

HB 763

2011

1 A bill to be entitled
2 An act relating to high school athletic trainers; amending
3 s. 468.705, F.S.; providing for the adoption of rules by
4 the Board of Athletic Training within the Department of
5 Health; amending s. 468.711, F.S.; requiring certain
6 continuing education for licensed athletic trainers on the
7 prevention and emergency management of concussions and
8 catastrophic spinal cord, neck, and brain injuries;
9 amending s. 1012.46, F.S.; requiring school districts to
10 employ at least one full-time certified athletic trainer
11 at each high school in this state; requiring athletic
12 trainers at high schools to be certified by the National
13 Athletic Trainers' Association; providing a rebuttable
14 presumption that a school district did not negligently
15 employ an athletic trainer for purposes of a civil action
16 for negligence by the athletic trainer if the school
17 district made a good faith effort to comply with the
18 certification requirements for athletic trainers;
19 providing legislative intent; providing an effective date.
20

21 Be It Enacted by the Legislature of the State of Florida:
22

23 Section 1. Section 468.705, Florida Statutes, is amended
24 to read:

25 468.705 Rulemaking authority.—The board is authorized to
26 adopt rules pursuant to ss. 120.536(1) and 120.54 to implement
27 provisions of this part conferring duties upon it. The
28 provisions of s. 456.011(5) shall apply to the board's activity.

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29 Such rules shall include, but not be limited to, the allowable
30 scope of practice regarding the use of equipment, procedures,
31 and medication, requirements for a written protocol between the
32 athletic trainer and a supervising physician, licensure
33 requirements, licensure examination, continuing education
34 requirements, fees, records, and reports to be filed by
35 licensees, protocols, certification of high school athletic
36 trainers by the National Athletic Trainers' Association, and any
37 other requirements necessary to regulate the practice of
38 athletic training.

39 Section 2. Section 468.711, Florida Statutes, is amended
40 to read:

41 468.711 Renewal of license; continuing education.—

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

46 (2) The board may, by rule, prescribe continuing education
47 requirements, not to exceed 24 hours biennially. The criteria
48 for continuing education shall be approved by the board and
49 shall include a current certificate in cardiovascular pulmonary
50 resuscitation from the American Red Cross or equivalent training
51 as determined by the board and completion of an annual
52 continuing education course on the prevention and emergency
53 management of concussions and catastrophic spinal cord, neck,
54 and brain injuries. The course shall be administered by a
55 company that has the ability to create a curriculum while
56 working with local facilities to coordinate the training,

57 development, and placement of certified athletic trainers.

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

62 Section 3. Section 1012.46, Florida Statutes, is amended
 63 to read:

64 1012.46 Athletic trainers.—

65 (1) School districts may establish and implement an
 66 athletic injuries prevention and treatment program. Central to
 67 this program should be the employment and availability of
 68 licensed athletic trainers who are certified by the Board of
 69 Certification of the National Athletic Trainers' Association and
 70 ~~persons~~ trained in the prevention and treatment of physical
 71 injuries that may occur during athletic activities. The program
 72 should reflect opportunities for progressive advancement and
 73 compensation in employment as provided in subsection (2) and
 74 meet certain other minimum standards developed by the Department
 75 of Education. ~~The goal of the Legislature is to have School~~
 76 ~~districts~~ must employ and have available at least one a full-
 77 time athletic trainer in each high school in the state.

78 (2) To qualify as an athletic trainer, a person must be
 79 certified by the Board of Certification of the National Athletic
 80 Trainers' Association and licensed as required by part XIII of
 81 chapter 468 and may possess a professional, temporary, part-
 82 time, adjunct, or substitute certificate pursuant to s. 1012.35,
 83 s. 1012.56, or s. 1012.57.

84 (3) In a civil action against a school district for the

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85 death of, or injury or damage to, an individual which was
86 allegedly caused by the negligence of an athletic trainer and
87 which relates to the treatment of a sports injury by the
88 athletic trainer, there is a rebuttable presumption that the
89 school district was not negligent in employing the athletic
90 trainer if the school district made a good faith effort to
91 comply with the provisions of this section prior to such
92 employment.

93 (4) It is the intent of this section to create and ensure
94 a designated standard of care for the recognition, prevention,
95 and rehabilitative treatment of high school athletic injuries in
96 this state. To ensure compliance with this standard of care, the
97 management and implementation of this program should be
98 administered by an entity that has the ability to work with
99 local facilities and school districts to coordinate the
100 training, development, and placement of licensed athletic
101 trainers who are certified by the Board of Certification of the
102 National Athletic Trainers' Association.

103 Section 4. This act shall take effect July 1, 2011.