

**CS FOR HOUSE BILL NO. 160(FIN)**

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-EIGHTH LEGISLATURE - SECOND SESSION

BY THE HOUSE FINANCE COMMITTEE

Offered: 4/11/14

Referred: Rules

Sponsor(s): REPRESENTATIVE THOMPSON BY REQUEST, Austerman, Gara, Josephson

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act relating to the licensing and regulation of athletic trainers."**

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

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

4 (39) regulation of athletic trainers under AS 08.07.

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

6 **Chapter 07. Athletic Trainers.**

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

10 (1) is a student in an accredited athletic trainer program who is  
11 practicing athletic training under the supervision of an athletic trainer or a person  
12 licensed to practice medicine or osteopathy under AS 08.64;

13 (2) is licensed, certified, or registered as an athletic trainer in another  
14 state and is present in the state for not more than 90 days in a calendar year for a  
15 specific athletic event or series of athletic events with an individual or group not based

1 in the state; or

2 (3) is in the military service of the United States or as an employee of  
3 the federal government performing athletic training services within the scope of the  
4 individual's official duties.

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

9 (c) Unless licensed under this chapter, or exempted under (a)(2) or (3) of this  
10 section, an individual may not use the titles "athletic trainer," "licensed athletic  
11 trainer," "certified athletic trainer," "athletic trainer certified," "A.T.," "A.T.L.,"  
12 "C.A.T.," "A.T.C.," or any combination of those terms to indicate that the individual is  
13 a licensed athletic trainer.

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

16 (1) applies to the department on a form provided by the department;

17 (2) meets the requirements established in regulation by the department;

18 (3) pays the fees established by the department; and

19 (4) provides proof of certification by the Board of Certification, Inc.,  
20 or another nationally recognized professional association approved by the department.

21 (b) An athletic trainer license may be renewed upon proof of certification by  
22 the Board of Certification, Inc., or another nationally recognized professional  
23 association approved by the department and as provided in AS 08.01.100.

24 **Sec. 08.07.030. Scope of practice of athletic trainers.** (a) An athletic trainer  
25 may practice athletic training only under the supervision of a person licensed to  
26 practice medicine or osteopathy under AS 08.64. In this subsection, "supervision"  
27 means the physician authorizes a procedure and the procedure is performed by the  
28 athletic trainer in accordance with the physician's diagnosis and treatment plan.

29 (b) An athletic trainer shall immediately refer an athlete to an appropriate  
30 licensed health care professional if the athletic trainer determines that athletic training  
31 is contraindicated or the symptoms or conditions present require treatment outside the

1 scope of practice of an athletic trainer.

2 (c) The practice of an athletic trainer includes

3 (1) the treatment of an athlete for injury or illness prevention;

4 (2) the clinical evaluation and assessment of an athlete for an injury  
5 sustained or exacerbated while participating in a sport or sport-related exercise or  
6 activity;

7 (3) the immediate care and treatment of an athlete for an injury  
8 sustained or exacerbated while participating in a sport or sport-related exercise or  
9 activity; and

10 (4) the rehabilitation and reconditioning of an athlete from injury  
11 sustained or exacerbated while participating in a sport or sport-related exercise or  
12 activity.

13 (d) In this section, "health care professional" means a physician, nurse, and  
14 physician assistant, but does not include a practitioner of religious healing.

15 **Sec. 08.07.040. Regulations.** After consulting the professional standards  
16 issued by the Board of Certification, Inc., or another nationally recognized  
17 professional association approved by the department, the department shall adopt  
18 regulations to protect the public, ensure quality patient care, and regulate the licensing  
19 of athletic trainers that include

20 (1) minimum standards for licensure as an athletic trainer;

21 (2) minimum standards of care for practice as an athletic trainer; and

22 (3) continuing education requirements.

23 **Sec. 08.07.090. Definitions.** In this chapter,

24 (1) "athlete" means an individual who participates in an organized  
25 sport or sport-related exercise or activity, including interscholastic, intercollegiate,  
26 intramural, semiprofessional, and professional sports activities;

27 (2) "athletic trainer" means an individual who is licensed under  
28 AS 08.07.020 to practice athletic training in this state;

29 (3) "athletic training" means the treatment of an athlete under the  
30 direction of a physician licensed under AS 08.64 to manage risk of injury and prevent  
31 injury, evaluate clinically, assess, and treat an athlete's injury or illness, and

1 rehabilitate and recondition that athlete.

2 \* **Sec. 3.** AS 09.65.300(c)(1) is amended to read:

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

9 \* **Sec. 4.** AS 47.17.290(14) is amended to read:

10 (14) "practitioner of the healing arts" includes **athletic trainers**,  
11 chiropractors, mental health counselors, social workers, dental hygienists, dentists,  
12 health aides, nurses, nurse practitioners, certified nurse aides, occupational therapists,  
13 occupational therapy assistants, optometrists, osteopaths, naturopaths, physical  
14 therapists, physical therapy assistants, physicians, physician's assistants, psychiatrists,  
15 psychologists, psychological associates, audiologists and speech-language pathologists  
16 licensed under AS 08.11, hearing aid dealers licensed under AS 08.55, marital and  
17 family therapists licensed under AS 08.63, religious healing practitioners,  
18 acupuncturists, and surgeons;

19 \* **Sec. 5.** The uncodified law of the State of Alaska is amended by adding a new section to  
20 read:

21 APPLICABILITY. The license requirement in AS 08.07.010, enacted by sec. 2 of this  
22 Act,

23 (1) applies immediately to a person who has

24 (A) never practiced athletic training, as defined in AS 08.07.090,  
25 enacted by sec. 2 of this Act, before the effective date of this Act; or

26 (B) has practiced athletic training in the state, but does not meet the  
27 requirements of (2) of this section; and

28 (2) does not apply until two years after the effective date of this Act to a  
29 person who has been practicing athletic training in this state for at least three of the five years  
30 immediately preceding the effective date of this Act and is certified by the Board of  
31 Certification, Inc., and practicing athletic training within the scope of that certification.