry midwife;

(2) "health care services" means services received by an individual in order to treat or to prevent illness or injury;

(3) "nonprofit organization" means an organization that qualifies for exemption from taxation under 26 U.S.C. 501(c)(3) or (4) (Internal Revenue Code).

* **Sec. 4.** AS 14.30.142(d) is amended to read:

(d) A student who has been removed from participation in a practice or game for suspicion of concussion may not return to participation in practice or game play until the student has been evaluated and cleared for participation in writing by a qualified person who has received training [AND IS CURRENTLY CERTIFIED], as verified in writing or electronically by the qualified person, in the evaluation and management of concussions. In this subsection, "qualified person" means either a

(1) health care provider who is licensed in the state or exempt from licensure under state law; or

(2) person who is acting at the direction and under the supervision of a physician who is licensed in the state or exempt from licensure under AS 08.64.370(1), (2), or (4).

* **Sec. 5.** AS 14.30 is amended by adding a new section to read:

Sec. 14.30.365. Interscholastic activities; eligibility. (a) A full-time student who is enrolled in grades nine through 12 in an alternative education program that is located entirely in the state and that does not offer interscholastic activities is eligible to participate in any interscholastic activities program available in the public school

that the student would be eligible, based on the residence of the parent or legal guardian of the student, to attend were the student not enrolled in an alternative education program if the student

(1) is otherwise eligible to participate in interscholastic activities under requirements established by the school, the school district, and the statewide interscholastic activities governing body;

(2) provides documentation, including academic transcripts, proof of full-time enrollment, and applicable disciplinary records, and, if required for participation in an activity by the school, requested medical records, to the school providing the interscholastic activities program; and

(3) claims the same school for interscholastic activities eligibility purposes during a school year.

(b) In this section,

(1) "alternative education program" means a public secondary school that provides a nontraditional education program, including the Alaska Military Youth Academy; a public vocational, remedial, or theme-based program; a home school program that is accredited by a recognized accrediting body; a charter school authorized under AS 14.03.250 - 14.03.290; and a statewide correspondence school that enrolls students who reside outside of the district in which the student resides and provides less than three hours a week of scheduled face-to-face student interactions in the same location with a teacher who is certified under AS 14.20.020;

(2) "district" has the meaning given in AS 14.17.990;

(3) "full-time student" means a student who

(A) is enrolled in not less than five classes in grades nine through 11 and not less than four classes in grade 12; and

(B) is on track to graduate from secondary school in not more than four years of attendance in secondary school;

(4) "interscholastic activities" means preparation for and participation in events or competitions involving another school when the preparation or participation

(A) is sanctioned or supported by the statewide interscholastic

- 1 activities governing body;
2 (B) is conducted outside of the regular school curriculum; and
3 (C) does not involve participation in student government at a
4 school.

5 * **Sec. 6.** Section 4 of this Act takes effect immediately under AS 01.10.070(c).

6 * **Sec. 7.** Section 5 of this Act takes effect July 1, 2013.