

Department of Legislative Services
 Maryland General Assembly
 2004 Session

FISCAL AND POLICY NOTE

Senate Bill 411 (Senator Britt, *et al.*)
 Education, Health, and Environmental Affairs

Health Occupations - Maryland Athletic Trainers Act

This bill requires the Board of Physicians to license and regulate “athletic trainers” and establishes an Athletic Trainer Advisory Committee within the board.

Subject to the Maryland Program Evaluation Act, the Maryland Athletic Trainers Act terminates July 1, 2009.

Fiscal Summary

State Effect: Board of Physicians’ special fund revenues could increase by \$60,000 in FY 2005, and special fund expenditures could increase by \$24,400. Future year estimates reflect annualization and biennial license renewal. Potential minimal increase in general fund revenues and expenditures due to the bill’s penalty provision.

(in dollars)	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009
SF Revenue	\$60,000	\$3,000	\$60,800	\$3,800	\$61,500
SF Expenditure	24,400	27,000	28,400	29,900	31,600
Net Effect	\$35,600	(\$24,000)	\$32,400	(\$26,100)	\$29,900

Note:() = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate effect

Local Effect: Potential minimal increase in revenues and expenditures due to the bill’s penalty provision.

Small Business Effect: Minimal. Small business athletic trainers would be subject to licensure and regulation.

Analysis

Bill Summary: The bill's provisions do not apply to acupuncturists, chiropractors, nurses, occupational therapists, massage therapists, or physical therapists who are registered or licensed under the Health Occupations Article and who do not represent themselves to the public as athletic trainers, physicians, individuals who provide student athletic training services, or athletic trainers employed by or under contract with an entity in another state.

To qualify for licensure, an applicant must have graduated from an accredited four-year college or university and pass the examination administered by the National Athletic Trainers' Association Board of Certification, Inc. (NATABOC). An applicant is exempt from the exam requirement if he or she has a current certification from NATABOC or has actively provided full-time athletic trainer services in the State for compensation from January 1, 1997, to the time of application.

The Board of Physicians must adopt regulations establishing continuing education requirements for biennial licensure renewal. The board has the authority to deny a license, reprimand a licensee, impose restrictions on a licensee, or suspend or revoke a license if the applicant or licensee violates any provisions of the bill. A person who violates any provision of the bill is guilty of a misdemeanor and subject to a fine of up to \$1,000 or imprisonment for up to six months, or both.

The board must set licensing fees to cover committee costs which will be distributed to the Board of Physicians' fund.

Current Law: Athletic trainers are not regulated by the State. Individual health care providers who provide related services are regulated under their respective health occupations boards.

Background: There are 457 certified athletic trainers in Maryland who are in good standing with NATABOC. Athletic trainers generally become certified before practicing. Forty-two states recognize NATABOC's exam as the standard for athletic trainer credentialing. Of those states: 28 states require athletic trainers to be licensed; 7 states require certification; 4 states require athletic trainers to be registered, and passing the NATABOC exam is a registration requirement; and 3 states exempt them from licensure requirements for other related professions but require them to pass the exam and establish a specific scope of practice.

State Revenues: Board of Physicians' special fund revenues could increase by an estimated \$60,000 in fiscal 2005 which reflects the bill's October 1, 2004 effective date, and assumes the board is able to complete all start-up activities and begin licensing

athletic trainers within a nine-month period. This estimate assumes 400 individuals would be licensed in fiscal 2005 and pay a \$150 licensure fee. Future year estimates: (1) assume 20 additional individuals would be licensed in fiscal 2006 and five annually thereafter; and (2) reflect the board's biennial license renewals. Any delay in implementation could result in initial fee revenue collection being delayed until fiscal 2006.

General fund revenues could increase minimally as a result of the bill's monetary penalty provision from cases heard in the District Court.

State Expenditures: Special fund expenditures could increase by an estimated \$24,447 in fiscal 2005, which accounts for the bill's October 1, 2004 effective date. This estimate reflects the cost of hiring one part-time administrative officer to provide support to the Athletic Trainer Advisory Committee, process applications, and provide enrollment support. It includes a salary, fringe benefits, one-time start-up costs, and ongoing operating expenses.

Salary and Fringe Benefits	\$16,684
Operating Expenses	<u>7,763</u>
Total FY 2005 State Expenditures	\$24,447

Future year expenditures reflect: (1) a full salary with 4.6% annual increases and 3% employee turnover; and (2) 1% annual increases in ongoing operating expenses.

Additional Information

Prior Introductions: This bill was introduced during the 2002 session as HB 1216, but was withdrawn from the House Environmental Matters Committee.

Cross File: HB 277 (Delegate Rosenberg, *et al.*) – Health and Government Operations.

Information Source(s): Department of Health and Mental Hygiene; National Athletic Trainers' Association Board of Certification, Inc.; Department of Legislative Services

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