

By the Committee on Judiciary; and Senator Ring

590-04458-11

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1 A bill to be entitled
2 An act relating to high school athletic trainers;
3 amending s. 468.701, F.S.; providing a definition;
4 amending s. 468.703, F.S.; revising membership
5 requirements for the Board of Athletic Training;
6 amending s. 468.707, F.S.; revising requirements for
7 licensure by examination for athletic trainers;
8 amending s. 468.711, F.S.; requiring certification
9 requirements for license renewal; revising continuing
10 education requirements for licensure renewal; amending
11 s. 1012.46, F.S.; encouraging school districts to
12 employ or contract with certified athletic trainers at
13 certain high schools in this state; requiring athletic
14 trainers to be certified by the Board of Certification
15 of the National Athletic Trainers' Association;
16 providing a rebuttable presumption that a school
17 district is not negligent in employing an athletic
18 trainer for purposes of a civil action for negligence
19 against the athletic trainer if the school district
20 made a good faith effort to comply with the act;
21 providing legislative intent; providing an effective
22 date.

23
24 Be It Enacted by the Legislature of the State of Florida:

25
26 Section 1. Subsections (7), (8), and (9) of section
27 468.701, Florida Statutes, are renumbered as subsections (8),
28 (9), and (10), respectively, and a new subsection (7) is added
29 to that section, to read:

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30 468.701 Definitions.—As used in this part, the term:

31 (7) "Board of Certification" means the only nationally
32 accredited certifying body for athletic trainers.

33 Section 2. Subsection (2) of section 468.703, Florida
34 Statutes, is amended to read:

35 468.703 Board of Athletic Training.—

36 (2) Five members of the board must be licensed athletic
37 trainers, certified by the Board of Certification or its
38 successor agency. One member of the board must be a physician
39 licensed under chapter 458 or chapter 459. One member of the
40 board must be a physician licensed under chapter 460. Two
41 members of the board shall be consumer members, each of whom
42 must be a resident of this state who has never worked as an
43 athletic trainer, who has no financial interest in the practice
44 of athletic training, and who has never been a licensed health
45 care practitioner as defined in s. 456.001(4).

46 Section 3. Section 468.707, Florida Statutes, is amended to
47 read:

48 468.707 Licensure by examination; requirements.—

49 ~~(1)~~ Any person desiring to be licensed as an athletic
50 trainer shall apply to the department on a form approved by the
51 department. The department shall license each applicant who:

52 (1) ~~(a)~~ Has completed the application form and remitted the
53 required fees.

54 (2) ~~(b)~~ Is at least 21 years of age.

55 (3) ~~(c)~~ Has obtained a baccalaureate degree from a college
56 or university accredited by an accrediting agency recognized and
57 approved by the United States Department of Education or the
58 Commission on Recognition of Postsecondary Accreditation, ~~or~~

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59 approved by the board, or recognized by the Board of
60 Certification or its successor agency.

61 (4)(d) If graduated after 2004, has completed an approved
62 athletic training curriculum from a college or university
63 accredited by a program recognized by the Board of Certification
64 or its successor agency ~~an accrediting agency recognized and~~
65 ~~approved by the United States Department of Education or the~~
66 ~~Commission on Recognition of Postsecondary Accreditation, or~~
67 ~~approved by the board.~~

68 (5)(e) Has current certification in cardiovascular
69 pulmonary resuscitation with an automated external defibrillator
70 (AED) from the American Red Cross or, the American Heart
71 Association, or an equivalent certification as determined by the
72 board.

73 (6)(f) Has passed the Board of Certification's or its
74 successor agency's an examination and is certified by that
75 entity administered or approved by the board.

76 ~~(2) Pursuant to the requirements of s. 456.034, each~~
77 ~~applicant shall complete a continuing education course on human~~
78 ~~immunodeficiency virus and acquired immune deficiency syndrome~~
79 ~~as part of initial licensure.~~

80 Section 4. Section 468.711, Florida Statutes, is amended to
81 read:

82 468.711 Renewal of license; continuing education.—

83 (1) The department shall renew a license upon receipt of
84 the renewal application and fee, provided the applicant is in
85 compliance with the provisions of this section, chapter 456, and
86 rules promulgated pursuant thereto.

87 (2) The board may, by rule, prescribe continuing education

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88 requirements, not to exceed 24 hours biennially. The criteria
89 for continuing education shall be approved by the board and must
90 ~~shall~~ include a current certificate in cardiovascular pulmonary
91 resuscitation with AED from the American Red Cross or the
92 American Heart Association or an equivalent training as
93 determined by the board.

94 (3) Pursuant to the requirements of s. 456.034, each
95 licensee shall complete a continuing education course on human
96 immunodeficiency virus and acquired immune deficiency syndrome
97 as part of biennial relicensure.

98 (4) The licensee must be currently certified by the Board
99 of Certification or its successor agency.

100 Section 5. Section 1012.46, Florida Statutes, is amended to
101 read:

102 1012.46 Athletic trainers.-

103 (1) School districts may establish and implement an
104 athletic injuries prevention and treatment program. Central to
105 this program should be the ~~employment and~~ availability of
106 licensed athletic trainers who are certified by the Board of
107 Certification of the National Athletic Trainers' Association and
108 ~~persons~~ trained in the prevention and treatment of physical
109 injuries that may occur during athletic activities. ~~The program~~
110 ~~should reflect opportunities for progressive advancement and~~
111 ~~compensation in employment as provided in subsection (2) and~~
112 ~~meet certain other minimum standards developed by the Department~~
113 ~~of Education.~~ The goal of the Legislature is to have school
114 ~~School~~ districts in the state employ or contract with and have
115 ~~available~~ a certified full-time athletic trainer for in each
116 high school that participates in sports in the state.

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

122 (3) In a civil action against a school district for the
123 death of, or injury or damage to, an individual which was
124 allegedly caused by the negligence of an athletic trainer and
125 which relates to the treatment of a sports injury by the
126 athletic trainer, there is a rebuttable presumption that the
127 school district was not negligent in employing the athletic
128 trainer if the school district made a good faith effort to
129 comply with the provisions of this section before such
130 employment.

131 (4) It is the intent of this section to create and ensure a
132 designated standard of care for the recognition, prevention, and
133 rehabilitative treatment of high school athletic injuries in
134 this state. To ensure compliance with this standard of care, the
135 management and implementation of this program should be
136 administered by an entity that has the ability to work with
137 local facilities and school districts to coordinate the
138 training, development, and placement of licensed athletic
139 trainers who are certified by the Board of Certification.

140 Section 6. This act shall take effect July 1, 2011.