

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: Education Committee

BILL: SB 266

INTRODUCER: Senator Fasano

SUBJECT: Athletic Trainers

DATE: February 4, 2006 REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Munroe	Wilson	HE	Fav/1 amendment
2.	Harkey	Matthews	ED	Favorable
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

Please see last section for Summary of Amendments

- Technical amendments were recommended
- Amendments were recommended
- Significant amendments were recommended

I. Summary:

The bill revises the licensure and license renewal requirements for athletic trainers. The existing exemption from the athletic training practice act for a person employed as a teacher apprentice trainer I, a teacher apprentice trainer II, or a teacher athletic trainer under s. 1012.46, F.S., is deleted.

The bill revises provisions that authorize a school district to establish and implement an athletic injuries prevention and treatment program to delete the employment classification and advancement schemes for a “first responder” and a “teacher athletic trainer”. To qualify as an “athletic trainer,” a person must be licensed as an athletic trainer and may possess a professional, temporary, part-time, adjunct, or substitute teaching certificate.

This bill substantially amends sections 468.707, 468.711, 468.723, and 1012.46, Florida Statutes.

II. Present Situation:

Part XIII, ch. 468, F.S., governs the regulation of athletic trainers by the Board of Athletic Training in the Department of Health (DOH). The part specifies licensure requirements to practice athletic training. To become a licensed athletic trainer an applicant must:

- Complete the application form and submit the required fees;

- Be at least 21 years of age;
- Have obtained a baccalaureate degree from an accredited or board-approved college or university;
- Have completed specified coursework from a college as provided by board rule in health, human anatomy, kinesiology/biomechanics, human physiology, physiology of exercise, basic athletic training, and advanced athletic training;
- Have current certification in standard first aid and cardiovascular pulmonary resuscitation (CPR) from the American Red Cross or an equivalent certification;
- Have, within 2 of the preceding 5 years, attained a minimum of 800 hours of athletic training experience under the direct supervision of a licensed athletic trainer or an athletic trainer certified by the National Athletic Trainers' Association or comparable national athletic standards organization; and
- Successfully pass a board-approved examination.

Section 468.707, F.S., provides an alternative licensure route for persons who could demonstrate that they had practiced athletic training for at least 3 of the 5 years preceding application on or before October 1, 1996. That alternative licensure route to practice athletic training is now obsolete.

Section 468.711, F.S., authorizes the Board of Athletic Training to prescribe continuing education requirements for license renewal which include 4 hours in standard first aid and CPR training or equivalent training as determined by the board.

Section 468.717, F.S., makes a person who practices athletic training for compensation without holding an active license or an entity that knowingly employs such a person as an athletic trainer liable for a first-degree misdemeanor, which is punishable by imprisonment of up to 1 year or the imposition of a fine of up to \$1,000.

Under s. 468.723, F.S., the athletic training practice act does not prevent or restrict:

- The professional practice of another health care practitioner licensed by DOH who is acting within the scope of such practice;
- A student athletic trainer acting under the direct supervision of a licensed athletic trainer;
- A person employed as a teacher apprentice trainer I, a teacher apprentice trainer II, or a teacher athletic trainer under s. 1012.46, F.S.;
- A person from administering standard first aid treatment to an athlete;
- A person licensed under ch. 548, F.S., which relates to pugilistic exhibitions; and
- A person providing personal training instruction if the person does not represent himself or herself as able to provide athletic trainer services and any recognition or treatment of injuries is limited to first aid.

Section 1012.46, F.S., authorizes school districts to establish and implement an athletic injuries prevention and treatment program. The statute provides that an integral part of such a program should be the employment and availability of persons trained in the prevention and treatment of physical injuries that occur during athletic activities. The statute further provides that the program should reflect opportunities for progressive advancement and compensation in employment and meet other standards developed by the Department of Education. The goal of

the Legislature, as stated in this statute, is to have school districts employ and have available a full-time teacher athletic trainer in each high school in Florida.

The statute recommends that, to the extent practicable, a school district program should include the following employment classification and advancement scheme:

- *First responder.* To qualify as a first responder, a person must possess a professional, temporary, part-time, adjunct, or substitute certificate pursuant to s. 1012.56, F.S.; be certified in cardiopulmonary resuscitation, first aid; and have 15 semester hours in courses such as care and prevention of athletic injuries, anatomy, physiology, nutrition, counseling, and other similar courses approved by the Commissioner of Education. This person may only administer first aid and similar care.
- *Teacher athletic trainer.* To qualify as a teacher athletic trainer, a person must possess a professional, temporary, part-time, adjunct, or substitute certificate pursuant to s. 1012.35, F.S., s. 1012.56, F.S., or s. 1012.57, F.S., and be licensed as required by part XIII, ch. 468, F.S.

III. Effect of Proposed Changes:

The bill revises the licensure requirements for athletic trainers to require applicants to complete an approved athletic training curriculum from an accredited college or university rather than specified coursework in certain areas as approved by the Board of Athletic Training. An applicant for athletic training licensure or licensure renewal will need to show that he or she has a current CPR certification, but will no longer need to obtain certification in standard first aid. The licensure requirement for an applicant to show that he or she has obtained at least 800 hours of athletic training experience under the direct supervision of a licensed athletic trainer certified by the National Athletic Trainers' Association or comparable organization is repealed. The bill deletes an obsolete alternative licensure route for persons who could demonstrate that they had practiced athletic training for at least 3 of the 5 years preceding application on or before October 1, 1996.

The existing exemption from the athletic training practice act for a person employed as a teacher apprentice trainer I, a teacher apprentice trainer II, or a teacher athletic trainer under s. 1012.46, F.S., is repealed.

The bill revises provisions that authorize a school district to establish and implement an athletic injuries prevention and treatment program under s. 1012.46, F.S. The Legislative intent that each high school in the state employ a full-time teacher athletic trainer is revised to require an athletic trainer. The bill deletes the employment classification and advancement schemes for first responders and teacher athletic trainers and specifies that to qualify as an "athletic trainer," a person must be licensed as an athletic trainer and may possess a professional, temporary, part-time, adjunct, or substitute teaching certificate.

The bill will take effect upon becoming a law.

IV. Constitutional Issues:**A. Municipality/County Mandates Restrictions:**

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Economic Impact and Fiscal Note:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

Athletic trainer licensure and licensure renewal applicants may save costs associated with not having to get standard first aid training to meet the licensure requirements.

Individuals who have worked as athletic trainers under the exemptions that are deleted in this bill would have to become licensed or find other employment. If they continued to work as unlicensed athletic trainers, they would be subject to a fine of \$1,000 or a term of imprisonment of up to one year.

Fees for licensure as an athletic trainer are established by Rule 64B33-3.001, F.A.C. An application fee for licensure as an athletic trainer is \$100. An initial licensure fee is \$125 for those licensed in the first year of the biennium and \$75 for those licensed in the second year of the biennium. The biennial renewal fee is \$125.

C. Government Sector Impact:

The Department of Health will incur costs for additional rulemaking to implement the bill. Such costs likely will be minimal.

The potential costs or savings to school districts are indeterminate. School districts could hire athletic trainers who are not holders of a teaching certificate to work in the district's athletic injuries prevention and treatment program, but they could not employ as athletic trainers teachers who are not licensed by DOH.

A school or school district that knowingly employed an unlicensed athletic trainer would be liable for a first-degree misdemeanor, punishable by a fine of \$1,000 or a term of imprisonment of up to one year.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

This Senate staff analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

VIII. Summary of Amendments:

Barcode 325800 by Health Care:

Adds the American Heart Association to the list of organizations for which athletic trainers can obtain cardiovascular pulmonary resuscitation certification.

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