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SENATE BILL NO. 159

Offered January 14, 2004

Prefiled January 12, 2004

A BILL to amend and reenact §§ 54.1-2957.4, 54.1-2957.5, and 54.1-2957.6 of the Code of Virginia, relating to regulation of athletic trainers.

 Patron—Potts

 Referred to Committee on General Laws

Be it enacted by the General Assembly of Virginia:

1. That §§ 54.1-2957.4, 54.1-2957.5, and 54.1-2957.6 of the Code of Virginia are amended and reenacted as follows:

§ 54.1-2957.4. Licensure as athletic trainer required; requisite training and educational requirements; powers of the Board concerning athletic training.

A. It shall be unlawful for any person to practice or to hold himself out as practicing as an athletic trainer unless he holds a ~~certificate~~ *license* as an athletic trainer ~~ninety~~ 90 days after the effective date of regulations promulgated by the Board implementing athletic trainer ~~certification~~ *licensure*. The Board shall issue ~~certificates~~ *licenses* to practice athletic training to applicants for such ~~certification~~ *licensure* who meet the requirements of this chapter and the Board's regulations.

B. The Board shall establish criteria for the ~~certification~~ *licensure* of athletic trainers to ensure the appropriate training and educational credentials for the practice of athletic training. Such criteria may include experiential requirements and shall include one of the following: (i) a Virginia testing program to determine the quality of the training and educational credentials for and competence of athletic trainers, (ii) successful completion of a training program and passage of the certifying examination administered by the National Athletic Training Association Board of Certification resulting in certification as an athletic trainer by such national association, or (iii) completion of another Board-approved training program and ~~certifying~~ examination.

C. At its discretion, the Board may grant provisional ~~certification~~ *licensure* to persons who have successfully completed an approved training program or who have met requisite experience criteria established by the Board. Such provisional ~~certification~~ *licensure* shall expire as provided for in the regulations of the Board.

D. The Board shall promulgate such regulations as may be necessary for the ~~certification~~ *licensure* of athletic trainers and the issuance of ~~certificates~~ *licenses* to athletic trainers to practice in the Commonwealth. The Board's regulations shall assure the competence and integrity of any person claiming to be an athletic trainer or who engages in the practice of athletic training.

§ 54.1-2957.5. Advisory Board on Athletic Training established; duties; composition; appointment; terms.

A. The Advisory Board on Athletic Training shall assist the Board in formulating its requirements for the ~~certification~~ *licensure* of athletic trainers. In the exercise of this responsibility, the Advisory Board shall recommend to the Board the criteria for ~~certification~~ *licensure* of athletic trainers and the standards of professional conduct for ~~certificate holders~~ *licensees*. The Advisory Board shall also assist in such other matters relating to the practice of athletic training as the Board may require.

B. The Advisory Board shall consist of five members appointed by the Governor for four-year terms. The first appointments shall provide for staggered terms with two members being appointed for a two-year term, two members being appointed for a three-year term and one member being appointed for a four-year term. Three members shall be at the time of appointment athletic trainers who are currently ~~certified~~ *licensed* by the Board and who have practiced in Virginia for not less than three years, including one athletic trainer practicing at a secondary school, one practicing at an institution of higher education, and one practicing in a nonacademic environment. One member shall be a physician licensed to practice medicine in the Commonwealth and one member shall be a citizen appointed by the Governor from the Commonwealth at large.

Vacancies occurring other than by expiration of term shall be filled for the unexpired term. No person shall be eligible to serve on the Advisory Board for more than two full consecutive terms.

§ 54.1-2957.6. Exceptions to athletic trainer licensure.

A. The provisions of this section shall not be construed to prohibit any individual from providing first aid, nor any coach, physical education instructor or other person from (i) conducting or assisting with exercise or conditioning programs or classes within the scope of their duties as employees or volunteers or (ii) applying protective taping to an uninjured body part.

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SB159

59 B. The requirements for ~~certification~~ *licensure* of athletic trainers shall not prevent student athletic
60 trainers from practicing athletic training under the supervision and control of a ~~certified~~ *licensed* athletic
61 trainer pursuant to regulations promulgated by the Board.

62 C. Notwithstanding the provisions of §§ 54.1-2957.4 and 54.1-2957.5, any person who, prior to June
63 30, ~~1999~~ *2004*, is employed in Virginia as an athletic trainer, or in the performance of his employment
64 duties engages in the practice of athletic training *and is certified pursuant to this section and*
65 *§§ 54.1-2957.4 and 54.1-2957.5 as such statutes were in effect on June 30, 2004*, shall not be required
66 to obtain a ~~certificate~~ *license* from the Board to continue to be so employed until July 1, ~~2002~~ *2005*.

67 **2. That the Board of Medicine shall promulgate regulations to implement the provisions of this act**
68 **to be effective within 280 days of its enactment.**

69 **3. That the Board of Medicine shall deem any athletic trainer certified to practice athletic training**
70 **pursuant to §§ 54.1-2957.4, 54.1-2957.5, and 54.1-2957.6 of the Code of Virginia as such statutes**
71 **were in effect on June 30, 2004, to be in compliance with the provisions of this act relating to**
72 **licensure of athletic trainers and shall issue to such athletic trainer, upon application, a license to**
73 **practice athletic training. The Board may establish a reasonable fee for the application and**
74 **issuance of athletic trainer licenses to such certified athletic trainers.**