

HOUSE OF REPRESENTATIVES STAFF FINAL BILL ANALYSIS

BILL #: HB 485 Athletic Trainers

SPONSOR(S): Antone

TIED BILLS: **IDEN./SIM. BILLS:** CS/SB 226

FINAL HOUSE FLOOR ACTION: 115 Y's 0 N's

GOVERNOR'S ACTION: Approved

SUMMARY ANALYSIS

HB 485 passed the House on March 10, 2020, as CS/SB 226.

Athletic trainers provide service and care to individuals related to the prevention, recognition, evaluation, management, disposition, treatment, or rehabilitation of a physically active person who sustained an injury, illness, or other condition involving exercise, sport, recreation, or related physical activity. In Florida, the Board of Board of Athletic Training (Board) licenses and regulates athletic trainers. The Board of Certification, Inc., a private credentialing agency, certifies athletic trainers.

Prior to 2004, athletic trainers could qualify for licensure by completing training through an internship program approved by the Board of Certification. Current law does not allow applicants who completed an internship to qualify for licensure. Athletic trainers must show current certification from the Board of Certification for biennial licensure renewal, but there is no statutory requirement that a licensee maintain such certification without lapse and in good standing.

The bill allows athletic trainers to qualify for licensure by completing an internship approved by the Board of Certification if they hold a bachelor's degree from a non-accredited program. The bill also requires athletic trainers to maintain certification for licensure renewal. The bill also requires an athletic trainer work within his or her scope of practice, as defined by Board rules, and requires the Board to adopt rules that govern the supervision of athletic training students.

The bill has an insignificant, negative fiscal impact on the Department of Health, which can be absorbed within existing resources. The bill has no fiscal impact on local governments.

The bill was approved by the Governor on June 18, 2020, ch. 2020-29, L.O.F., and will become effective on July 1, 2020.

I. SUBSTANTIVE INFORMATION

A. EFFECT OF CHANGES:

Present Situation

Athletic Trainers

Athletic trainers provide service and care to individuals related to the prevention, recognition, evaluation, management, disposition, treatment, or rehabilitation of a physically active person who sustained an injury, illness, or other condition involving exercise, sport, recreation, or related physical activity.¹

Board of Athletic Training

The Board of Athletic Training within the Department of Health licenses and regulates athletic trainers in this state.² The Board of Athletic Training must establish, by rule:³

- The allowable scope of practice regarding the use of equipment, procedures, and medication;
- Mandatory requirements and guidelines for communication between athletic trainers and physicians;
- Licensure requirements and examination;
- Continuing education requirements;
- Fees;
- Records and reports to be filed by licensees;
- Protocols; and
- Other requirements necessary to regulate the practice of athletic training.

Licensure Requirements

To be licensed as an athletic trainer, an applicant must:⁴

- Hold a bachelor's degree or higher from an accredited athletic training degree program and pass the national examination to be certified by the Board of Certification;⁵
- Hold a current certification from the Board of Certification, if the applicant graduated before 2004;
- Hold a current certification in both cardiopulmonary resuscitation and the use of an automated external defibrillator at the professional rescue level; and
- Pass a background screening.

Prior to 2004, athletic trainers could complete training through an internship program approved by the Board of Certification and it was deemed sufficient for licensure.⁶ Colleges and universities have established athletic training programs since 2004.⁷ Licensure now requires all applicants to graduate from an accredited program offered at a college or university. Individuals who complete an approved internship and hold a current certification from the Board of Certification, but do not hold a bachelor's degree from an accredited athletic training program, do not qualify for licensure.

¹ Section 468.701(2), F.S.

² Sections 468.703 and 468.705, F.S.

³ Section 468.705, F.S.

⁴ Section 468.707, F.S.

⁵ The Board of Certification is a not-for-profit credentialing agency that provides a certification program for the entry level athletic training profession. See Board of Certification for the Athletic Trainer, *What is the BOC?*, available at <http://www.bocatc.org/about-us#what-is-the-boc> (last visited January 14, 2020).

⁶ Department of Health, *2020 Agency Legislative Bill Analysis for HB 485*, (Jan. 9, 2020), on file with the Health Quality Subcommittee.

⁷ *Id.*

An athletic trainer must renew his or her license biennially. During each biennial renewal period, an athletic trainer must complete at least 24 hours of continuing education, hold a current certification in both cardiopulmonary resuscitation and the use of an automated external defibrillator, and a current certification from the Board of Certification.⁸ Although licensees must show current certification from the Board of Certification, there is no statutory requirement that a licensee maintain such certification without lapse and in good standing.

To maintain certification from the Board of Certification, an athletic trainer must:⁹

- Adhere to the Board of Certification standards of professional practice;
- Demonstrate ongoing certification in emergency cardiac care;
- Pay certification maintenance fees; and
- Biennially complete 50 hours of continuing education.

Scope of Practice

An athletic trainer must practice under the direction of a Florida-licensed allopathic, osteopathic, or chiropractic physician,¹⁰ and may provide care such as:¹¹

- Injury prevention, recognition, and evaluation;
- First aid and emergency care;
- Injury management and treatment;
- Rehabilitation through the use of safe and appropriate physical rehabilitation practices;
- Conditioning;
- Performance of tests and measurements to prevent, evaluate, and monitor acute and chronic injuries;
- Therapeutic exercises;
- Massage;
- Cryotherapy and thermotherapy;
- Therapy using other agents such as water, electricity, light, or sound; and
- The application of topical prescription medications at the direction of a physician.

The physician must communicate his or her direction through oral or written prescriptions or protocols, and the athletic trainer must provide service or care in the manner dictated by the physician.¹² A licensed athletic trainer may not provide, offer to provide, or represent that he or she is qualified to provide any care or service that he or she lacks the education, training, or experience to provide, or that he or she is otherwise prohibited by law from providing.¹³

Effect of Proposed Changes

The bill authorizes individuals who hold any bachelor's degree, including those obtained from a non-accredited program, complete an internship approved by the Board of Certification, and hold a certification from the Board of Certification to be eligible for licensure. The bill establishes that a licensed athletic trainer must maintain his or her certification from the Board of Certification in good standing to be eligible for licensure renewal.

⁸ Section 468.711, F.S.

⁹ Board of Certification, *Certification Maintenance Requirements for Certified Athletic Trainers*, available at <https://online.flowpaper.com/7f6907b2/201819CertMaintenanceRequirements/#page=1> (last visited January 14, 2020).

¹⁰ Section 468.713, F.S.

¹¹ Rule 64B33-4.001, F.A.C.

¹² *Supra* note 10.

¹³ Section 468.701(1), F.S.

The bill requires athletic trainers to work within the scope of practice as defined by Board of Athletic Training in rule, and also requires the Board of Athletic Training to establish rules for the supervision of an athletic training student.

The bill relocates a substantive provision, which prohibits an athletic trainer from providing care or services for which the athletic trainer has not had education or training, from the definition of “athletic trainer” to a section of law that addresses the responsibilities of a licensed athletic trainer.

The bill provides an effective date of July 1, 2020.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

DOH will incur insignificant costs related to rulemaking to implement the bill’s provisions, which can be absorbed within existing resources.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

Individuals who hold a bachelor’s degree and completed a Board of Certification internship will be eligible for licensure.

D. FISCAL COMMENTS:

None.