
By: **Delegate Owings**
Introduced and read first time: February 8, 2002
Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Health Occupations - Maryland Athletic Trainers Act**

3 FOR the purpose of establishing the Athletic Trainers Advisory Committee as a
4 subunit of the State Board of Physician Quality Assurance; providing for the
5 purpose of this title; providing for the composition, appointment, terms, and
6 compensation of the Committee members; establishing certain powers and
7 duties of the Committee; authorizing the Governor to remove a member of the
8 Committee if the secretary of the Committee makes certain findings; providing
9 for a quorum; requiring the Committee to meet a certain number of times each
10 year in certain places; authorizing the Board to set certain fees; requiring the
11 Board to pay certain fees to the State Comptroller; requiring the Comptroller to
12 distribute certain fees to a certain fund; providing for the scope of this title;
13 requiring certain persons to be licensed by the Board as athletic trainers before
14 performing certain work in the State; establishing certain education and
15 experience requirements for athletic trainers; establishing certain licensing and
16 license renewal requirements for athletic trainers; establishing certain
17 examination requirements for athletic trainers; authorizing the Board to adopt
18 regulations to establish certain continuing education requirements; authorizing
19 the Board to deny a license to an applicant, refuse to renew a license, reprimand
20 a licensee, suspend or revoke a license, or impose certain penalties under certain
21 circumstances; providing for certain criminal penalties; establishing certain
22 hearing and appeal procedures for athletic trainers; requiring that an
23 evaluation of the Athletic Trainer Advisory Committee and the statutes and
24 regulations that relate to the Athletic Trainer Advisory Committee be performed
25 on or before a certain date; defining certain terms; providing for the termination
26 of this Act; and generally relating to the Athletic Trainer Advisory Committee.

27 BY adding to
28 Article - Health Occupations
29 Section 1B-101 through 1B-402, inclusive, to be under the new title "Title 1B.
30 Athletic Trainers"
31 Annotated Code of Maryland
32 (2000 Replacement Volume and 2001 Supplement)

33 BY adding to

1 Article - State Government
2 Section 8-403(b)(6a)
3 Annotated Code of Maryland
4 (1999 Replacement Volume and 2001 Supplement)

5 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
6 MARYLAND, That the Laws of Maryland read as follows:

7 **Article - Health Occupations**

8 TITLE 1B. ATHLETIC TRAINERS.

9 SUBTITLE 1. DEFINITIONS; GENERAL PROVISIONS.

10 1B-101.

11 (A) IN THIS TITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

12 (B) "ATHLETIC TRAINER" MEANS AN INDIVIDUAL WHO PROVIDES ATHLETIC
13 TRAINER SERVICES UNDER THE DIRECTION OF A LICENSED PHYSICIAN.

14 (C) "BOARD" MEANS THE STATE BOARD OF PHYSICIAN QUALITY ASSURANCE
15 ESTABLISHED UNDER § 14-201 OF THIS ARTICLE.

16 (D) "COMMITTEE" MEANS THE ATHLETIC TRAINER ADVISORY COMMITTEE.

17 (E) "DIRECTION" MEANS SUPERVISION OVER THE ACTIONS OF A LICENSED
18 ATHLETIC TRAINER THROUGH A REFERRAL FROM A LICENSED PHYSICIAN, DENTIST,
19 OR PODIATRIST, OR UNDER A WRITTEN PROTOCOL APPROVED BY A SUPERVISING
20 PHYSICIAN, DENTIST, OR PODIATRIST, TO TREAT A CONDITION FOR A PHYSICALLY
21 ACTIVE INDIVIDUAL, WHERE THE PHYSICAL PRESENCE OF THE SUPERVISING
22 PHYSICIAN, DENTIST, OR PODIATRIST IS NOT REQUIRED IF THE SUPERVISING
23 PHYSICIAN, DENTIST, OR PODIATRIST IS READILY AVAILABLE FOR CONSULTATION
24 BY DIRECT COMMUNICATION BY RADIO, TELEPHONE, FACSIMILE,
25 TELECOMMUNICATIONS, OR OTHER ELECTRONIC MEANS.

26 (F) "LICENSE" MEANS A LICENSE ISSUED BY THE BOARD TO PROVIDE
27 ATHLETIC TRAINER SERVICES.

28 (G) "LICENSED ATHLETIC TRAINER" MEANS AN ATHLETIC TRAINER WHO IS
29 LICENSED BY THE BOARD TO PROVIDE ATHLETIC TRAINER SERVICES.

30 (H) "PHYSICALLY ACTIVE PERSON" MEANS AN INDIVIDUAL WHO
31 PARTICIPATES IN ORGANIZED, INDIVIDUAL, OR TEAM SPORTS, ATHLETIC GAMES OR
32 RECREATIONAL SPORT ACTIVITY, OR IS IDENTIFIED AS BENEFITTING FROM
33 ATHLETIC TRAINING SERVICES BY A LICENSED PHYSICIAN.

34 (I) (1) "PROVIDE ATHLETIC TRAINER SERVICES" MEANS THE MANAGEMENT
35 AND PROVISION OF CARE OF CONDITIONS OF A PHYSICALLY ACTIVE PERSON, THE

1 RENDERING OF EMERGENCY CARE, DEVELOPMENT OF INJURY PREVENTION
2 PROGRAMS, AND PROVIDING APPROPRIATE PREVENTATIVE AND SUPPORTING
3 DEVICES FOR THE PHYSICALLY ACTIVE PERSON WITH THE DIRECTION OF A
4 LICENSED PHYSICIAN.

5 (2) "PROVIDE ATHLETIC TRAINER SERVICES" INCLUDES:

6 (I) THE ASSESSMENT, MANAGEMENT, TREATMENT, EDUCATION,
7 REHABILITATION, AND RECONDITIONING OF THE PHYSICALLY ACTIVE PERSON
8 WHOSE CONDITIONS ARE WITHIN THE PROFESSIONAL PREPARATION AND
9 EDUCATION OF A LICENSED ATHLETIC TRAINER; AND

10 (II) THE USE OF MODALITIES SUCH AS MECHANICAL
11 STIMULATION, HEAT, COLD, LIGHT, WATER, ELECTRICITY, SOUND, MASSAGE, AND
12 THE USE OF THERAPEUTIC EXERCISES, RECONDITIONING EXERCISE, AND FITNESS
13 PROGRAMS.

14 (3) "PROVIDE ATHLETIC TRAINER SERVICES" DOES NOT INCLUDE THE
15 PRACTICE OF PHYSICAL THERAPY AS DEFINED IN TITLE 13 OF THIS ARTICLE.

16 (J) "REFERRAL" MEANS A WRITTEN ORDER OR AN ORAL ORDER, THAT HAS
17 BEEN REDUCED TO A WRITING WITHIN 72 HOURS OF ISSUANCE, FROM A LICENSED
18 PHYSICIAN TO A LICENSED ATHLETIC TRAINER FOR ATHLETIC TRAINING SERVICES.

19 (K) "WRITTEN PROTOCOL" MEANS A WRITTEN AGREEMENT DEVELOPED IN
20 CONJUNCTION WITH ONE OR MORE SUPERVISING PHYSICIANS WHICH IDENTIFIES
21 AND IS SIGNED BY THE SUPERVISING PHYSICIAN AND THE LICENSED ATHLETIC
22 TRAINER THAT:

23 (1) DESCRIBES THE MANNER AND FREQUENCY IN WHICH THE
24 CERTIFIED ATHLETIC TRAINER REGULARLY COMMUNICATES WITH THE
25 SUPERVISING PHYSICIAN; AND

26 (2) INCLUDES STANDARD OPERATING PROCEDURES THAT THE
27 LICENSED ATHLETIC TRAINER FOLLOWS WHEN NOT BEING DIRECTLY SUPERVISED
28 ON-SITE BY THE SUPERVISING PHYSICIAN.

29 1B-102.

30 THE PURPOSE OF THIS TITLE IS TO ENSURE MINIMUM STANDARDS OF
31 COMPETENCY FOR ATHLETIC TRAINERS SO THAT THE PUBLIC IS PROVIDED WITH
32 SAFE ATHLETIC TRAINER SERVICES.

33 SUBTITLE 2. ATHLETIC TRAINER ADVISORY COMMITTEE.

34 1B-201.

35 (A) THERE IS AN ATHLETIC TRAINER ADVISORY COMMITTEE WITHIN THE
36 BOARD.

1 (B) THE COMMITTEE SHALL FUNCTION AS A SUBUNIT OF THE BOARD.

2 1B-202.

3 (A) THE COMMITTEE SHALL CONSIST OF SEVEN MEMBERS APPOINTED BY
4 THE BOARD.

5 (B) OF THE SEVEN COMMITTEE MEMBERS:

6 (1) THREE SHALL BE LICENSED PHYSICIANS;

7 (2) THREE SHALL BE LICENSED ATHLETIC TRAINERS; AND

8 (3) ONE SHALL BE A CONSUMER MEMBER.

9 (C) (1) EACH ATHLETIC TRAINER MEMBER OF THE COMMITTEE SHALL:

10 (I) BE CERTIFIED BY THE NATIONAL ATHLETIC TRAINERS'
11 ASSOCIATION BOARD OF CERTIFICATION, INC., OR ITS SUCCESSOR ORGANIZATION;

12 (II) HAVE HAD AT LEAST 5 YEARS OF EXPERIENCE AS AN ATHLETIC
13 TRAINER, INCLUDING THE 3 YEARS IMMEDIATELY BEFORE APPOINTMENT TO THE
14 BOARD; AND

15 (III) CURRENTLY RESIDE OR BE EMPLOYED IN THE STATE.

16 (2) THE CONSUMER MEMBER OF THE COMMITTEE:

17 (I) SHALL BE A MEMBER OF THE GENERAL PUBLIC;

18 (II) MAY NOT BE OR EVER HAVE BEEN AN ATHLETIC TRAINER;

19 (III) MAY NOT HAVE A HOUSEHOLD MEMBER WHO IS OR HAS BEEN
20 AN ATHLETIC TRAINER; AND

21 (IV) MAY NOT HAVE HAD WITHIN 1 YEAR BEFORE APPOINTMENT A
22 FINANCIAL INTEREST IN OR RECEIVED COMPENSATION FROM A PERSON
23 REGULATED BY THE BOARD.

24 (D) (1) A COMMITTEE CHAIRPERSON AND A SECRETARY SHALL BE
25 SELECTED EVERY 2 YEARS BY A MAJORITY VOTE OF THE MEMBERSHIP OF THE
26 COMMITTEE.

27 (2) THE CHAIRPERSON SHALL SERVE IN AN ADVISORY CAPACITY TO THE
28 BOARD AS A REPRESENTATIVE OF THE COMMITTEE.

29 1B-203.

30 (A) THE BOARD SHALL ADOPT REGULATIONS GOVERNING:

31 (1) THE TERM OF OFFICE OF COMMITTEE MEMBERS;

- 1 (2) THE PROCEDURE FOR FILLING VACANCIES ON THE COMMITTEE;
- 2 (3) THE REMOVAL OF COMMITTEE MEMBERS; AND
- 3 (4) THE DUTIES OF EACH OFFICER.

4 (B) IN ADDITION TO THE REGULATIONS ON REMOVAL OF MEMBERS ADOPTED
5 BY THE BOARD, ON THE RECOMMENDATION OF THE SECRETARY, THE GOVERNOR
6 MAY REMOVE A MEMBER WHOM THE SECRETARY FINDS TO HAVE BEEN ABSENT
7 FROM TWO SUCCESSIVE COMMITTEE MEETINGS WITHOUT ADEQUATE REASON.

8 1B-204.

9 (A) A MAJORITY OF THE FULL AUTHORIZED MEMBERSHIP OF THE
10 COMMITTEE IS A QUORUM.

11 (B) THE COMMITTEE SHALL HOLD AT LEAST TWO MEETINGS A YEAR, AT THE
12 TIMES AND PLACES THAT THE COMMITTEE DETERMINES.

13 (C) EACH MEMBER OF THE COMMITTEE IS ENTITLED TO:

- 14 (1) COMPENSATION IN ACCORDANCE WITH THE STATE BUDGET; AND
- 15 (2) REIMBURSEMENT FOR EXPENSES UNDER THE STANDARD STATE
16 TRAVEL REGULATIONS, AS PROVIDED IN THE STATE BUDGET.

17 1B-205.

18 IN ADDITION TO ANY POWERS SET FORTH ELSEWHERE IN THIS TITLE, THE
19 COMMITTEE SHALL:

20 (1) KEEP A LIST OF ALL LICENSED ATHLETIC TRAINERS, INCLUDING
21 THE NAME, TELEPHONE NUMBER, AND ADDRESS OF EACH ATHLETIC TRAINER;

22 (2) DEVELOP AND RECOMMEND TO THE BOARD REGULATIONS TO
23 CARRY OUT THE PROVISIONS OF THIS SUBTITLE;

24 (3) DEVELOP AND RECOMMEND TO THE BOARD A CODE OF ETHICS FOR
25 THE PRACTICE OF ATHLETIC TRAINING FOR ADOPTION BY THE BOARD;

26 (4) DEVELOP AND RECOMMEND TO THE BOARD THE REQUIREMENTS
27 FOR LICENSURE OF AN ATHLETIC TRAINER;

28 (5) CONSIDER COMPLAINTS BROUGHT TO THE BOARD INVOLVING
29 LICENSED ATHLETIC TRAINERS AND RECOMMEND TO THE BOARD THE APPROPRIATE
30 DISCIPLINARY ACTION;

31 (6) EVALUATE EDUCATION PROGRAMS IN ATHLETIC TRAINING FOR
32 APPROVAL BY THE BOARD;

33 (7) KEEP A RECORD OF THE PROCEEDINGS OF THE BOARD; AND

1 (8) SUBMIT AN ANNUAL REPORT TO THE BOARD.

2 1B-206.

3 (A) (1) THE BOARD SHALL SET REASONABLE FEES FOR THE ISSUANCE AND
4 RENEWAL OF LICENSES.

5 (2) THE FEES CHARGED SHALL BE SET SO AS TO PRODUCE FUNDS TO
6 APPROXIMATE THE COST OF MAINTAINING THE ADVISORY COMMITTEE, LICENSURE,
7 AND OTHER SERVICES PROVIDED TO ATHLETIC TRAINERS.

8 (B) (1) THE BOARD SHALL PAY ALL FEES COLLECTED UNDER THIS TITLE TO
9 THE COMPTROLLER OF THE STATE.

10 (2) THE COMPTROLLER SHALL DISTRIBUTE ALL FEES TO THE STATE
11 BOARD OF PHYSICIAN QUALITY ASSURANCE FUND.

12 1B-207.

13 (A) EXCEPT AS OTHERWISE PROVIDED IN THIS TITLE, AN INDIVIDUAL SHALL
14 BE LICENSED BY THE BOARD BEFORE AN INDIVIDUAL MAY PROVIDE ATHLETIC
15 TRAINER SERVICES IN THE STATE.

16 (B) THIS SECTION DOES NOT APPLY TO:

17 (1) AN ACUPUNCTURIST, CHIROPRACTOR, NURSE, OCCUPATIONAL
18 THERAPIST, MASSAGE THERAPIST, OR PHYSICAL THERAPIST WHO IS REGISTERED OR
19 LICENSED UNDER THE HEALTH OCCUPATIONS ARTICLE AND WHO DOES NOT
20 REPRESENT TO THE PUBLIC THAT THE INDIVIDUAL IS AN ATHLETIC TRAINER;

21 (2) A PHYSICIAN WHO IS LICENSED UNDER THE HEALTH OCCUPATIONS
22 ARTICLE;

23 (3) AN INDIVIDUAL WHO PROVIDES STUDENT ATHLETIC TRAINER
24 SERVICES, UNDER THE DIRECT SUPERVISION OF A LICENSED ATHLETIC TRAINER, IN
25 A BOARD APPROVED ATHLETIC TRAINING EDUCATIONAL CLINICAL PROGRAM; OR

26 (4) AN ATHLETIC TRAINER WHO IS EMPLOYED BY OR UNDER CONTRACT
27 WITH AN ENTITY LOCATED IN ANOTHER STATE AND WHO IS REPRESENTING THAT
28 ENTITY AT AN ATHLETIC EVENT OR ANY OTHER EVENT FOR LESS THAN 90 DAYS IN
29 THIS STATE.

30 SUBTITLE 3. QUALIFICATION AND LICENSURE REQUIREMENTS.

31 1B-301.

32 (A) TO QUALIFY FOR A LICENSE, AN APPLICANT SHALL BE AN INDIVIDUAL
33 WHO MEETS THE REQUIREMENTS OF THIS SECTION.

34 (B) THE APPLICANT SHALL BE OF GOOD MORAL CHARACTER.

1 (C) THE APPLICANT SHALL HAVE GRADUATED FROM AN ACCREDITED 4-YEAR
2 COLLEGE OR UNIVERSITY.

3 (D) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THE
4 APPLICANT SHALL TAKE AND PASS THE EXAMINATION ADMINISTERED BY THE
5 NATIONAL ATHLETIC TRAINERS' ASSOCIATION BOARD OF CERTIFICATION, INC., OR
6 ITS SUCCESSOR ORGANIZATION.

7 (2) AN APPLICANT DOES NOT HAVE TO MEET THE EXAMINATION
8 REQUIREMENT UNDER PARAGRAPH (1) OF THIS SUBSECTION IF THE APPLICANT:

9 (I) HAS A CURRENT CERTIFICATE FROM THE NATIONAL ATHLETIC
10 TRAINERS' ASSOCIATION BOARD OF CERTIFICATION, INC., OR ITS SUCCESSOR
11 ORGANIZATION, AND APPLIES TO THE BOARD BEFORE OCTOBER 1, 2003; OR

12 (II) HAS ACTIVELY PROVIDED FULL-TIME ATHLETIC TRAINER
13 SERVICES IN THE STATE FOR COMPENSATION FROM JANUARY 1, 1997 TO THE TIME
14 OF APPLICATION.

15 (E) THE APPLICANT SHALL MEET ANY OTHER QUALIFICATIONS OR
16 REQUIREMENTS THAT THE BOARD ESTABLISHES FOR LICENSE APPLICANTS.

17 1B-302.

18 AN APPLICANT FOR A LICENSE SHALL:

19 (1) SUBMIT TO THE BOARD AN APPLICATION ON THE FORM THAT THE
20 BOARD REQUIRES;

21 (2) PAY TO THE BOARD THE APPLICATION FEE SET BY THE BOARD; AND

22 (3) PROVIDE TO THE BOARD ANY PROOF THAT THE BOARD REQUIRES
23 SHOWING THAT THE APPLICANT MEETS THE REQUIREMENTS OF THIS SUBTITLE.

24 1B-303.

25 EXCEPT FOR THE PAYMENT OF THE APPLICATION FEE, THE BOARD MAY MAKE
26 A RECIPROCAL AGREEMENT WITH ANOTHER STATE TO WAIVE ALL OR PART OF THE
27 LICENSING REQUIREMENTS OF THIS SUBTITLE FOR INDIVIDUALS WHO ARE
28 LICENSED, REGISTERED, OR CERTIFIED TO PROVIDE ATHLETIC TRAINER SERVICES
29 IN THE OTHER STATE IF:

30 (1) THE INDIVIDUAL WOULD OTHERWISE MEET THE LICENSING
31 REQUIREMENTS OF THIS SUBTITLE; AND

32 (2) THE OTHER STATE AGREES TO WAIVE TO A SIMILAR EXTENT THE
33 LICENSING REQUIREMENTS IN THAT STATE FOR LICENSED ATHLETIC TRAINERS OF
34 THIS STATE.

1 1B-304.

2 THE BOARD SHALL ISSUE A LICENSE TO EACH APPLICANT WHO MEETS THE
3 REQUIREMENTS OF THIS SUBTITLE.

4 1B-305.

5 (A) WHILE A LICENSE IS IN EFFECT, THE LICENSE AUTHORIZES THE
6 LICENSEE TO PROVIDE ATHLETIC TRAINER SERVICES.

7 (B) UNLESS A LICENSE IS RENEWED FOR AN ADDITIONAL TERM AS PROVIDED
8 IN THIS SECTION, THE LICENSE EXPIRES 2 YEARS AFTER ITS EFFECTIVE DATE.

9 (C) AT LEAST 1 MONTH BEFORE A LICENSE EXPIRES, THE BOARD SHALL MAIL
10 TO THE LICENSEE, AT THE LAST KNOWN ADDRESS OF THE LICENSEE:

11 (1) A RENEWAL APPLICATION FORM; AND

12 (2) A NOTICE THAT STATES:

13 (I) THE DATE ON WHICH THE CURRENT LICENSE EXPIRES;

14 (II) THE DATE BY WHICH THE BOARD MUST RECEIVE THE
15 RENEWAL APPLICATION FOR THE RENEWAL TO BE ISSUED AND MAILED BEFORE THE
16 LICENSE EXPIRES; AND

17 (III) THE AMOUNT OF THE RENEWAL FEE.

18 (D) BEFORE A LICENSE EXPIRES, THE LICENSEE PERIODICALLY MAY RENEW
19 IT FOR AN ADDITIONAL 2-YEAR TERM, IF THE LICENSEE:

20 (1) IS OTHERWISE ENTITLED TO BE LICENSED;

21 (2) PAYS TO THE BOARD THE RENEWAL FEE SET BY THE BOARD; AND

22 (3) SUBMITS TO THE BOARD:

23 (I) A RENEWAL APPLICATION ON THE FORM THAT THE BOARD
24 PROVIDES; AND

25 (II) SATISFACTORY EVIDENCE OF COMPLIANCE WITH THE
26 CONTINUING EDUCATION REQUIREMENTS AS ESTABLISHED BY THE NATIONAL
27 ATHLETIC TRAINERS' ASSOCIATION BOARD OF CERTIFICATION, INC., OR ITS
28 SUCCESSOR ORGANIZATION.

29 (E) IN ADDITION TO ANY OTHER QUALIFICATIONS AND REQUIREMENTS SET
30 BY THE BOARD, THE BOARD SHALL ADOPT REGULATIONS ESTABLISHING
31 CONTINUING EDUCATION REQUIREMENTS AS A CONDITION TO THE RENEWAL OF
32 LICENSES UNDER THIS SECTION.

1 (F) THE BOARD SHALL RENEW THE LICENSE OF EACH LICENSEE WHO MEETS
2 THE REQUIREMENTS OF THIS SECTION.

3 1B-306.

4 THE BOARD SHALL REINSTATE THE LICENSE OF AN ATHLETIC TRAINER WHO
5 HAS FAILED TO RENEW THE LICENSE FOR ANY REASON IF THE ATHLETIC TRAINER:

6 (1) MEETS THE RENEWAL REQUIREMENTS OF § 1B-305 OF THIS
7 SUBTITLE;

8 (2) PAYS TO THE BOARD THE REINSTATEMENT FEE SET BY THE BOARD;
9 AND

10 (3) SUBMITS TO THE BOARD SATISFACTORY EVIDENCE OF COMPLIANCE
11 WITH ANY OTHER QUALIFICATIONS AND REQUIREMENTS ESTABLISHED UNDER THIS
12 SUBTITLE FOR LICENSE REINSTATEMENTS.

13 1B-307.

14 EACH LICENSEE SHALL GIVE THE BOARD WRITTEN NOTICE OF ANY CHANGE OF
15 ADDRESS.

16 1B-308.

17 (A) SUBJECT TO THE HEARING PROVISIONS OF § 1B-309 OF THIS SUBTITLE,
18 THE BOARD MAY DENY A LICENSE TO AN APPLICANT, REPRIMAND A LICENSEE,
19 IMPOSE RESTRICTIONS ON A LICENSEE, OR SUSPEND OR REVOKE A LICENSE IF THE
20 APPLICANT OR LICENSEE:

21 (1) FRAUDULENTLY OR DECEPTIVELY OBTAINS OR ATTEMPTS TO
22 OBTAIN A LICENSE FOR THE APPLICANT OR LICENSEE OR FOR ANOTHER;

23 (2) FRAUDULENTLY OR DECEPTIVELY USES A LICENSE;

24 (3) IS GROSSLY NEGLIGENT OR INCOMPETENT IN PROVIDING ATHLETIC
25 TRAINER SERVICES IN ACCORDANCE WITH THE STANDARDS, ROLE DELINEATION,
26 AND CODE OF ETHICS OF THE NATIONAL ATHLETIC TRAINERS' ASSOCIATION BOARD
27 OF CERTIFICATION, INC., OR ITS SUCCESSOR ORGANIZATION;

28 (4) PLEADS GUILTY OR NOLO CONTENDERE TO OR IS CONVICTED OF A
29 FELONY OR A CRIME OF MORAL TURPITUDE;

30 (5) HAS HAD A LICENSE, REGISTRATION, OR CERTIFICATION TO
31 PROVIDE ATHLETIC TRAINEE SERVICES, REVOKED OR SUSPENDED BY ANOTHER
32 STATE FOR A CAUSE THAT WOULD JUSTIFY REVOCATION OR SUSPENSION UNDER
33 THIS TITLE, EXCEPT FOR THE FAILURE TO PAY A LICENSE APPLICATION OR
34 RENEWAL FEE; OR

35 (6) KNOWINGLY VIOLATES ANY PROVISION OF THIS TITLE.

1 (B) THE BOARD MAY REINSTATE A SUSPENDED OR REVOKED LICENSE OR
2 REMOVE RESTRICTIONS ON A LICENSE IF THE BOARD FINDS THAT THE REASONS
3 FOR THE SUSPENSION OR REVOCATION OR LICENSE RESTRICTIONS NO LONGER
4 EXIST AND THAT THE INDIVIDUAL CAN REASONABLY BE EXPECTED TO PRACTICE AS
5 AN ATHLETIC TRAINER SAFELY AND PROPERLY.

6 1B-309.

7 (A) EXCEPT AS OTHERWISE PROVIDED IN THE ADMINISTRATIVE PROCEDURE
8 ACT OF TITLE 10 OF THE STATE GOVERNMENT ARTICLE, BEFORE THE BOARD TAKES
9 ANY ACTION UNDER § 1B-308 OF THIS SUBTITLE, IT SHALL GIVE THE INDIVIDUAL
10 AGAINST WHOM THE ACTION IS CONTEMPLATED AN OPPORTUNITY FOR A HEARING
11 BEFORE THE BOARD.

12 (B) THE BOARD SHALL GIVE NOTICE AND HOLD THE HEARING IN
13 ACCORDANCE WITH THE ADMINISTRATIVE PROCEDURE ACT OF TITLE 10 OF THE
14 STATE GOVERNMENT ARTICLE.

15 (C) THE BOARD MAY ADMINISTER OATHS IN CONNECTION WITH ANY
16 PROCEEDING UNDER THIS SECTION.

17 (D) THE HEARING NOTICE TO BE GIVEN TO THE INDIVIDUAL SHALL BE SENT
18 BY CERTIFIED MAIL TO THE LAST KNOWN ADDRESS OF THE INDIVIDUAL AT LEAST 30
19 DAYS BEFORE THE HEARING.

20 (E) (1) THE BOARD MAY ISSUE SUBPOENAS IN CONNECTION WITH ANY
21 PROCEEDING UNDER THIS SECTION.

22 (2) IF A PERSON FAILS TO COMPLY WITH A SUBPOENA ISSUED UNDER
23 THIS SUBSECTION, ON PETITION OF THE BOARD, A CIRCUIT COURT MAY COMPEL
24 COMPLIANCE WITH THE SUBPOENA.

25 (F) IF, AFTER DUE NOTICE, THE INDIVIDUAL AGAINST WHOM THE ACTION IS
26 CONTEMPLATED FAILS OR REFUSES TO APPEAR, THE BOARD MAY HEAR AND
27 DETERMINE THE MATTER.

28 1B-310.

29 (A) ANY PERSON AGGRIEVED BY A FINAL DECISION OF THE BOARD IN A
30 CONTESTED CASE, AS DEFINED IN § 10-202(D) OF THE STATE GOVERNMENT ARTICLE,
31 MAY TAKE A DIRECT JUDICIAL APPEAL.

32 (B) THE APPEAL SHALL BE AS PROVIDED FOR JUDICIAL REVIEW OF THE
33 FINAL DECISION IN TITLE 10, SUBTITLE 2 OF THE STATE GOVERNMENT ARTICLE.

34 1B-311.

35 EXCEPT AS OTHERWISE PROVIDED IN THIS TITLE, A PERSON MAY NOT PROVIDE,
36 ATTEMPT TO PROVIDE, OR OFFER TO PROVIDE ATHLETIC TRAINER SERVICES IN THE

1 STATE OR REPRESENT TO THE GENERAL PUBLIC THAT THE PERSON IS AN ATHLETIC
2 TRAINER UNLESS LICENSED BY THE BOARD.

3 1B-312.

4 A PERSON WHO VIOLATES ANY PROVISION OF THIS TITLE IS GUILTY OF A
5 MISDEMEANOR AND ON CONVICTION IS SUBJECT TO A FINE NOT EXCEEDING \$1,000
6 OR IMPRISONMENT NOT EXCEEDING 6 MONTHS OR BOTH.

7 SUBTITLE 4. SHORT TITLE; TERMINATION OF TITLE.

8 1B-401.

9 THIS TITLE MAY BE CITED AS THE "MARYLAND ATHLETIC TRAINERS ACT".

10 1B-402.

11 SUBJECT TO THE EVALUATION AND REESTABLISHMENT PROVISIONS OF THE
12 MARYLAND PROGRAM EVALUATION ACT, THIS TITLE AND ALL REGULATIONS
13 ADOPTED UNDER THIS TITLE SHALL TERMINATE AND BE OF NO FURTHER FORCE
14 AND EFFECT AFTER JULY 1, 2007.

15 **Article - State Government**

16 8-403.

17 (b) Except as otherwise provided in subsection (a) of this section, on or before
18 the evaluation date for the following governmental activities or units, an evaluation
19 shall be made of the following governmental activities or units and the statutes and
20 regulations that relate to the governmental activities or units:

21 (6A) ATHLETIC TRAINING ADVISORY COMMITTEE (§ 1B-201 OF THE
22 HEALTH OCCUPATIONS ARTICLE: JULY 1, 2006);

23 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
24 October 1, 2002.