



 2017 BOC Athletic Trainer Regulatory Conference


Disciplinary Policies and Procedure Panel Discussion

Nick Pappas ATC, LAT
Chair
Florida Board of Athletic Training

 Division of Medical Quality Assurance (MQA)


- Agency operating as part of the Department of Health
- Regulates 22 boards and 6 councils
- Regulates over 1.15 million health care practitioners
- Processes over 100,000 applications a year



 Board Overview

- Consists of nine members appointed by the Governor and confirmed by the Senate
- Five members of the board must be licensed athletic trainers
- One member of the board must be a physician licensed under chapter 458 or chapter 459
- One member of the board must be a physician licensed under chapter 460
- Two members of the board shall be consumer members, each of whom must be a resident of this state who has never worked as an athletic trainer, who has no financial interest in the practice of athletic training, and who has never been a licensed health care practitioner as defined in s. 456.001(4)

BOC
Legislative Intent of the Board

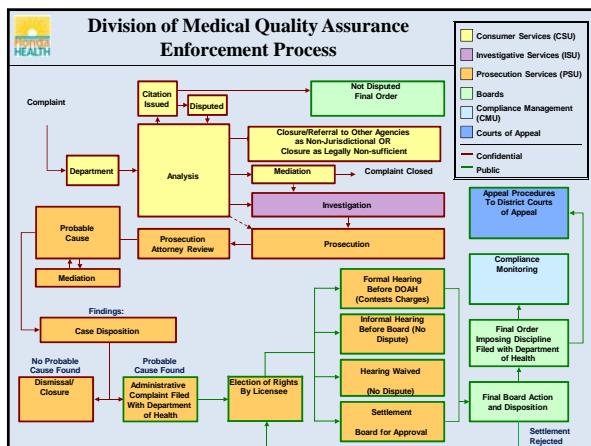


Section 468.70, Florida Statutes

"It is the intent of the Legislature that athletic trainers practicing in this state meet minimum requirements for safe practice and that an athletic trainer who falls below minimum competency or who otherwise presents a danger to the public be prohibited from practicing in this state. It is the further intent of the Legislature to protect the public by licensing and fully regulating athletic trainers."

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Disciplinary Guidelines

- Adoption of rules
- Specify a meaningful range of penalties
- Allows the Board to impose penalties other than those provided for in rules when there is a specific finding of mitigating or aggravating circumstances
- Establishes the requirement for review by the Board to ensure compliance with the legislative intent
- Establishes the requirement for an administrative law judge to follow the penalties set forth by the Board



BOC Disciplinary Proceedings

- Filing of complaint
- Administrative review and remedies
- Determination of legal sufficiency
- Establish reasonable cause
- Initiate investigation
- Allocation of resources and personnel
- Action within time limits and constraints
- Reporting matrix and prosecution
- Case disposition and formal hearings
- Handling of complaints after final action

BOC Examples of Strengths and Limitations

- Relative to:
 - Filing of complaints
 - Administrative review, legal sufficiency and reasonable cause
 - Investigation process and anonymity
 - Availability of resources
 - Constraints related to prosecution
 - Case disposition and hearings
 - Handling of complaints . . . what comes next?



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Thank You

For more information, please contact:
Nick Pappas ATC, LAT
Florida State University
Dept. of Athletics
P.O. Box 2195
Tallahassee, FL 32316
850-645-2700
npappas@fsu.edu
or
www.floridasathletictraining.gov
