



Board of Physicians

Larry Hogan, Governor · Boyd K. Rutherford, Lt. Governor · Robert R. Neall, Secretary

2020 SESSION POSITION PAPER

BILL NO: SB 732

COMMITTEE: EHEA

POSITION: Support with Amendments

TITLE: Health Occupations - Athletic Training - Revisions

BILL ANALYSIS: SB 732 replaces the word “athlete” with “individuals” and removes the definitions for “athlete”, “athletic activity”, “athletic injury”, and “setting”. The bill changes the definition of “practice athletic training” from managing athletic injuries for athletes in good overall health to managing injuries for individuals. The bill also adds “examination” and “diagnosis” to the principles and methods that the Athletic Trainer may use in managing injuries. The bill also would permit Athletic Trainers to make clinical decisions to determine whether a consultation or referral is necessary.

The bill adds the requirement for an Athletic Trainer to practice in accordance with the Standards of Practice established by the National Athletic Trainer’s Association, the Board of Certification for the Athletic Trainer or any other national certifying organization approved by the Board and removes the requirement to describe the settings where the Athletic Trainer may practice in the Evaluation and Treatment Protocol.

POSITION AND RATIONALE: Generally, the Board of Physicians (the Board) takes “no position” on bills related to scope of practice. The Board, however, is concerned that HB 576 is a significant expansion of the scope of practice, the removal of the requirement to work in an approved practice setting, and the decreased ability of the Board to regulate the practice of athletic training.

First, the bill would authorize athletic trainers to treat any individual, athlete or otherwise, for any injury, athletic or not, in any setting, without the need for Board approval. The bill adds “diagnosis” and “examination” to the scope of practice for Athletic Trainers, functions that are traditionally reserved for physicians and physician assistants. The bill substantially alters the definitions and understanding of what it means to practice athletic training in the State.

Second, the bill removes the requirement for the Evaluation & Treatment Protocol to include an approved practice setting.

Finally, the bill requires a licensed Athletic Trainer to practice in accordance with national standards of practice, which suggests that the national standards will dictate the standard of care and not the Board. This change will essentially require the Board to be bound by the national standards of practice and will weaken the Board's oversight and ability to independently determine standard of care violations on a case-by-case basis.

The Board has discussed its concerns with the proponents and other stakeholders and will continue efforts to resolve the bill. At this time, the Board supports the amendments proposed by the American Physical Therapy Association Maryland (APTAMD), the Maryland Occupational Therapy Association (MOTA) and the Maryland Chiropractic Association (MCA).

For more information, please contact Wynee Hawk, Manager, Policy and Legislation, Maryland Board of Physicians, 410-764-3786.

The opinion of the Board expressed in this document does not necessarily reflect that of the Maryland Department of Health or the Administration.