

Legislative Analysis



ATHLETIC TRAINER LICENSURE

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House Bill 4893 (Substitute H-2)

Sponsor: Rep. Edward Gaffney, Jr.

Committee: Health Policy

Complete to 12-12-05

A SUMMARY OF HOUSE BILL 4893 AS REPORTED FROM COMMITTEE 12-6-05

House Bill 4893 would amend the Public Health Code (MCL 333.16263 et al.) to add Part 179 entitled "Athletic Training," which would require that athletic trainers be licensed to practice. The bill would take effect December 1, 2006.

Definitions. The bill would define "athletic trainer" to mean an individual engaged in the practice of athletic training. The "practice of athletic training" would mean the treatment of an individual for risk management and injury prevention, the clinical evaluation and assessment for an injury and/or illness, and the rehabilitation and reconditioning of the injury and/or illness as long as those activities were within departmental rules and performed under the direction and supervision of a physician. The practice of athletic training would not include the practice of physical therapy, the practice of medicine or of osteopathic medicine and surgery, the practice of chiropractic, or medical diagnosis or treatment.

Application for Licensure. Under the bill, the Department of Community Health would issue a license as an athletic trainer to an individual who applied to the department on its prescribed form; met the requirements for licensure promulgated in the rules; and paid the appropriate fees—a \$20 application processing fee, and a \$60 annual license fee.

License; Licensure Requirements. A license issued by the department would be for a three-year license cycle. It would be renewable upon payment of the prescribed license renewal fee. Beginning with the third year after the effective date of the rules promulgated under the legislation, the applicant seeking renewal would have to submit proof of satisfactory completion of at least eight clock-hours of continuing education within the three-year cycle, in subjects related to athletic training and approved by the department.

In addition to the continuing education requirements, an athletic trainer would be required to submit proof of both of the following: a) that he or she had successfully completed a course of training in first aid, cardiopulmonary resuscitation, and foreign body obstruction of the airway, approved by the department and offered or approved by the American Red Cross, the American Heart Association, or a comparable organization; and b) that he or she held, at the time of application for renewal and at all times during the previous licensure period, a valid certificate in first aid and cardiopulmonary resuscitation issued by the organization offering the training.

Athletic Training Board. The bill would create a seven-member Michigan Athletic Trainer Board in the department. The board would comprise four athletic trainers, one public member, and two physicians licensed under Part 170 (M.D.) or Part 175 (D.O.) of the code.

Rules; Continuing Education; Titles. The Department of Community Health would be required to promulgate rules to establish the minimum standards for licensure and the minimum standards of care for the practice of athletic training, and in doing so could consult the professional standards issued by the National Athletic Trainer's Association, the National Athletic Trainer's Association Board of Certification, or by another nationally recognized professional association. The department could incorporate by reference, in whole or in part, existing standards in the rules. The rules would have to provide for at least 80 clock hours of continuing education within each three-year license cycle, in subjects related to athletic training and approved by the department. The rules could be supplemented, as needed.

Beginning upon the effective date of the rules that would be promulgated under this bill, a person would be prohibited from engaging in the practice of athletic training unless licensed to do so. After that date, a person would be prohibited from using the titles "athletic trainer," "licensed athletic trainer," "certified athletic trainer," "athletic trainer certified," "A.T.," "A.T.L.," "C.A.T.," "A.T.C." or similar words, unless the individual was licensed. In addition, a licensee could not provide, offer to provide, or represent that he or she was qualified to provide any services that he or she was not qualified to perform by education, training, or experience or otherwise prohibited by law from performing.

Third Party Reimbursement. The bill specifies that Part 179 would not require new or additional third party reimbursement for services rendered by an individual licensed as an athletic trainer.

FISCAL IMPACT:

House Bill 4893 (H-2), will create state costs to develop and administer licensing, regulation, complaint review, and to support a state board for the licensure of the profession of athletic trainer. Annual licensing fees of \$200 and initial processing fees of \$75 per individual are established with the intent that they will fully support the state licensing system costs for this profession. The costs and revenue are dependent upon the number of persons who seek licensure. The Michigan Athletic Trainers' Association estimates that approximately 1,100 athletic trainers in Michigan may meet the licensing requirements of the bill. Average annual program revenue from 1,100 licensees is estimated to be approximately \$247,200. This revenue could support the equivalent of two state positions and administrative costs. Licensed persons will be subject to discipline under Part 161 of the Public Health Code for licensure violations or unlawful practice without licensure, which may include fines.

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