Uncovering Legal, Ethical, and Regulatory (LER) Issues In Athletic Training

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Chair, NATA Professional Responsibility in Athletic Training (PRAT)

FORMATION
Professional Responsibility Work Group (PRWG)

ENCOURAGE PROFESSIONAL RESPONSIBILITY

Three-prong approach
• Legal
• Ethical
• Regulatory

PURPOSE OF LITERATURE REVIEW
1. to cast a wide net relative to our LER understanding,
   • Health care literature
   • Sports medicine literature
2. to give us an appreciation of the current LER literature
3. to help us understand potential LER issues in AT
### LITERATURE REVIEW: Summary

<table>
<thead>
<tr>
<th>TOP 5 ISSUES IN LIT.</th>
<th>LER issue classification</th>
<th>EXAMPLES</th>
</tr>
</thead>
<tbody>
<tr>
<td>Frequency of appearance</td>
<td>Legal &amp; Ethical Implications</td>
<td>poor communication, repetitive publications, liability, lack of best practices, coercion, poor supervision, bullying, duality of allegiance, alcohol/drug use, negligence</td>
</tr>
<tr>
<td>1 - Misconduct</td>
<td>Legal &amp; Ethical Implications</td>
<td>malpractice, sexual abuse, statutes, informed consent, fabrication/falsification, fraud, libel</td>
</tr>
<tr>
<td>2 - Federal &amp; State Statutes</td>
<td>Legal</td>
<td>NCAA Sports Medicine Guidelines, BOC Standards of Professional Practice, position statements, concussion guidelines, standards of care</td>
</tr>
<tr>
<td>3 - Standards/Guidelines/Policies</td>
<td>Legal &amp; Ethical Implications</td>
<td>autonomy, beneficence, nonmaleficence, justice</td>
</tr>
<tr>
<td>4 - Bioethical Principles</td>
<td>Ethical</td>
<td>state regulation, scope of practice, overlapping scope</td>
</tr>
<tr>
<td>5 - Practice Acts</td>
<td>Regulatory</td>
<td></td>
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</tbody>
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### PRWG SURVEY DEVELOPMENT

**QUESTIONS**

- Q1: When did you learn most about LER issues?
- Q2: Have you seen an AT colleague demonstrating non-adherence to LER standards?
- Q3: What do you think might explain LER non-adherence?
- Q4: What LER issues are of interest?
- Q5: What LER resources would be helpful?
- Q6: Open-ended question: What do you believe are the most significant LER issues facing athletic training today?

### RESULTS: Demographics

**ROUTE TO CERTIFICATION**

- 36% Internship
- 64% Accreditation

**AGE**

- 44% = 18-34 yo
- 44% = 35-54 yo
- 12% = 55+ yo

*611 Survey Respondents*
RESULTS: Demographics

SURVEY: Question #1

Q1: TIME LEARNED MOST ABOUT LER ISSUES
When in your professional life did you learn most about LER issues?
47.5% Professional Continually Engaged In Practice
30.3% Classroom Student
3.3% Clinical Student
2.8% I Have Not Learned About LER Issues
**SURVEY: Question #2**

**Q2: NON-ADHERENCE**

*Top 3 Responses*

*During the past 12 months have you witnessed an athletic trainer demonstrating any of the following behaviors? (those answering yes)*

<table>
<thead>
<tr>
<th>Range of responses: (7-29%)</th>
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<tbody>
<tr>
<td>29%</td>
</tr>
<tr>
<td>25%</td>
</tr>
<tr>
<td>18%</td>
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</tbody>
</table>

**SURVEY: Question #3**

**Q3: MOTIVATION**

*Top 3 Responses*

*What do you think may explain (LER) non-adherence? (those answering partially & fully explains)*

<table>
<thead>
<tr>
<th>Range of responses: (71-84%)</th>
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<tbody>
<tr>
<td>84%</td>
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<tr>
<td>77%</td>
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<tr>
<td>76%</td>
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</tbody>
</table>

**SURVEY: Question #4**

**Q4: PROFESSIONAL DEVELOPMENT**

*Top 3 Responses*

*What is your interest in learning more about the LER issues associated with the following professional circumstances? (those answering interested & very interested)*

<table>
<thead>
<tr>
<th>Range of responses: (31-72%)</th>
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<tbody>
<tr>
<td>72%</td>
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<tr>
<td>67%</td>
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<tr>
<td>66%</td>
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<tr>
<td>66%</td>
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</table>
SURVEY: Question #5

Q5: RESOURCES
Top 3 Responses
Relative to LER issues, how helpful would it be to have access to the following resources? (those answering helpful & extremely helpful)

Range of response: (87-96%)

- 96% LER professional guideline that simplifies appropriate professional conduct
- 96% LER internet-based resources
- 94% LER continuing education
- 90% LER educational materials for the professional degree programs

SURVEY: Question #5

Q6: What do you believe are the most significant LER issues facing athletic training today?

RECOMMENDATIONS: Data-Driven

STANDING COMMITTEE
Based on the results of the survey data, the Work Group proposed to the NATA Board of Directors to transition from a NATA Work Group to a stand-alone NATA committee.
The mission of the NATA Professional Responsibility Committee (PRC) is to support the legal, ethical, and regulatory (LER) standards of the Strategic Alliance (SA) by encouraging and promoting adherence. As such, the PRC collaboratively works with SA to proactively inform professional practice by:

A. streamlining LER resources,
B. educating professionals how to exercise those standards, and
C. establishing an online presence

Chair
NATA Districts (Districts 1-10)
Strategic Alliance Representation
BOC, CAATE, Foundation

KEY NATA COMMITTEES
GAC, COPA, COPE, Federal Legislative Research leader
NATA staff liaison

PROFESSIONAL RESPONSIBILITY IN ATHLETIC TRAINING (PRAT)
ATHLETIC TRAINERS:
1. Realize the importance of scope of practice;
2. Recognize that many colleagues are using communication (oral, written, photos) that negatively reflect on the profession;
3. Don’t feel confident about their understanding of ALL the LER professional standards that guide practice;
4. Would like LER professional standards to be simplified and streamlined, and
5. Would like to know more about:
   - Scope of Practice
   - HIPAA, FERPA, confidentiality, privacy
   - How to minimize exposure to risk and liability
   - How to minimize external pressures relative to return to play

Thank You
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