

HB0232/816585/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 232

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Health Occupations – ”; in line 4, after “altering” insert “a certain provision of law to require the Athletic Trainer Advisory Committee to recommend to the State Board of Physicians approval, modification, or disapproval of individual evaluation and treatment protocols; authorizing, under certain circumstances, an athletic trainer to assume duties under an evaluation and treatment protocol after receiving a certain recommendation from the Committee; providing that certain specialized tasks may only be performed after an athletic trainer receives certain approval from the Board; authorizing the Board to disapprove, under certain circumstances, an evaluation and treatment protocol and specialized tasks included in an evaluation and treatment protocol; requiring the Board, under certain circumstances, to send certain notice to a primary supervising physician and an athletic trainer; requiring an athletic trainer who receives notice of a certain disapproval to cease practicing under a certain evaluation and treatment protocol or performing a certain specialized task; providing that a member of the Board is not civilly liable for certain actions and omissions; making a conforming change;”; strike beginning with the second “the” in line 4 down through “terms;” in line 20; in line 20, strike “practice” and substitute “regulation”; and in line 23, strike “14-5D-01” and substitute “14-5D-06”.

AMENDMENT NO. 2

On pages 2 through 5, strike in their entirety the lines beginning with line 6 on page 2 through line 23 on page 5, inclusive, and substitute:

“14-5D-06.

(a) In addition to the powers set forth elsewhere in this subtitle, the Committee shall:

(Over)

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(1) Develop and recommend to the Board regulations to carry out this subtitle;

(2) Develop and recommend to the Board continuing education requirements for license renewal;

(3) Provide the Board with recommendations concerning the practice of athletic training;

(4) Develop and recommend to the Board an evaluation and treatment protocol for use by an athletic trainer and the physician with whom the athletic trainer practices;

(5) [Provide advice and recommendations] **RECOMMEND** to the Board [on] **APPROVAL, MODIFICATION, OR DISAPPROVAL OF** individual evaluation and treatment protocols [when requested];

(6) Keep a record of its proceedings; and

(7) Submit an annual report to the Board.

(b) The Board shall:

(1) Consider all recommendations of the Committee; and

(2) Provide to the Committee an annual report on the disciplinary matters involving licensees.”.

AMENDMENT NO. 2

On page 6, in line 4, strike “Obtain” and substitute “**EXCEPT AS PROVIDED IN § 14-5D-11.3(A) OF THIS SUBTITLE, OBTAIN**”.

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On pages 7 and 8, strike in their entirety the lines beginning with line 9 on page 7 through line 19 on page 8, inclusive, and substitute:

“14-5D-11.3.

(A) (1) AN ATHLETIC TRAINER MAY ASSUME THE DUTIES UNDER AN EVALUATION AND TREATMENT PROTOCOL AFTER RECEIVING A WRITTEN RECOMMENDATION OF APPROVAL FROM THE COMMITTEE IF:

(I) THE EVALUATION AND TREATMENT PROTOCOL DOES NOT INCLUDE SPECIALIZED TASKS; OR

(II) THE EVALUATION AND TREATMENT PROTOCOL INCLUDES SPECIALIZED TASKS THAT THE BOARD PREVIOUSLY HAS APPROVED UNDER § 14-5D-11 OF THIS SUBTITLE.

(2) IF AN EVALUATION AND TREATMENT PROTOCOL INCLUDES SPECIALIZED TASKS THAT HAVE NOT BEEN PREVIOUSLY APPROVED BY THE BOARD UNDER § 14-5D-11 OF THIS SUBTITLE, AN ATHLETIC TRAINER MAY ONLY PERFORM THE SPECIALIZED TASK AFTER RECEIVING WRITTEN APPROVAL FROM THE BOARD.

(B) THE BOARD MAY DISAPPROVE AN EVALUATION AND TREATMENT PROTOCOL OR A SPECIALIZED TASK INCLUDED IN THE EVALUATION AND TREATMENT PROTOCOL IF THE BOARD DETERMINES THAT:

(1) THE EVALUATION AND TREATMENT PROTOCOL DOES NOT MEET THE REQUIREMENTS OF § 14-5D-11(C) OF THIS SUBTITLE;

(Over)

(2) THE ATHLETIC TRAINER IS UNABLE TO PERFORM THE SPECIALIZED TASK SAFELY; OR

(3) THE SPECIALIZED TASK IS OUTSIDE THE PRACTICE SCOPE OF AN ATHLETIC TRAINER.

(C) IF THE BOARD DISAPPROVES AN EVALUATION AND TREATMENT PROTOCOL OR A SPECIALIZED TASK INCLUDED IN AN EVALUATION AND TREATMENT PROTOCOL, THE BOARD SHALL SEND TO THE PRIMARY SUPERVISING PHYSICIAN AND THE ATHLETIC TRAINER WRITTEN NOTICE OF THE DISAPPROVAL.

(D) AN ATHLETIC TRAINER WHO RECEIVES NOTICE OF A DISAPPROVAL UNDER SUBSECTION (C) OF THIS SECTION SHALL IMMEDIATELY CEASE PRACTICING UNDER THE EVALUATION AND TREATMENT PROTOCOL OR PERFORMING THE SPECIALIZED TASK.

(E) AN INDIVIDUAL MEMBER OF THE BOARD IS NOT CIVILLY LIABLE FOR ANY ACT OR OMISSION RELATING TO THE APPROVAL, MODIFICATION, OR DISAPPROVAL OF AN EVALUATION AND TREATMENT PROTOCOL.”.