



# REGULATORY UPDATE

A PUBLICATION FROM  
THE BOARD  
OF CERTIFICATION

FALL 2015

## Leaders of Athletic Training Organizations Change the AT Degree Level to a Master's

Decision affecting future ATs was made with the best interests of the profession in mind to ensure a vital place for ATs in the evolving healthcare arena.

Over the past two and a half years, the AT Strategic Alliance, under the lead of the National Athletic Trainers' Association (NATA) and Commission on Accreditation of Athletic Training Education (CAATE), has been actively engaged in a critical examination of what the appropriate professional degree level should be to best prepare Athletic Trainers (ATs) for an integral role in the evolving healthcare system. Members of the AT Strategic Alliance, in addition to the NATA and CAATE, include the Board of Certification (BOC) and NATA Foundation.

In May, a special meeting was held to hear final presentations and to deliberate. The NATA Board of Directors and the Commissioners of the CAATE, with the full support of the Board of Certification and the NATA Research & Education Foundation, have agreed to establish the

professional degree in athletic training at the master's level.

Among the data considered in this decision was work produced by the NATA Executive Committee for Education (ECE). This included the *Professional Degree White Paper*, focus groups with existing professional programs at the master's degree level, a healthcare economist's study specific to athletic training education and numerous open-discussion sessions at state, district and national meetings. Among the CAATE's significant contributions included their knowledge of the accreditation landscape, and the changing higher education environment. They presented expert opinions from Commission physician and administrative members and provided an analysis developed from the CAATE's call for open comments.

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# BOC NEWS IN BRIEF

## Share Your Thoughts on Telehealth

The following article about telehealth and concussions was published September 11, 2015, by *Mississippi News Now*. How does your state handle telehealth? Please click the article title below to read the full story, and then log in to the Regulatory Network to submit comments.

### "Telehealth being used for football concussion evaluations"

*Mississippi News Now*

Excerpt: "So many of these schools don't have an athletic trainer," said Joseph. "In fact, only three have an athletic trainer. There's just not those local resources."

## NPDB Attestation Reminder

The following important reminder was posted in the [Citizen Advocacy Center](#) newsletter:

*In February 2015, the National Practitioner Data Bank reminded licensing boards that "State health profession regulatory boards and agencies are now required to submit an attestation for all health professions*

*they regulate. Prior to January 26, 2015, only professions who were not part of a compliance effort were required to attest. The attestation is linked to the board's registration renewal every two years."*

For details, see <http://tinyurl.com/pg5ynrg>.

## Disciplinary Action Exchange

The [Disciplinary Action Exchange \(DAE\)](#) was developed to help the BOC, states and consumers locate disciplinary actions in an efficient manner. The BOC posts all public disciplinary actions that have been deemed public.

The BOC strongly encourages you to participate in the exchange. Links to the online submission form and to the DAE web page, which displays actions submitted via the DAE, can be found under the Links section of the State Regulatory Network home page.

If you have questions regarding the DAE, please contact Shannon Leftwich at [ShannonL@bocatc.org](mailto:ShannonL@bocatc.org).



## Calendar of Events

### 2016 Federation of Association of Regulatory Boards (FARB) Forum

January 28-31, 2016  
Clearwater Beach, Florida  
[www.farb.org](http://www.farb.org)

### National Athletic Trainers' Association 67th Clinical Symposia & AT Expo

June 22-June 25, 2016  
Baltimore, Maryland  
[www.nata.org/annual-meeting](http://www.nata.org/annual-meeting)

### Council on Licensure, Enforcement and Regulation (CLEAR) 2016 Annual Educational Conference

September 15-17, 2016  
Portland, Oregon  
[www.clearhq.org/page-1860392](http://www.clearhq.org/page-1860392)

### BOC Athletic Trainer Regulatory Conference

July 14-15, 2017  
Omaha, Nebraska  
<http://www.bocatc.org/state-regulation/state-regulatory-conference>



# AT Degree Change

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The CAATE *Standards for Accreditation of Professional Athletic Training Programs* will be changed to include a requirement that professional programs be at the master's degree level with a specific implementation deadline of no less than 7 years. This does not require currently certified ATs to obtain an additional degree. The deadline to require a master's degree to sit for the BOC examination will affect students who are not yet in high school.

A decision of this magnitude requires significant discussion, planning and communication. The Alliance has launched a [website](#) that provides more information on the implementation as well as an opportunity for members of the profession to ask questions. The site also provides a synopsis of the research that went into this decision and responses to questions raised during the months of gathering feedback. An in-person session was held at the NATA 2015 convention to address "what's next" questions. The presentation was recorded and [posted online](#) so that all ATs have access to the dialogue. As the process moves forward, there will be several additional opportunities for conversations about next steps.

Given the current state of higher education and healthcare, change is not only inevitable, but necessary. The Strategic Alliance has a responsibility to be the visionaries for the growth of the profession. This decision is not about today. It is about the future and longevity of the athletic training profession. The decision was not made lightly, and the approach to implementation will be treated with the same seriousness as the decision.

The CAATE released information about the implementation timeline after its August 2015 Commission meeting and looks forward to working with institutions and professional programs as they transition to the master's degree. NATA and the CAATE will provide tools, resources and best practices to assist with the process, as well as ongoing updates on the implementation and timeline. The goal is to make this transition as simple as possible for all involved.

## CAATE's Updated Standard for Athletic Training Degree and Implementation Timeline

The CAATE has revised and updated its standard for the athletic training degree, and it has announced an implementation timeline. From the [CAATE website](#):

### *Standard 2:*

*CAATE accredited professional athletic training programs must result in the granting of a master's degree in Athletic Training. The program must be identified as an academic athletic training degree in institutional academic publications. The degree must appear on the official transcript similar to normal designations for other degrees at the institution.*

### *Timeline for Compliance with Standard 2:*

*Baccalaureate programs may not admit, enroll, or matriculate students into the athletic training program after the start of the fall term 2022*

More information is available on the [CAATE's FAQ page](#).

ATs have historically played a major role in the provision of healthcare for life and sport. The AT's role and scope of practice continues to evolve in response to the dynamic nature of healthcare. As a result, ATs are considered by physicians to be integral members of the interprofessional healthcare team.

A critical link to acceptance in the broader healthcare arena is the AT's level of professional preparation. This decision to shift the degree level is essential to ensuring our future ability to meet the expectations of the healthcare team, to continuing to improve patient outcomes, and to keeping our profession sustainable for generations to come.

# BOC Regulatory Conference Draws Crowd

Attendees gather to discuss current issues in the regulatory industry and to honor Public Advocacy Award Winners.

On July 10-11, the BOC hosted the BOC Athletic Trainer Regulatory Conference in Omaha, Nebraska. Conference attendees included 110 representatives of the athletic training and regulatory industries from across the country.

Presenters covered a host of topics, including industry updates, case studies, unlicensed practice, ethics, certification boards, working with attorneys and sport safety legislation. A complete list of presentations can be found on the following page. PowerPoint slides and YouTube videos are available via the [BOC website](#).

During the conference, the BOC Board of Directors and staff hosted a reception to honor the 2015 BOC Public

Advocacy Award winners. The Public Advocacy Award is designed to recognize an individual, group or organization who has demonstrated leadership in protecting athletic training consumers. Honorees were **Alabama Sen. Greg Reed** and, jointly, **Illinois Athletic Trainers Association Inc. and Midwest Orthopaedics at RUSH**.

The biennial conference is designed to create a communication network among state Athletic Trainer leadership and state regulatory agencies. This year's conference was sponsored by Johnson & Johnson, Mutual of Omaha, CAATE, Castle Worldwide and Regal Awards & Advertising Specialties.

*Left: BOC Board President Susan McGowen is pictured with Mike "Sully" Sullivan of the Illinois Athletic Trainers Association Inc. IATA was jointly honored with Midwest Orthopaedics at RUSH.*

*Right: Chris King accepts the Public Advocacy Award on behalf of Alabama Sen. Greg Reed.*



# How Does Your Board Keep Athletic Trainer Regulation Relevant in Your State?

In the past year, state governors, including Michigan's and Arizona's, have asked state boards and commissions to justify their existence. Regardless of whether such challenges have occurred in your own state, now is a good time to consider how your board or commission is keeping Athletic Trainer regulation relevant.

Below are some questions you may want to address at your next board meeting:

- Is there a substantial harm or danger to the public health, safety or welfare as a result of unregulated practice? If so, can it be abated through regulation?
- Are your education or training requirements highly specialized?
- Is the cost to regulate Athletic Trainers revenue neutral?
- Is the scope of practice distinguishable from other regulated occupations?
- Does your board fulfill a duplicative mission?
- Are your meeting minutes posted online?
- How often does the board meet?
- How many complaints were received in the last year?
- Has your board been recognized for excellence or shortcomings?
- Do you employ a lobbyist?
- Do you use outside legal services, other than the attorney general's office?
- Are Athletic Trainers mentioned in other legislation, such as a concussion law or any other youth safety laws?
- Does your state define "healthcare provider" or "healthcare practitioner"? If yes, is Athletic Trainer included in that definition?
- Do you have a continuing competence requirement? Why or why not?

Through ongoing conversations about your board or commission's role in Athletic Trainer regulation, you can assure relevance as the profession advances and as regulatory needs evolve.

## ■ State Regulatory News

### Alaska

As of June 18, 2014, Alaska is the 49th state to regulate Athletic Trainers. Effective July 1, 2015, licensure is required for all who practice athletic training in Alaska. For more information, visit the Alaska Department of Commerce, Community, and Economic Development's [website](#).

### California

In September 2015, Bill AB161 was passed by the legislature but then was vetoed by the governor. AB161 was a title protection bill that "would make it unlawful for any person to

hold himself or herself out" as an Athletic Trainer unless he or she is certified by the BOC.

### Colorado

The Athletic Trainer Practice Act has been sunsetted by the Colorado Legislature, meaning the AT registration program is coming to an end. While a bill was introduced to return to exemption, the bill died in committee. As a result, unless a new registration or licensure bill is successfully passed in the 2016 session, Colorado will no longer regulate Athletic Trainers as of July 1, 2016.

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# State Regulatory News

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According to the [Office of Athletic Trainer Registration](#), current registration expiration dates will be automatically extended to June 30, 2016. For new registrants, anyone wishing to practice as an AT between now and June 30, 2016, must apply for registration under the current rules.

## Florida

In June 2015, [H0541](#) was signed into law. This bill revises licensure requirements, revises Athletic Trainers' responsibilities to practice under the direction of a physician, and contains other prohibitions and revisions regarding athletic training practice.

## North Dakota

The North Dakota legislature passed SB 2295 in April, successfully updating the state AT practice act.

## Texas

Senate Bill 202, enacted by the 84th Texas Legislature and signed into law by Gov. Greg Abbott, transfers responsibility for the licensing and regulation of Athletic Trainers from the Department of State Health Services (DSHS) to the Texas Department of Licensing and Regulation (TDLR). March 2016 is the target date for the complete transfer of this program from DSHS to TDLR.

The TDLR website's [New Programs page](#) has the most up-to-date information about the new Athletic Trainers program. You can also sign up for email notices to get updates on the program and TDLR information.

On October 14, 2015, the [Texas Commission of Licensing and Regulation](#) voted unanimously to appoint 4 members to the Athletic Trainers Advisory Committee. One public member

position is vacant at this time. Advisory Committee members will provide crucial guidance to TDLR's Athletic Trainers program. Their knowledge and technical expertise in this field is essential in helping the Commissioners make informed choices and decisions.

TDLR congratulates and welcomes the new Athletic Trainers Advisory Committee members:

- Athletic Trainer: **Darrell Ganus**, Kilgore, Texas. *Term expires 1/31/2021.*
- Public Member: **Dr. David Schmidt**, San Antonio, Texas. *Term expires 1/31/2017.*
- Athletic Trainer: **Brittney Webb**, Martindale, Texas. *Term expires 1/31/2021.*
- Athletic Trainer: **David Weir (Presiding Officer)**, College Station, Texas. *Term expires 1/31/2019.*

If you are interested in serving as a public member of the Advisory Committee, please [apply online](#).

## Washington

Fees for Washington Athletic Trainers will be reduced effective January 1, 2016. The fee reductions are as follows:

Title of Fee	Fee
Original application	
Application	<del>(\$175)</del> \$115
Active license renewal	
<del>(License)</del> Renewal	<del>(\$200)</del> \$135
Late renewal penalty	<del>(\$100)</del> \$70
Expired license reactivation	\$100
Inactive license renewal	
<del>(Inactive license)</del> Renewal	\$40
<del>(Expired license reactivation)</del>	<del>(\$100)</del>
Expired <del>(inactive)</del> license reactivation	\$40
Duplicate license	\$15
Verification of license	\$25

# FTC Issues Guidance on Antitrust Ruling

The Federal Trade Commission (FTC) has issued guidance for states following a U.S. Supreme Court decision that affects state licensing boards and raises questions about their supervisory requirements.

In *North Carolina State Board of Dental Examiners v. Federal Trade Commission*, the Supreme Court ruled that state licensing boards are not immune from antitrust laws and are therefore not exempt from supervisory requirements.

In other words, according to [SCOTUSblog](#), state supervision is required when boards are “controlled by

market participants in the same occupation that the board regulates.”

The FTC's guidance addresses 2 key questions:

- First, when does a state regulatory board require active supervision in order to invoke the state action defense?*
- Second, what factors are relevant to determining whether the active supervision requirement is satisfied?*

To read the full guidance document on the FTC's website, [click here](#).

## Projects Underway to Enhance ATs' Professional Development

The BOC is dedicated to a quality certification program that helps Athletic Trainers maintain their competence and use best practices throughout their career. Certification maintenance requirements assure the ATC® credential is a sign of quality. Two new projects are underway to advance this goal.

For one project, more than 500 ATs volunteered to participate in a pilot study of an Athletic Trainer Portfolio system. The study, which begins in January 2016, will allow participating ATs to test a system where they can identify and design a personalized continuing education experience. The BOC thanks all volunteers who are participating in this pilot study.

Additionally, the BOC Board of Directors has commissioned a Maintenance of Competence Task Force, which will begin meeting in Spring 2016 to develop recommendations that

will be open for public comment. This task force has been charged with the following:

- Identifying strategies that allow ATs to demonstrate maintenance of competence beyond accumulation of CE credit alone
- Recommending enhancements of the current certification maintenance system, which will allow ATs to maintain their competence through varied educational and assessment activities
- Identifying the components of the self-assessment module(s) and the subject matter areas that can be offered for future CE credit

By testing an innovative new CE system and exploring other opportunities for professional development, the BOC promises a high quality credential for Athletic Trainers now and long into the future.