

SENATE BILL 1079

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7lr3412
CF HB 1536

By: **Senator Bates**

Introduced and read first time: February 15, 2017

Assigned to: Rules

A BILL ENTITLED

1 AN ACT concerning

2 **State Board of Physicians – Athletic Trainers – Scope of Practice**

3 FOR the purpose of altering the definition of “practice athletic training” to allow athletic
4 trainers to apply, under the supervision of a licensed physician, certain principles
5 and methods for managing athletic injuries suffered by individuals in good overall
6 health who are employed in professions specified by the State Board of Physicians in
7 regulations; requiring the Board to adopt regulations that specify the professions
8 that involve athletic activities and may result in an individual who is employed in
9 the profession suffering a certain injury; altering the definition of “athletic activity”
10 to include other activities that meet certain requirements; making stylistic changes;
11 and generally relating to the scope of practice of athletic trainers.

12 BY repealing and reenacting, with amendments,
13 Article – Health Occupations
14 Section 14–5D–01
15 Annotated Code of Maryland
16 (2014 Replacement Volume and 2016 Supplement)

17 BY adding to
18 Article – Health Occupations
19 Section 14–5D–06(c)
20 Annotated Code of Maryland
21 (2014 Replacement Volume and 2016 Supplement)

22 BY repealing and reenacting, without amendments,
23 Article – Health Occupations
24 Section 14–5D–07(a) and 14–5D–10
25 Annotated Code of Maryland
26 (2014 Replacement Volume and 2016 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

3 **Article – Health Occupations**

4 14–5D–01.

5 (a) In this subtitle the following words have the meanings indicated.

6 (b) “Alternate supervising physician” means one or more physicians designated
7 by the supervising physician to provide supervision of an athletic trainer:

8 (1) During the absence of the supervising physician; and

9 (2) In accordance with the evaluation and treatment protocol on file with
10 the Board.

11 (c) “Athlete” means an individual who participates in an athletic activity.

12 (d) “Athletic activity” means exercise, recreation, sport, competition, [or] game,
13 **OR OTHER ACTIVITY** that:

14 (1) Requires physical strength, range of motion, flexibility, control, speed,
15 stamina, or agility; and

16 (2) Is associated with a setting [as defined under this section, an
17 educational institution, or a professional, amateur, or recreational sports club or athletic
18 organization].

19 (e) “Athletic injury” means an injury that affects an athlete’s participation or
20 performance in an athletic activity.

21 (f) “Board” means the State Board of Physicians.

22 (g) “Committee” means the Athletic Trainer Advisory Committee established
23 under § 14–5D–04 of this subtitle.

24 (h) “Educational institution” includes:

25 (1) The schools in the public elementary and secondary education system
26 of the State;

27 (2) A noncollegiate educational institution governed under § 2–206 of the
28 Education Article; and

29 (3) An institution of higher education as defined in § 10–101 of the
30 Education Article.

1 (i) "Evaluation and treatment protocol" means a document that is executed by a
2 physician and an athletic trainer that meets the requirements of § 14-5D-11 of this
3 subtitle.

4 (j) "License" means a license issued by the Board to practice athletic training.

5 (k) "Licensed athletic trainer" means an individual who is licensed by the Board
6 to practice athletic training.

7 (l) "Licensed health care practitioner" means an individual licensed, certified, or
8 otherwise authorized to practice a health occupation under this article.

9 (m) "National certifying board" means the National Athletic Trainers' Association
10 Board of Certification, Inc., or its successor organization.

11 (n) "Nonsupervising physician" means a physician licensed by the Board who is
12 not the supervising physician of the licensed athletic trainer.

13 (o) "Outside referral" means a request for treatment from a nonsupervising
14 physician or licensed health care practitioner.

15 (p) (1) "Practice athletic training" means application, **UNDER THE**
16 **SUPERVISION OF A LICENSED PHYSICIAN**, of the following principles and methods for
17 managing athletic injuries for athletes in good overall health **AND INJURIES SUFFERED**
18 **BY INDIVIDUALS IN GOOD OVERALL HEALTH WHO ARE EMPLOYED IN PROFESSIONS**
19 **SPECIFIED BY THE BOARD IN REGULATIONS** [under the supervision of a licensed
20 physician]:

21 (i) Prevention;

22 (ii) Clinical evaluation and assessment;

23 (iii) Immediate care; and

24 (iv) Treatment, rehabilitation, and reconditioning.

25 (2) "Practice athletic training" includes:

26 (i) Organization and administration of an athletic training
27 program; and

28 (ii) Instruction to coaches, athletes, parents, medical personnel, and
29 community members regarding the care and prevention of athletic injuries.

30 (3) "Practice athletic training" does not include:

1 (i) The practice of:

2 1. Chiropractic, including adjustments, manipulation, or
3 high velocity mobilizations of the spine or extremities;

4 2. Massage therapy;

5 3. Medicine;

6 4. Occupational therapy;

7 5. Physical therapy; or

8 6. Podiatry;

9 (ii) The reconditioning of systemic neurologic injuries, conditions, or
10 disease; or

11 (iii) Except for the conditioning of an athlete under the supervision
12 of a treating physician, the treatment, rehabilitation, or reconditioning of nonathletic
13 injuries or disease.

14 (q) “Setting” means [a]:

15 (1) [Location where an athletic activity, as defined in subsection (d) of this
16 section, is being held] **AN EDUCATIONAL INSTITUTION;**

17 **(2) A PROFESSIONAL, AMATEUR, OR RECREATIONAL SPORTS CLUB**
18 **OR ATHLETIC ORGANIZATION;**

19 **[(2)] (3) [Health] A HEALTH** or fitness club;

20 **[(3)] (4) [Clinic] A CLINIC** or hospital;

21 **[(4)] (5) [Corporation] A CORPORATION;** or

22 **[(5)] (6) [Government] A GOVERNMENT** agency.

23 (r) “Supervising physician” means a physician who has been approved by the
24 Board to supervise one or more athletic trainers.

25 (s) “Supervision” means the responsibility of a physician to provide ongoing and
26 immediately available instruction, in person, by telephone, or by other electronic means,
27 that is adequate to ensure the safety and welfare of a patient and is appropriate to the
28 setting.

1 14-5D-06.

2 (C) THE BOARD SHALL ADOPT REGULATIONS THAT SPECIFY THE
3 PROFESSIONS THAT:

4 (1) INVOLVE ATHLETIC ACTIVITIES; AND

5 (2) MAY RESULT IN AN INDIVIDUAL WHO IS EMPLOYED IN THE
6 PROFESSION SUFFERING AN INJURY THAT:

7 (I) IS SIMILAR TO AN ATHLETIC INJURY; AND

8 (II) THE BOARD DETERMINES MAY BE APPROPRIATELY
9 TREATED BY AN ATHLETIC TRAINER.

10 14-5D-07.

11 (a) Except as otherwise provided in this subtitle, on or after October 1, 2011, an
12 individual shall be licensed by the Board before the individual may practice athletic
13 training in the State.

14 14-5D-10.

15 (a) An athletic trainer license authorizes the licensee to practice athletic training
16 services in an approved setting while the license is effective.

17 (b) A licensed athletic trainer shall practice athletic training in accordance with
18 the evaluation and treatment protocol between the athletic trainer and a licensed
19 physician.

20 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
21 October 1, 2017.