




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

Gretchen Schlabach, PhD, ATC
Chair, NATA Professional Responsibility in Athletic Training (PRAT)




FORMATION
Professional Responsibility Work Group (PRWG)

ENCOURAGE PROFESSIONAL RESPONSIBILITY

Three-prong approach

- Legal
- Ethical
- Regulatory

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PRWG Research

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

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LITERATURE REVIEW: Summary		
TOP 5 ISSUES in LIT. frequency of appearance	LER ISSUE classification	EXAMPLES
1 - Misconduct	Legal & Ethical Implications	poor communication, repetitive publications, liability, lack of best practices, coercion, poor supervision, bullying, duality of allegiance, alcohol/drug use, negligence
2 - Federal & State Statutes	Legal	malpractice, sexual abuse, statutes, informed consent, fabrication/falsification, fraud, libel
3 - Standards/ Guidelines/ Policies	Legal & Ethical Implications	NCAA Sports Medicine Guidelines, BOC Standards of Professional Practice, position statements, concussion guidelines, standards of care
4 - Bioethical Principles	Ethical	autonomy, beneficence, nonmaleficence, justice
5 - Practice Acts	Regulatory	state regulation, scope of practice, overlapping scope

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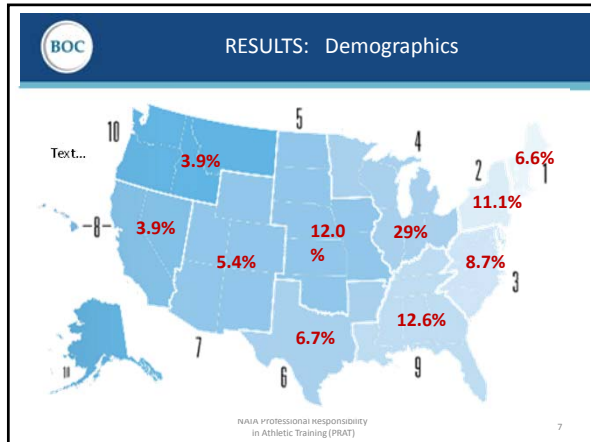
PRWG SURVEY DEVELOPMENT	
QUESTIONS	
Q1: When did you learn most about LER issues?	
Q2: Have you seen an AT colleague demonstrating non-adherence to LER standards?	
Q3: What do you think might explain LER non-adherence?	
Q4: What LER issues are of interest?	
Q5: What LER resources would be helpful?	
Q6: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

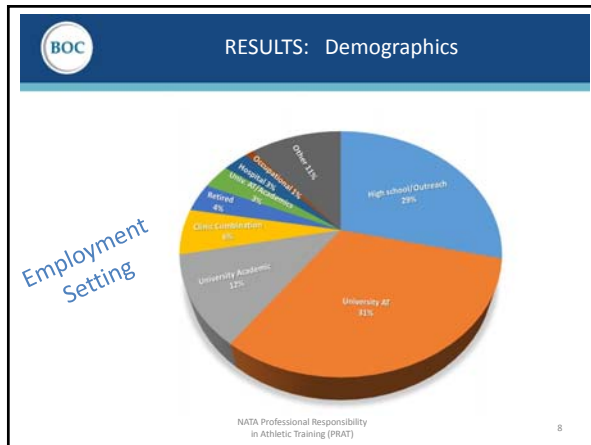
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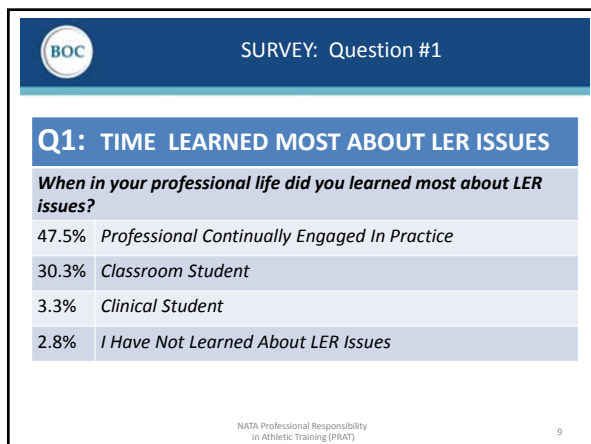
RESULTS: Demographics	
ROUTE TO CERTIFICATION	
◆ 36% Internship	
◆ 64% Accreditation	
AGE	
◆ 44% = 18-34 yo	
◆ 44% = 35-54 yo	
◆ 12% = 55 > yo	

611 Survey Respondents

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BOC 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)

Range of responses: (7-29%)

29%	Communication (oral, written, or photos) that negatively reflected upon the profession?
25%	A failure to maintain patient privacy and confidentiality?
18%	A practice of substandard patient care, e.g., unlicensed care, not abiding by professional standards of care?

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BOC SURVEY: Question #3

Q3: MOTIVATION
Top 3 Responses

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

Range of responses: (71-84%)

84%	Lack the knowledge and understanding about the LER professional guidelines.
77%	Intentionally overlook this because the loyalty to the institution/coach or company/employer is greater than the commitment to the patient.
76%	Believed that no one would report them.

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BOC 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)

Range of responses: (31-72%)

72%	Exposure to risk and liability
67%	External pressures and return-to-play decisions
66%	Scope of Practice
66%	Autonomy and treatment decisions

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BOC 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

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BOC SURVEY: Question #5

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

Issue	Approximate Number of Responses
SCOPE OF PRACTICE	100
PERIODIC RE-CERTIFICATION	95
PRIVACY / CONFIDENTIALITY / HIPAA / FERPA	75
SOCIAL MEDIA	65
REGULATORY STANDARDS	55
DOCUMENTATION	45
RELATIONSHIP STANDARDS	40
STANDARD OF CARE	35


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BOC 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 the from a NATA Work Group to a stand alone NATAcommittee.

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 **RECOMMENDATIONS: Data-Driven**

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

MISSION

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 **RECOMMENDATIONS: Data-Driven**

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


COMMITTEE REPRESENTATION

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 **PROFESSIONAL RESPONSIBILITY
IN ATHLETIC TRAINING (PRAT)**



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 **TAKE HOME MESSAGE**

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

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 **2017 BOC Athletic Trainer
Regulatory Conference**

Thank You

Gretchen Schlabach, PhD, ATC
Chair, NATA Professional Responsibility
in Athletic Training

Professor Emerita
Northern Illinois University
genschlabach@aol.com
