

- 1.1 A bill for an act
- 1.2 relating to health occupations; licensing; modifying the Minnesota Athletic
- 1.3 Trainers Act; amending Minnesota Statutes 2014, sections 148.7802, subdivision
- 1.4 6, by adding a subdivision; 148.7803, subdivision 1; 148.7804; 148.7805;
- 1.5 148.7806; 148.7808; 148.7809; 148.7810; 148.7812, subdivision 1; 148.7813,
- 1.6 subdivision 5; 148.7815; repealing Minnesota Statutes 2014, section 148.7802,
- 1.7 subdivisions 4, 5, 10, 11.
- 1.8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:
- 1.9 Section 1. Minnesota Statutes 2014, section 148.7802, subdivision 6, is amended to read:
- 1.10 Subd. 6. **Athletic trainer.** "Athletic trainer" means a person who engages in
- 1.11 athletic training under this section and section 148.7806 and is registered licensed under
- 1.12 section 148.7808.
- 1.13 Sec. 2. Minnesota Statutes 2014, section 148.7802, is amended by adding a subdivision
- 1.14 to read:
- 1.15 Subd. 6a. **Athletic training.** "Athletic training" means prevention, evaluation, or
- 1.16 intervention techniques, or any combination of those acts, in the provision of patient
- 1.17 care as defined by the current competencies in athletic training issued by a nationally
- 1.18 recognized accreditation agency for athletic training education, or for which formal
- 1.19 advanced postprofessional preparation has been obtained. Athletic training does not
- 1.20 include the practice of medicine as defined in section 147.081, or the practice of
- 1.21 chiropractic as defined in section 148.01.
- 1.22 Sec. 3. Minnesota Statutes 2014, section 148.7803, subdivision 1, is amended to read:

2.1 Subdivision 1. **Designation.** A person shall not use in connection with the person's
2.2 name the words or letters registered athletic trainer; licensed athletic trainer; Minnesota
2.3 registered licensed athletic trainer; athletic trainer; AT; ATR; ATC; LAT; or any words,
2.4 letters, abbreviations, or insignia indicating or implying that the person is an athletic
2.5 trainer, without a certificate-of-registration license as an athletic trainer issued under
2.6 sections 148.7808 to 148.7810. A student attending a college or university athletic training
2.7 program must be identified as an "athletic training student."

2.8 Sec. 4. Minnesota Statutes 2014, section 148.7804, is amended to read:

2.9 **148.7804 POWERS OF THE BOARD.**

2.10 The board, acting under the advice of the Athletic Trainers Advisory Council, shall
2.11 issue all registrations licenses and shall exercise the following powers and duties:
2.12 (1) adopt rules necessary to implement sections 148.7801 to 148.7815;
2.13 (2) prescribe registration license application forms, certificate of registration license
2.14 forms, protect forms, and other necessary forms;
2.15 (3) approve a registration licensure examination;
2.16 (4) keep a complete record of registered licensed athletic trainers, prepare a current
2.17 official listing of the names and addresses of registered licensed athletic trainers, and make
2.18 a copy of the list available to any person requesting it upon payment of a copying fee
2.19 established by the board;
2.20 (5) keep a permanent record of all its proceedings; and
2.21 (6) establish the duties of, and employ, clerical personnel.

2.22 Sec. 5. Minnesota Statutes 2014, section 148.7805, is amended to read:

2.23 **148.7805 ATHLETIC TRAINERS ADVISORY COUNCIL.**

2.24 Subdivision 1. **Membership.** The Athletic Trainers Advisory Council is created and
2.25 is composed of eight members appointed by the board. The advisory council consists of:

2.26 (1) two public members as defined in section 214.02;
2.27 (2) three members who are registered licensed athletic trainers, one being both
2.28 a licensed physical therapist and registered licensed athletic trainer as submitted by
2.29 the Minnesota American Physical Therapy Association, and two as submitted by the
2.30 Minnesota Athletic Trainers' Association;

2.31 (3) two members who are medical physicians licensed by the state and have
2.32 experience with athletic training and sports medicine; and

2.33 (4) one member who is a doctor of chiropractic licensed by the state and has
2.34 experience with athletic training and sports injuries.

- 3.1 Subd. 2. **Administration.** The advisory council is established and administered
- 3.2 under section 15.059.
- 3.3 Subd. 3. **Duties.** The advisory council shall:
- 3.4 (1) advise the board regarding standards for athletic trainers;
- 3.5 (2) distribute information regarding athletic trainer standards;
- 3.6 (3) advise the board on enforcement of sections 148.7801 to 148.7815;
- 3.7 (4) review registration licensing and registration license renewal applications and
- 3.8 make recommendations to the board;
- 3.9 (5) review complaints in accordance with sections 214.10 and 214.13, subdivision 6;
- 3.10 (6) review investigation reports of complaints and recommend to the board whether
- 3.11 disciplinary action should be taken;
- 3.12 (7) advise the board regarding evaluation and treatment protocols;
- 3.13 (8) advise the board regarding approval of continuing education programs; and
- 3.14 (9) perform other duties authorized for advisory councils under chapter 214, as
- 3.15 directed by the board.
- 3.16 Sec. 6. Minnesota Statutes 2014, section 148.7806, is amended to read:
- 3.17 **148.7806 ATHLETIC TRAINING.**
- 3.18 (a) Athletic training by a registered licensed athletic trainer under section 148.7808
- 3.19 includes the activities described in paragraphs (a) to (e) (b) to (d).
- 3.20 (a) (b) An athletic trainer shall provide patient care under the direction of, on the
- 3.21 prescription of, or in collaboration with a person:
- 3.22 (1) ~~prevent, recognize, and evaluate athletic injuries;~~
- 3.23 (2) ~~give emergency care and first aid;~~
- 3.24 (3) ~~manage and treat athletic injuries; and~~
- 3.25 (4) ~~rehabilitate and physically recondition athletic injuries.~~
- 3.26 ~~The athletic trainer may use modalities such as cold, heat, light, sound, electricity,~~
- 3.27 ~~exercise, and mechanical devices for treatment and rehabilitation of athletic injuries to~~
- 3.28 ~~athletes in the primary employment site.~~
- 3.29 (b) ~~The primary physician shall establish evaluation and treatment protocols to be~~
- 3.30 ~~used by the athletic trainer. The primary physician shall record the protocols on a form~~
- 3.31 ~~prescribed by the board. The protocol form must be updated yearly at the athletic trainer's~~
- 3.32 ~~registration renewal time and kept on file by the athletic trainer.~~
- 3.33 (1) licensed in the state to practice;
- 3.34 (i) medicine as defined in section 147.081;
- 3.35 (ii) as an advanced practice nurse as defined in section 148.171;

- 4.1 (iii) chiropractic as defined in section 148.01;
- 4.2 (iv) podiatric medicine as defined in section 153.01;
- 4.3 (v) as a physician assistant as defined in section 147A.01;
- 4.4 (vi) dentistry as defined in section 150A.05;
- 4.5 (vii) physical therapy as defined in section 148.65; or
- 4.6 (viii) any other licensed health care profession as defined in Minnesota Statutes; and
- 4.7 (2) whose license is in good standing.
- 4.8 (c) At the primary employment site, Except in a corporate setting, an athletic
- 4.9 trainer may evaluate and treat an athlete for an athletic injury individual not previously
- 4.10 diagnosed for not more than 30 days, or a period of time as designated by the primary
- 4.11 physician on the protocol form, from the date of the initial evaluation and treatment.
- 4.12 Preventative care after resolution of the injury Prevention, wellness, education, or exercise
- 4.13 is not considered treatment. This paragraph does not apply to a person who is referred
- 4.14 for treatment by a person;
- 4.15 (1) licensed in this state to practice medicine as defined in section 147.081, to
- 4.16 practice chiropractic as defined in section 148.01, to practice podiatry podiatric medicine
- 4.17 as defined in section 153.01, or to practice dentistry as defined in section 150A.05; and
- 4.18 (2) whose license is in good standing.
- 4.19 (d) An athletic trainer may:
- 4.20 (1) organize and administer an athletic training program including, but not limited
- 4.21 to, educating and counseling athletes;
- 4.22 (2) monitor the signs, symptoms, general behavior, and general physical response of
- 4.23 an athlete to treatment and rehabilitation including, but not limited to, whether the signs,
- 4.24 symptoms, reactions, behavior, or general response show abnormal characteristics; and
- 4.25 (3) make suggestions to the primary physician or other treating provider for a
- 4.26 modification in the treatment and rehabilitation of an injured athlete based on the
- 4.27 indicators in clause (2);
- 4.28 (e) (d) In a clinical, corporate, and physical therapy setting, when the service
- 4.29 provided is, or is represented as being, physical therapy, an athletic trainer may work only
- 4.30 under the direct supervision of a physical therapist as defined in section 148.65.
- 4.31 Sec. 7. Minnesota Statutes 2014, section 148.7808, is amended to read:
- 4.32 **148.7808 REGISTRATION LICENSE; REQUIREMENTS.**
- 4.33 Subdivision 1. Registration Licensure. The board may issue a certificate of
- 4.34 registration license as an athletic trainer to applicants who meet the requirements under
- 4.35 this section. An applicant for registration a license as an athletic trainer shall pay a fee

- 5.1 under section 148.7815 and file a written application on a form, provided by the board,
- 5.2 that includes:
- 5.3 (1) the applicant's name, Social Security number, home address and telephone
- 5.4 number, business address and telephone number, and business setting;
- 5.5 (2) evidence satisfactory to the board of the successful completion of an education
- 5.6 program approved by the board;
- 5.7 (3) educational background;
- 5.8 (4) proof of a baccalaureate or master's degree from an accredited college or
- 5.9 university;
- 5.10 (5) credentials held in other jurisdictions;
- 5.11 (6) a description of any other jurisdiction's refusal to credential the applicant;
- 5.12 (7) a description of all professional disciplinary actions initiated against the applicant
- 5.13 in any other jurisdiction;
- 5.14 (8) any history of drug or alcohol abuse, and any misdemeanor or felony conviction;
- 5.15 (9) evidence satisfactory to the board of a qualifying score on a credentialing
- 5.16 examination;
- 5.17 (10) additional information as requested by the board;
- 5.18 (11) the applicant's signature on a statement that the information in the application is
- 5.19 true and correct to the best of the applicant's knowledge and belief; and
- 5.20 (12) the applicant's signature on a waiver authorizing the board to obtain access to
- 5.21 the applicant's records in this state or any other state in which the applicant has completed
- 5.22 an education program approved by the board or engaged in the practice of athletic training.
- 5.23 **Subd. 3. Registration License by reciprocity.** (a) The board may register license
- 5.24 by reciprocity an applicant who:
- 5.25 (1) submits the application materials and fees required under subdivision 1, clauses
- 5.26 (1) to (8) and (10) to (12);
- 5.27 (2) provides a verified copy of a current and unrestricted credential for the practice
- 5.28 of athletic training in another jurisdiction that has credentialing requirements equivalent to
- 5.29 or more stringent than the requirements under subdivision 1; and
- 5.30 (3) provides letters of verification from the credentialing body in each jurisdiction
- 5.31 in which the applicant holds a credential. Each letter must include the applicant's name,
- 5.32 date of birth, credential number, date of issuance of the credential, a statement regarding
- 5.33 disciplinary actions taken against the applicant, and the terms under which the credential
- 5.34 was issued.

- 6.1 (b) An applicant for registration a license by reciprocity who has applied for
- 6.2 registration a license under subdivision 1 and meets the requirements of paragraph (a),
- 6.3 clause (1), may apply to the board for a temporary registration license under subdivision 4 5.
- 6.4 **Subd. 4: Temporary registration.** (a) The board may issue a temporary registration
- 6.5 as an athletic trainer to qualified applicants. A temporary registration is issued for 120
- 6.6 days. An athletic trainer with a temporary registration may qualify for full registration
- 6.7 after submission of verified documentation that the athletic trainer has achieved a
- 6.8 qualifying score on a credentialing examination within 120 days after the date of the
- 6.9 temporary registration. A temporary registration may not be renewed:
- 6.10 (b) Except as provided in subdivision 3, paragraph (a), clause (1), an applicant for
- 6.11 a temporary registration must submit the application materials and fees for registration
- 6.12 required under subdivision 1, clauses (1) to (8) and (10) to (12):
- 6.13 (c) An athletic trainer with a temporary registration shall work only under the
- 6.14 direct supervision of an athletic trainer registered under this section. No more than two
- 6.15 athletic trainers with temporary registrations shall work under the direction of a registered
- 6.16 athletic trainer.
- 6.17 **Subd. 5. Temporary permit license.** The board may issue a temporary permit
- 6.18 license to practice as an athletic trainer to an applicant eligible for registration a license
- 6.19 under this section if the application for registration a license is complete, all applicable
- 6.20 requirements in this section have been met, and a nonrefundable fee set by the board has
- 6.21 been paid. The permit license remains valid only until the meeting of the board at which a
- 6.22 decision is made on the athletic trainer's application for registration a license.
- 6.23 Sec. 8. Minnesota Statutes 2014, section 148.7809, is amended to read:
- 6.24 **148.7809 REGISTRATION LICENSE RENEWAL.**
- 6.25 Subdivision 1. **Requirements for registration license renewal.** A registered
- 6.26 licensed athletic trainer shall apply to the board for a one-year extension of registration
- 6.27 a license by paying a fee under section 148.7815 and filing an application on a form
- 6.28 provided by the board that includes:
- 6.29 (1) the athletic trainer's name, Minnesota athletic trainer registration license
- 6.30 number, home address and telephone number, business address and telephone number,
- 6.31 and business setting;
- 6.32 (2) work history for the past year, including the average number of hours worked
- 6.33 per week;
- 6.34 (3) a report of any change in status since initial registration or previous registration
- 6.35 license renewal;

- 7.1 (4) evidence satisfactory to the board of;
- 7.2 (i) certification from the Board of Certification, Inc., or recognized successor; and
- 7.3 (ii) having met the continuing education requirements of section 148.7812; and
- 7.4 (5) the athletic trainer's signature on a statement that a current copy of the protocol
- 7.5 form is on file at the athletic trainer's primary employment site; and
- 7.6 (6) (5) additional information as requested by the board.
- 7.7 Subd. 2. **Registration License renewal notice.** Before June 1 of each year, the
- 7.8 board shall send out a renewal notice to an athletic trainer's last known address on file
- 7.9 with the board. The notice shall include an application for registration license renewal and
- 7.10 notice of the fees required for renewal. An athletic trainer who does not receive a renewal
- 7.11 notice must still meet the requirements for registration license renewal under this section.
- 7.12 Subd. 3. **Renewal deadline.** (a) An application for license renewal of registration
- 7.13 must be postmarked on or before July 1 of each year. If the postmark is illegible, the
- 7.14 application is considered timely if received in the board office by the third working day
- 7.15 after July 1.
- 7.16 (b) An application for license renewal of registration submitted after the deadline
- 7.17 date must include a late fee under section 148.7815.
- 7.18 Subd. 4. **Lapse of registration status license.** (a) Except as provided in paragraph
- 7.19 (b), an athletic trainer whose registration license has lapsed must:
- 7.20 (1) apply for registration license renewal under this section; and
- 7.21 (2) submit evidence satisfactory to the board from a licensed medical physician
- 7.22 verifying employment in athletic training for eight weeks every three years during the
- 7.23 time of the lapse in registration license.
- 7.24 (b) The board shall not renew, reissue, reinstate, or restore a registration license that
- 7.25 has lapsed after June 30, 1999, and has not been renewed within two annual renewal
- 7.26 cycles starting July 1, 2001. An athletic trainer whose registration license is canceled for
- 7.27 nonrenewal must obtain a new registration license by applying for registration a license
- 7.28 and fulfilling all requirements then in existence for an initial registration license.
- 7.29 Sec. 9. Minnesota Statutes 2014, section 148.7810, is amended to read:
- 7.30 **148.7810 BOARD ACTION ON APPLICATIONS.**
- 7.31 Subdivision 1. **Verification of application information.** The board or advisory
- 7.32 council, with the approval of the board, may verify information provided by an applicant
- 7.33 for registration a license under section 148.7808 and registration license renewal under
- 7.34 section 148.7809 to determine whether the information is accurate and complete.

- 8.1 Subd. 2. **Notification of board action.** Within 120 days of receipt of the application,
- 8.2 the board shall notify each applicant in writing of the action taken on the application.
- 8.3 Subd. 3. **Request for hearing by applicant denied registration license.** An
- 8.4 applicant denied registration a license shall be notified of the determination, and the
- 8.5 grounds for it, and may request a hearing on the determination under Minnesota Rules,
- 8.6 part 5615.0300, by filing a written statement of issues with the board within 20 days after
- 8.7 receipt of the notice from the board. After the hearing, the board shall notify the applicant
- 8.8 in writing of its decision.
- 8.9 Sec. 10. Minnesota Statutes 2014, section 148.7812, subdivision 1, is amended to read:
- 8.10 Subdivision 1. **Number of contact hours required.** An athletic trainer shall
- 8.11 complete during every three-year period at least the equivalent of 60 contact hours
- 8.12 of continuing professional postdegree education in programs approved by the board.
- 8.13 The board may accept recertification by the Board of Certification, Inc., or recognized
- 8.14 successor in lieu of compliance with the continuing education requirements during the
- 8.15 cycle in which recertification is granted.
- 8.16 Sec. 11. Minnesota Statutes 2014, section 148.7813, subdivision 5, is amended to read:
- 8.17 Subd. 5. **Discipline; reporting.** For the purposes of this chapter, registered licensed
- 8.18 athletic trainers and applicants are subject to sections 147.091 to 147.162.
- 8.19 Sec. 12. Minnesota Statutes 2014, section 148.7815, is amended to read:
- 8.20 **148.7815 FEES.**
- 8.21 Subdivision 1. **Fees.** The board shall establish fees as follows:
- 8.22 (1) application fee, \$50;
- 8.23 (2) annual registration license fee, \$100; and
- 8.24 (3) temporary registration license fee, \$100; and
- 8.25 (4) temporary permit, \$50.
- 8.26 Subd. 2. **Proration of fees.** The board may prorate the initial annual license fee for
- 8.27 registration under section 148.7808. Athletic trainers registered licensed under section
- 8.28 148.7808 are required to pay the full fee upon registration license renewal.
- 8.29 Subd. 3. **Penalty for a late application for registration license renewal.** The
- 8.30 penalty for late submission of a registration license renewal application under section
- 8.31 148.7809 is \$15.
- 8.32 Subd. 4. **Nonrefundable fees.** The fees in this section are nonrefundable.

9.1 Sec. 13. REPEALER.

9.2 Minnesota Statutes 2014, section 148.7802, subdivisions 4, 5, 10, and 11, are

9.3 repealed.

APPENDIX

Repealed Minnesota Statutes: 16-6057

148.7802 DEFINITIONS.

- Subd. 4. **Athlete.** "Athlete" means a person participating in exercises, sports, games, or recreation requiring physical strength, agility, flexibility, range of motion, speed, or stamina.
- Subd. 5. **Athletic injury.** "Athletic injury" means an injury sustained by a person as a result of the person's participation in exercises, sports, games, or recreation requiring physical strength, agility, flexibility, range of motion, speed, or stamina.
- Subd. 10. **Primary employment site.** "Primary employment site" means the institution, organization, corporation, or sports team where the athletic trainer is employed for the practice of athletic training.
- Subd. 11. **Primary physician.** "Primary physician" means a licensed medical physician who serves as a medical consultant to an athletic trainer.