

ARIZONA STATE LEGISLATURE

COMMITTEES OF REFERENCE FOR THE SUNRISE HEARING OF THE ATHLETIC TRAINERS BOARD

Minutes of the Meeting
Wednesday, December 15, 1999
2:00 p.m. Senate Hearing Room 2

Members Present:

Senator Gus Arzberger, Chair
Senator Sue Grace
Senator Peter Rios

Representative Sue Gerard, Chair
Representative Carolyn Allen
Representative Hatch-Miller
Representative Herschella Horton

Members Absent:

Senator Scott Bundgaard
Senator Randall Gnant

Representative John Loreda

Staff:

Brian Townsend, Senate Commerce Analyst
Liana Martin, House Health Analyst
Julie Szperling, Senate Assistant Analyst

Senator Arzberger called the meeting to order at 2:03 p.m., and attendance was noted.

STAFF PRESENTATION

Brian Townsend, Senate Commerce Analyst, reported that the athletic training professionals had applied for sunrise earlier this year, and since that time have been meeting to develop draft legislation to establish a Board of Athletic Trainers. Mr. Townsend stated that Senator Wettaw had encouraged the trainers to find a different place for the profession to be regulated, and they have arrived at a consensus to be placed with the Board of Occupational Therapists. Mr. Townsend stated there are still some outstanding issues to be resolved.

Representative Gerard asked if the trainers had endeavored to be regulated by the Board of Physical Therapists. Mr. Townsend responded they had.

PRESENTATION BY SUNRISE APPLICANTS

Jack LaSota, Attorney, Arizona Athletic Trainers Association, said the trainers are seeking a new professional board and will be placed within the existing structure of the

Board of Occupational Therapy. That Board will decide on January 19, 2000, as to whether to accept the trainers' offer. Mr. LaSota said it would create an unusual situation but is not without precedence. It would be a separate board administered by the Board of Occupational Therapy and would involve having one administrative assistant paid for by the trainers.

Richard T. Ball, Consultant, Arizona Athletic Trainers Association, stated he is a consultant and practices on a limited basis with a number of organizations. He has been actively involved with athletic training nationally for over twenty years. Mr. Ball stated that certified trainers are recognized as allied healthcare practitioners by the American Medical Association. The educational process is accredited by the Commission on Accreditation of Allied Health Education Programs, and there is a national certification process, accredited by the National Commission of Certifying Agencies. The National Athletic Trainers Association Board of Certification is the only credentialing body recognized by the National Commission. Certified trainers have a baccalaureate degree, most of them have masters degrees, and all trainers pass a certification exam which is very demanding. There are currently 22,000 certified trainers in the country, a number which is increasing by 10% each year. Arizona has 400 trainers, 300 of which belong to the national organization, and they practice in all manner of athletic settings from professional to youth programs. Mr. Ball said they practice in hospitals under the direct supervision of physical therapists. He said they also practice outside of the clinical setting under an exemption granted in 1988 through the Physical Therapy Practice Act. He noted the Physical Therapy Board does not regulate athletic training; there are people who are practicing in violation of the intent of that exemption, and they are not being regulated. Mr. Ball said that more than 50% of them deal with children and young adults, and the profession needs to be regulated for the protection of the public.

Representative Gerard asked if this means that physical education teachers would fall under this Board. Mr. Ball said they would not. Responding to Representative Gerard, Mr. Ball said one of the problems with the profession is that people who have no credentials or training are calling themselves athletic trainers. He said it is fine for them to do personal training, but since they do not have a degree or training, the Athletic Trainers Association would like to put a stop to them using the terminology "athletic training" for what they do. He explained that athletic trainers are people who work in the high school athletic programs, as well as the community colleges and the major universities, and with professional teams. The domains of the profession include prevention, recognition of injury, referral, rehabilitation, and administration of the health care program within the athletic organization. He said it is more advanced than the personal trainer who is working on strengthening and conditioning.

Representative Allen asked if personal trainers have any special training, or if they can just set themselves up as a personal trainer. Mr. Ball said they could, although there are a few organizations which grant certification to personal trainers, based on a weekend course, and there are no educational requirements.

Representative Horton stated there is the other extreme where there are exercise physiologists, who have a lot of training. She asked what impact this would have on the schools.

Mr. Ball said it will give them an indication of whom the State recognizes as being qualified to practice in the State. He said if a school creates an athletic training position, they presently have no indication as to whom is qualified to fill that position, and some have hired paramedics, who are qualified with emergency situations, while the trainers are qualified to deal with prevention, education and counseling, and psychological and sociological problems. It will have no impact in so far as requiring them to hire someone to practice that profession. He noted that over 50% of schools have full-time people on campus to practice athletic training.

Representative Horton said if there are only 400 trainers in the State, there are more out there who are practicing those services within the public school system. She noted she is familiar with the importance of athletic trainers as her son has played football since the age of eight. She said she does not know what monetary impact this will have on the schools, recognizing that certification is voluntary as opposed to mandatory licensure.

PUBLIC TESTIMONY

Peggy Hiller, Physical Therapist, State Board of Physical Therapy, said she was asked by the Board of Physical Therapy to speak about its concerns on one issue in the bill. Ms. Hiller stated that is with the supervision of the athletic trainers. Current statute allows physical therapists to supervise athletic trainers in a physical therapy setting, and includes an exemption allowing them to practice outside of a physical therapy setting. She said if she is reading the bill correctly, it would prevent a physical therapist from continuing to supervise an athletic trainer in a physical therapy setting. She said this is something the Board has concerns about, but they have not had the opportunity to discuss this and have input.

Susie Stevens, Legislative Counsel, Arizona Physical Therapy Association, said she echoed the concerns Ms. Hiller expressed.

Daniel C. Wright, M.S., A.T.C., C.S.C.S., Chair, AzATA Legislative Action Committee, spoke with regard to the risk to the public. He stated that Mr. Ball had expressed concerns that he would also have expressed regarding trainers at the high school level.

Gary DeForge, Chair, Sports Health Care, Arizona School of Health Science, said he is director of an accredited graduate athletic training education program. He said he came to the University of Arizona in 1963 as head athletic trainer. Mr. DeForge said the term trainer has been a term the athletic trainers have had to “overcome” and differentiate. The National Certification exam is recognized as the only certifying body for athletic trainers which offers a certified exam, out of which come competencies in

athletic training. He listed several of those and stated the training provides a competency based educational system which prepares the individual to practice safely and effectively.

Representative Horton stated she thought the trainers were seeking certification, and that was what she had spoken to earlier. She asked if they are seeking licensure or certification. Mr. DeForge clarified they are seeking licensure.

Representative Horton asked again what the impact will be on the public school system if licensure is required. She said every school of any size has a sports team and a person who works as a trainer, who also looks after the children.

Mr. DeForge said there is nothing that would mandate hiring a licensed athletic trainer, but if they do, they will have assurance that person is well-trained in the field.

Representative Horton expressed concern about the number of teachers and coaches who are serving as athletic trainers, and may be unemployed if licensure is required. She noted that licensure will be mandatory, where certification is not.

Mr. Ball returned to the podium to say in terms of coaches providing taping, providing first aid, implementing emergency response, that is not considered athletic training, and would not apply under this act. However, for the past eleven years, if anyone other than a person certified by the National Athletic Trainers Board of Certification is going beyond prophylactic taping, or emergency response and is providing rehabilitative care to athletes they are in violation of the Physical Therapy Practice Act and are committing a crime. He noted that in 1988 every school in the State was notified of this exemption and stating that if the school had people practicing technical physical therapy for injuries, they were in violation unless certified. He said those are the only people today who can legally practice athletic training anywhere in the State. He did not think it would change anything except for those who are breaking the law. He said those are the people who need to be eliminated.

Senator Arzberger suggested the trainers work with the Board of Physical Therapists and try to resolve the issue. Mr. Ball responded they have had discussion regarding a place to put the board of athletic trainers with the Board of Physical Therapists, and have found they have limited space and staff. However the Board of Occupational Therapists does have space for them.

Representative Allen stated it appears several issues need to be worked out and she believes they will have their work cut out for them to get the bill through the process.

Senator Arzberger asked Mr. Townsend to explain an agreement between the boards. Mr. Townsend said language had been proposed on which he believed there was agreement with regard to the issue of supervision. Apparently, that language has been changed in the draft legislation by the proponents of licensure for athletic trainers. He said that language was not available until late last night, and was not read by many

parties until this morning. He noted they are working it out, but there does not appear to be complete agreement.

Representative Allen moved the Committee recommend the sunrise of the Board of Athletic Trainers. The motion CARRIED by voice vote.

There being no further business, the meeting was adjourned at 2:29 p.m.

Respectfully submitted,

Karen Neuberg
Committee Secretary

(Tape and attachments on file in the Secretary of the Senate's Office.)