

By Senator Ring

32-00161F-11

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1 A bill to be entitled
2 An act relating to high school athletic trainers;
3 amending s. 1012.46, F.S.; encouraging school
4 districts to employ at least one full-time certified
5 athletic trainer at each high school in this state;
6 requiring athletic trainers at high schools to be
7 certified by the Board of Certification of the
8 National Athletic Trainers' Association; providing a
9 rebuttable presumption that a school district did not
10 negligently employ an athletic trainer for purposes of
11 a civil action for negligence by the athletic trainer
12 if the school district made a good faith effort to
13 comply with the certification requirements for
14 athletic trainers; providing legislative intent;
15 providing an effective date.

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17 Be It Enacted by the Legislature of the State of Florida:

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

21 1012.46 Athletic trainers.—

22 (1) School districts may establish and implement an
23 athletic injuries prevention and treatment program. Central to
24 this program should be the employment and availability of
25 licensed athletic trainers who are certified by the Board of
26 Certification of the National Athletic Trainers' Association and
27 ~~persons~~ trained in the prevention and treatment of physical
28 injuries that may occur during athletic activities. The program
29 should reflect opportunities for progressive advancement and

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30 compensation in employment as provided in subsection (2) and
31 meet certain other minimum standards developed by the Department
32 of Education. The goal of the Legislature is to have School
33 districts employ and have available at least one a full-time
34 athletic trainer in each high school in the state that
35 participates in sports.

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

41 (3) In a civil action against a school district for the
42 death of, or injury or damage to, an individual which was
43 allegedly caused by the negligence of an athletic trainer and
44 which relates to the treatment of a sports injury by the
45 athletic trainer, there is a rebuttable presumption that the
46 school district was not negligent in employing the athletic
47 trainer if the school district made a good faith effort to
48 comply with the provisions of this section prior to such
49 employment.

50 (4) It is the intent of this section to create and ensure a
51 designated standard of care for the recognition, prevention, and
52 rehabilitative treatment of high school athletic injuries in
53 this state. To ensure compliance with this standard of care, the
54 management and implementation of this program should be
55 administered by an entity that has the ability to work with
56 local facilities and school districts to coordinate the
57 training, development, and placement of licensed athletic
58 trainers who are certified by the Board of Certification.

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