



Substitute House Bill No. 7171

Public Act No. 17-195

AN ACT CONCERNING ATHLETIC TRAINERS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. Section 20-65f of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2017*):

As used in this chapter:

(1) "Athletic training" means (A) the application, [or provision,] with the consent and under the direction of a health care provider, of [(A)] care for an athletic injury, including the application or provision of (i) principles, methods and procedures of clinical evaluation, prevention, management, emergency care, treatment, disposition and rehabilitation of athletic injuries, [sustained by athletes, (B)] (ii) appropriate preventative and supportive devices, [temporary splinting and bracing, physical modalities of] (iii) physical agents, including, but not limited to, heat, cold, light, [massage, water,] electric stimulation, manual therapy techniques, aquatic therapy, sound [,] and therapeutic exercise, and [exercise equipment, (C)] (iv) any other physical agent prescribed by a health care provider, (B) the recognition of potential illness and referrals to a health care provider for diagnosis and treatment, (C) the organization and administration of athletic training programs, [and] (D) education and counseling to [athletes] physically

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active individuals, coaches, medical personnel and [athletic communities] the community in the area of the prevention and care of athletic injuries, [For purposes of this subdivision, "health care provider" means a person licensed to practice medicine or surgery under chapter 370, chiropractic under chapter 372, podiatry under chapter 375 or naturopathy under chapter 373] and (E) the provision of wellness care services developed for physically active individuals who are free of any underlying pathologies that are beyond the scope of practice of a person who practices athletic training;

(2) "Athletic injury" means any injury sustained [by an athlete] as a result of [such athlete's] participation in [exercises, sports, games or recreation requiring strength, agility, flexibility, range of motion, speed or stamina, or any comparable injury that prevents such athlete from participating in any such activities;] an exercise, a sport, a game, a recreational activity or any other activity that requires a level of strength, flexibility or agility that is comparable to the level of strength, flexibility or agility required for an exercise, a sport, a game or a recreational activity;

(3) "Illness" means any disease, disorder, sickness or affliction that arises from or is a manifestation of a physically active individual's participation in an exercise, a sport, a game, a recreational activity or other activity, or any other condition, that may require immediate intervention by an athletic trainer, acting with the consent and under the direction of a health care provider, during, prior to or following the physically active individual's participation in such exercise, a sport, a game, a recreational activity or other activity, including, but not limited to, the emergent and acute manifestations of exertion related illness, including an affliction of the physically active individual's cardiorespiratory, thermoregulation, musculoskeletal, neurovascular or endocrine system. "Illness" does not include any disease, disorder, sickness or affliction of a physically active individual the treatment of

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which is beyond the scope of practice, education or training of an athletic trainer;

(4) "Wellness care" means care related to risk management and injury prevention, including biomechanics, conditioning, flexibility, nutrition, strength training and fitness;

[(3) "Athlete"] (5) "Physically active individual" means any person who is (A) (i) a member of any professional, amateur, school, collegiate or other sports [team, or is a] organization, (ii) a regular participant in [sports or recreational activities, including, but not limited to, training and practice activities, that require] a sports activity, or (iii) a participant in an exercise, recreational or employment activity that requires strength, agility, flexibility, range of motion, speed or stamina [. For purposes of this subdivision, "regular" means not less than three times per week] that is comparable to the strength, agility, flexibility, range or motion, speed or stamina required of a regular participant in a sports activity, and (B) deemed healthy by a health care provider;

(6) "With the consent and under the direction of a health care provider" means athletic training provided (A) under a written prescription issued by a health care provider that specifies the plan of care or treatment of a musculoskeletal injury or illness, or (B) with regard to a physically active individual's participation with a professional, amateur, school collegiate or other sports organization, under a standing order issued by a health care provider;

[(4)] (7) "Standing orders" means written protocols, recommendations [and] or guidelines for treatment and care [.] of a physically active individual who is a member of a professional, amateur, school, collegiate or other sports organization, or of a physically active individual who requires treatment, first aid or care in an emergency situation, that (A) are furnished and signed by a health care provider, [specified under subdivision (1) of this section, to be

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followed in the practice of athletic training that may include, but not be limited to, (A) appropriate treatments for specific athletic injuries, (B) athletic injuries or other conditions requiring immediate referral to a licensed health care provider, and (C) appropriate conditions for the immediate referral to a licensed health care provider of injured athletes of a specified age or age group;] (B) are followed by an athletic trainer while performing athletic training with the consent and under the direction of a health care provider, (C) are annually reviewed and renewed by the health care provider and athletic trainer to ensure quality care of a physically active individual, (D) require the availability of ongoing communication between the health care provider and the athletic trainer, and (E) include (i) a plan for emergency situations, (ii) appropriate treatments for specific injuries or illnesses, (iii) instructions for the treatment and management of concussions, (iv) a list of conditions necessitating the immediate referral of a physically active individual to a health care provider under section 20-65h, as amended by this act, and (v) a list of conditions that are beyond the scope of practice, education or training of the athletic trainer;

(8) "Health care provider" means any person licensed to practice medicine or surgery under chapter 370, chiropractic under chapter 372, podiatry under chapter 375, naturopathy under chapter 373 or nursing under section 20-94a; and

[(5)] (9) "Commissioner" means the Commissioner of Public Health.

Sec. 2. Section 20-65h of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2017*):

(a) Each person who practices athletic training under standing orders shall make a written or oral referral to a licensed health care provider of any [athlete] physically active individual who has an athletic injury whose symptoms have not improved for a period of

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four days from the day of onset, or who has any physical or medical condition that would constitute a medical contraindication for athletic training or that may require evaluation or treatment beyond the scope of athletic training. [The injuries or conditions requiring a referral under this subsection shall include, but not be limited to, suspected medical emergencies or illnesses, physical or mental illness and significant tissue or neurological pathologies.]

(b) Each person who practices athletic training, but not under standing orders, may perform initial evaluation, [and temporary splinting and bracing] immediate injury management and emergency care of any [athlete with] physically active individual suffering an acute athletic injury or illness and shall, without delay, make a written or oral referral of such [athlete] physically active individual to a licensed health care provider. The limitations on the practice of athletic training set forth in this subsection shall not apply in the case of any [athlete] physically active individual that is referred to such person by a licensed health care provider, provided such practice shall be limited to the scope of such referral.

Sec. 3. Section 20-65i of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2017*):

A license to practice athletic training shall not be required of: (1) A practitioner who is licensed or certified by a state agency and is performing services within the scope of practice for which such person is licensed or certified; (2) a student [intern or trainee pursuing a course of study in athletic training] enrolled in a course of study in an athletic training program accredited by the Commission on Accreditation of Athletic Training Education, or its successor organization, provided the activities of such student [intern or trainee] are performed under the supervision of a person licensed to practice athletic training and the student [intern or trainee] is given the title of ["athletic trainer intern"] "athletic training student", or similar

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designation; (3) a person employed or volunteering as a coach of amateur sports who provides first aid for athletic injuries to [athletes] physically active individuals being coached by such person; (4) a person who furnishes assistance in an emergency; or (5) a person who acts as an athletic trainer in this state for less than thirty days per calendar year and who is licensed as an athletic trainer by another state or is certified by the Board of Certification, Inc., or its successor organization.

Sec. 4. Section 20-65j of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2017*):

(a) Except as provided in [subsections (b) and (c)] subsection (b) of this section, an applicant for a license to practice athletic training shall have: (1) A baccalaureate or graduate degree from a regionally accredited institution of higher education, or from an institution of higher [learning] education located outside of the United States that is legally chartered to grant postsecondary degrees in the country in which such institution is located; and (2) current certification as an athletic trainer by the Board of Certification, Inc., or its successor organization.

(b) An applicant for licensure to practice athletic training by endorsement shall present evidence satisfactory to the commissioner (1) of licensure or certification as an athletic trainer, or as a person entitled to perform similar services under a different designation, in another state having requirements for practicing in such capacity that are substantially similar to or higher than the requirements in force in this state, and (2) that there is no disciplinary action or unresolved complaint pending against such applicant.

[(c) Prior to April 30, 2007, the commissioner shall grant a license as an athletic trainer to any applicant who presents evidence satisfactory to the commissioner of (1) the continuous providing of services as an

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athletic trainer since October 1, 1979, or (2) certification as an athletic trainer by the Board of Certification, Inc., or its successor organization.]

Sec. 5. Section 20-65k of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2017*):

(a) The commissioner shall grant a license to practice athletic training to an applicant who presents evidence satisfactory to the commissioner of having met the requirements of section 20-65j, as amended by this act. An application for such license shall be made on a form required by the commissioner. The fee for an initial license under this section shall be one hundred ninety dollars.

(b) A license to practice athletic training may be renewed in accordance with the provisions of section 19a-88, provided (1) any licensee applying for license renewal shall maintain certification as an athletic trainer by the Board of Certification, Inc., or its successor organization, and (2) if such licensee practices athletic training in a workplace that is unrelated to a professional, amateur, school, collegiate or other sports organization or a health care facility, such licensee shall provide evidence of having completed (A) the ten-hour Outreach Training Program offered by the United States Occupational Health and Safety Administration for the construction industry or general industry, and (B) not less than forty-five hours of direct supervision by a person licensed to practice athletic training under this section or a licensed health care provider or, in the alternative, a three-credit, college-level course in the prevention, treatment and care of injuries in a workplace setting offered as part of a nationally accredited program of higher learning, as defined in section 10a-34. The fee for such renewal shall be two hundred five dollars.

(c) The department may, upon receipt of an application for athletic training licensure, accompanied by the licensure application fee of one hundred ninety dollars, issue a temporary permit to a person who has

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met the requirements of subsection (a) of section 20-65j, as amended by this act, except that the applicant has not yet sat for or received the results of the athletic training certification examination administered by the Board of Certification, Inc., or its successor organization. Such temporary permit shall authorize the permittee to practice athletic training under the supervision of a person licensed pursuant to subsection (a) of this section. Such practice shall be limited to those settings where the licensed supervisor is physically present on the premises and is immediately available to render assistance and supervision, as needed, to the permittee. Such temporary permit shall be valid for a period not to exceed one hundred twenty calendar days after the date of completion of the required course of study in athletic training and shall not be renewable. Such permit shall become void and shall not be reissued in the event that the permittee fails to pass the athletic training certification examination. No permit shall be issued to any person who has previously failed the athletic training certification examination or who is the subject of an unresolved complaint or pending professional disciplinary action. Violation of the restrictions on practice set forth in this section may constitute a basis for denial of licensure as an athletic trainer.

(d) For registration periods beginning on or after October 1, 2017, a licensee who provides direct patient care services and who is applying for license renewal shall maintain professional liability insurance, or other indemnity against liability for professional malpractice, unless such insurance or other indemnity is provided by the licensee's employer. The amount of insurance that each such licensee shall carry as insurance or indemnity against claims for injury or death for professional malpractice shall not be less than five hundred thousand dollars for one person, per occurrence, with an aggregate of not less than one million five hundred thousand dollars.

(e) For registration periods beginning on and after October 1, 2017, a

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licensee who practices athletic training in a workplace shall, upon request of his or her employer, make available for review on a quarterly basis, all of such licensee's records of athletic training with a physically active individual.

Approved July 10, 2017