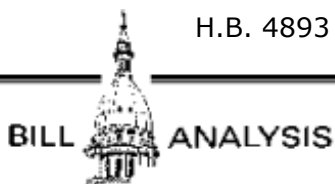




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House Bill 4893 (Substitute H-2 as passed by the House)  
Sponsor: Representative Edward Gaffney, Jr.  
House Committee: Health Policy  
Senate Committee: Health Policy

Date Completed: 2-14-06

### **CONTENT**

**The bill would add Part 179 to the Public Health Code to provide for the licensure of athletic trainers. The bill would do all of the following:**

- Require the Department of Community Health (DCH) to issue an athletic trainer license to an applicant who met the criteria for licensure contained in rules promulgated under Part 179, and paid the required fees.**
- Establish a \$75 application processing fee and a \$200 annual license fee.**
- Require a licensed athletic trainer, when renewing a license, to submit proof that he or she successfully completed training in first aid, CPR, and foreign body obstruction of the airway, and proof that he or she met certain continuing education requirements.**
- Require the DCH to promulgate rules establishing minimum licensure standards and standards of care for the practice of athletic training.**
- Prohibit a person from calling himself or herself an athletic trainer, or using certain other titles, without being licensed.**
- Create the Michigan Athletic Trainer Board within the DCH.**

The bill would take effect on December 1, 2006.

"Athletic trainer" would mean an individual engaged in the practice of athletic training. "Practice of athletic training" would mean the treatment of an individual for risk management and injury prevention, the clinical evaluation and assessment of an individual for an injury and/or illness, the immediate care and treatment of an individual for an injury and/or illness, and the rehabilitation and reconditioning of an individual's injury and/or illness, as long as those activities were within the rules promulgated under Part 179 and performed under the direction and supervision of a licensed physician. The bill specifies that the practice of athletic training would not include the practice of physical therapy, medicine, osteopathic medicine and surgery, or chiropractic, or medical diagnosis or treatment.

Beginning on the effective date of rules promulgated by the DCH, a person could not engage in the practice of athletic training unless licensed under Part 179 or otherwise authorized to engage in the practice of athletic training. An individual licensed under Part 179 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 his or her education, training, or experience, or that he or she was otherwise prohibited by law from performing. The bill states that these provisions would not prohibit an individual licensed under any other part of the Code,

or any other act, from performing activities that were considered the practice of athletic training so long those activities were within his or her scope of practice and he or she did not use the title "athletic trainer", "certified athletic trainer", "licensed athletic trainer", "athletic trainer certified", "a.t.", "a.t.l.", "c.a.t.", "a.t.c.", or similar words indicating that the person was an athletic trainer. Beginning on the bill's effective date, a person could not use those titles unless he or she were licensed as an athletic trainer under Part 179.

The bill would create the Michigan Athletic Trainer Board within the DCH. The Board would consist of the following seven members meeting the requirements of Part 161 of the Code: four athletic trainers, one public member, and two licensed physicians.

(Under Part 161, a member of any licensing board must be at least 18 years old, be of good moral character, be a Michigan resident for at least the six months immediately preceding the appointment, and be currently licensed in that health profession in Michigan. Additionally, the member must actively have practiced that profession or taught in an approved educational institution that prepares applicants for licensure in that profession in any state for at least the two years immediately preceding the appointment.)

The Department would have to promulgate rules establishing the minimum standards for licensure as an athletic trainer and the minimum standards of care for the practice of athletic training. In promulgating those rules, the DCH could consult the professional standards issued by the National Athletic Trainer's Association (NATA), the NATA Board of Certification, or another nationally recognized professional association. The Department could incorporate by reference, in whole or in part, existing standards in the rules. As needed, the DCH could amend or supplement any standards by promulgation of a rule.

The Department would have to issue an athletic trainer license to a person who applied on a form provided by the DCH, met the requirements for licensure contained in rules promulgated under Part 179, and paid the fees prescribed by the bill.

An athletic trainer license would be valid for a three-year license cycle. A license could be renewed upon payment of the license renewal fee. Beginning in the third year after the effective date of the DCH's rules, a licensee also would have to submit to the Department proof of satisfactory completion of at least 80 clock hours of continuing education within the three-year license cycle in subjects related to athletic training and approved by the DCH. The Department would have to promulgate rules to provide for the 80 clock hours of continuing education.

In addition to meeting the continuing education requirements, a licensed athletic trainer would have to submit, along with his or her application for license renewal, proof of both of the following to the DCH's satisfaction:

- That he or she successfully had completed a course of training in first aid, cardiopulmonary resuscitation (CPR), and foreign body obstruction in the airway approved by the DCH and offered or approved by the American Red Cross, the American Heart Association, or a comparable organization, as determined by the DCH.
- That he or she held, at the time of application for renewal and at all times during the previous license period, a valid certification in first aid and CPR issued by the organization offering the training.

The bill specifies that Part 179 would not require new or additional third-party reimbursement for services rendered by a licensed athletic trainer.

MCL 333.16263 et al.

Legislative Analyst: Julie Koval

## **FISCAL IMPACT**

If enacted, House Bill 4893 (H-2) would likely have no fiscal impact upon State or local government. The State would incur additional administrative and staff costs associated with the creation and enforcement of application standards and processing applications for licensure. This administrative cost would be offset by revenue generated through fees established in the bill for application processing and licensure.

Fiscal Analyst: David Fosdick

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.