

CS/HB 831

2011

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

15 Be It Enacted by the Legislature of the State of Florida:
16

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

19 1012.46 Athletic trainers.—

20 (1) School districts may establish and implement an
21 athletic injuries prevention and treatment program. Central to
22 this program should be the employment and availability of
23 licensed athletic trainers who are certified by the Board of
24 Certification of the National Athletic Trainers' Association and
25 ~~persons~~ trained in the prevention and treatment of physical
26 injuries that may occur during athletic activities. The program
27 should reflect opportunities for progressive advancement and
28 compensation in employment as provided in subsection (2) and

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29 | meet certain other minimum standards developed by the Department
30 | of Education. The goal of the Legislature is to have School
31 | districts employ and have available at least one a full-time
32 | athletic trainer in each high school in the state that
33 | participates in sports.

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

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

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

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