



950226

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/13/2011	.	
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The Committee on Judiciary (Braynon) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Section 1012.46, Florida Statutes, is amended to
read:

1012.46 Athletic trainers.—

(1) School districts may establish and implement an
athletic injuries prevention and treatment program. Central to
this program should be the ~~employment and~~ availability of
licensed athletic trainers who are certified by the Board of
Certification of the National Athletic Trainers' Association and
~~persons~~ trained in the prevention and treatment of physical



950226

14 injuries that may occur during athletic activities. ~~The program~~
15 ~~should reflect opportunities for progressive advancement and~~
16 ~~compensation in employment as provided in subsection (2) and~~
17 ~~meet certain other minimum standards developed by the Department~~
18 ~~of Education.~~ The goal of the Legislature is to have school
19 ~~School~~ districts in the state employ or contract with and have
20 available a certified full-time athletic trainer for in each
21 high school that participates in sports in the state.

22 (2) To qualify as an athletic trainer, a person must be
23 certified by the Board of Certification and licensed as required
24 by part XIII of chapter 468 and may possess a professional,
25 temporary, part-time, adjunct, or substitute certificate
26 pursuant to s. 1012.35, s. 1012.56, or s. 1012.57.

27 (3) In a civil action against a school district for the
28 death of, or injury or damage to, an individual which was
29 allegedly caused by the negligence of an athletic trainer and
30 which relates to the treatment of a sports injury by the
31 athletic trainer, there is a rebuttable presumption that the
32 school district was not negligent in employing the athletic
33 trainer if the school district made a good faith effort to
34 comply with the provisions of this section before such
35 employment.

36 (4) It is the intent of this section to create and ensure a
37 designated standard of care for the recognition, prevention, and
38 rehabilitative treatment of high school athletic injuries in
39 this state. To ensure compliance with this standard of care, the
40 management and implementation of this program should be
41 administered by an entity that has the ability to work with
42 local facilities and school districts to coordinate the



950226

43 training, development, and placement of licensed athletic
44 trainers who are certified by the Board of Certification.

45 Section 2. This act shall take effect July 1, 2011.

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47 ===== T I T L E A M E N D M E N T =====

48 And the title is amended as follows:

49 Delete everything before the enacting clause
50 and insert:

51 A bill to be entitled

52 An act relating to high school athletic trainers;
53 amending s. 1012.46, F.S.; encouraging school
54 districts to employ or contract with certified
55 athletic trainers at certain high schools in this
56 state; requiring athletic trainers to be certified by
57 the Board of Certification of the National Athletic
58 Trainers' Association; providing a rebuttable
59 presumption that a school district is not negligent in
60 employing an athletic trainer for purposes of a civil
61 action for negligence against the athletic trainer if
62 the school district made a good faith effort to comply
63 with the act; providing legislative intent; providing
64 an effective date.