

Department of Legislative Services
Maryland General Assembly
2020 Session

FISCAL AND POLICY NOTE
Third Reader - Revised

Senate Bill 732

(Senator Lam)

Education, Health, and Environmental Affairs

Health and Government Operations

Health Occupations - Athletic Training - Revisions

This bill (1) alters the definition of “practice athletic training”; (2) defines “athletic individual”; (3) repeals limitations on the settings in which athletic trainers may practice; (4) repeals the requirement that an evaluation and treatment (E&T) protocol describe the settings where the athletic trainer may practice; (5) repeals obsolete language regarding the three athletic trainer members of the Athletic Trainer Advisory Committee; (6) specifies that an athletic trainer may provide treatment for not more than 14 days to an athletic individual with an injury that affects job function or job-related activity except under specified circumstances; and (7) makes conforming and technical changes.

Fiscal Summary

State Effect: Any operational changes for the Maryland Board of Physicians (MBP) can be handled with existing budgeted resources. Revenues are not affected.

Local Effect: None.

Small Business Effect: Potential meaningful.

Analysis

Bill Summary/Current Law:

Definition of Practice Athletic Training

The bill alters the definition of “practice athletic training” to mean application of the following principles and methods for managing injuries for *athletic individuals* in good

overall health under the supervision of a licensed physician: (1) prevention *and wellness promotion*; (2) clinical evaluation, *examination*, assessment, *and determination of a plan of care, including appropriate referrals*; (3) immediate care *and emergency care*; and (4) treatment, rehabilitation, and reconditioning. The definition includes (1) organization and administration of an athletic training program; (2) instruction to coaches, athletes, parents, medical personnel, and community members regarding the care and prevention of injuries; *and (3) recognition and management of a concussion, including management of an athletic individual's progressive return to activity.*

The bill repeals the definitions of and references to “athlete,” “athletic activity,” and “athletic injury” as these terms are no longer within the definition of practice athletic training.

The bill defines “athletic individual” as an individual who participates in an athletic activity, a job function, or a job-related activity that requires physical strength, range of motion, flexibility, control, speed, stamina, or agility.

Under current law, the definition of “practice athletic training” *does not include* (1) specified chiropractic actions; (2) reconditioning of systemic neurologic injuries, conditions, or disease; or (3) the treatment of nonathletic injuries or disease. The bill narrows the third provision to the treatment of disease.

Practice Settings and Evaluation and Treatment Protocols

Under current law, an athletic trainer may only practice in an approved setting, which must be specified in an E&T protocol. “Setting” means a (1) location where an athletic activity is held; (2) health or fitness club; (3) clinic or hospital; (4) corporation; or (5) government agency.

The bill repeals this definition and the requirement that an athletic trainer practice in an approved setting. Instead, the bill specifies that an athletic trainer must practice in accordance with the E&T protocol between the athletic trainer and a licensed physician.

Injuries that Affect Job Function or Job-related Activity

The bill specifies that an athletic trainer may provide treatment for not more than 14 days to an athletic individual with an injury that affects job function or job-related activity unless the athletic trainer has received a referral from a licensed health care provider. Preventive care is not considered treatment.

Background: According to the National Athletic Trainers’ Association, the practice of athletic training means prevention and wellness promotion, risk management, immediate

and emergency care, examination, assessment and diagnosis, and therapeutic intervention/rehabilitation of injury and illness. The practice of athletic training also includes making clinical decisions to determine if a consultation and/or referral are necessary, healthcare administration, and professional responsibility. Athletic trainer's patient population includes athletes, performers, law enforcement, military, workers in an industrial setting, and active individuals not considered athletes.

There are approximately 781 licensed athletic trainers regulated by MBP.

Small Business Effect: Potential meaningful for athletic trainers who may practice in more settings under the bill.

Additional Information

Prior Introductions: HB 497 of 2018, a similar bill, received a hearing in the House Health and Government Operations Committee but was withdrawn. Its cross file, SB 151, received a hearing in the Senate Education, Health, and Environmental Affairs Committee but was withdrawn.

Designated Cross File: HB 576 (Delegate K. Young, *et al.*) - Health and Government Operations.

Information Source(s): Maryland Department of Health; National Athletic Trainers' Association; Department of Legislative Services

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