

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 930 Session of 2011

INTRODUCED BY READSHAW, CALTAGIRONE, DeLUCA, BRENNAN, D. COSTA,
FABRIZIO, GEIST, KIRKLAND, M. O'BRIEN, PASHINSKI, K. SMITH
AND STABACK, MARCH 4, 2011

REFERRED TO COMMITTEE ON PROFESSIONAL LICENSURE, MARCH 4, 2011

AN ACT

1 Amending the act of December 20, 1985 (P.L.457, No.112),
2 entitled "An act relating to the right to practice medicine
3 and surgery and the right to practice medically related acts;
4 reestablishing the State Board of Medical Education and
5 Licensure as the State Board of Medicine and providing for
6 its composition, powers and duties; providing for the
7 issuance of licenses and certificates and the suspension and
8 revocation of licenses and certificates; providing penalties;
9 and making repeals," further providing for definitions and
10 for athletic trainers.

11 The General Assembly of the Commonwealth of Pennsylvania
12 hereby enacts as follows:

13 Section 1. The definitions of "athletic training services,"
14 "certified athletic trainer," "physically active person,"
15 "referral" and "written protocol" in section 2 of the act of
16 December 20, 1985 (P.L.457, No.112), known as the Medical
17 Practice Act of 1985, added December 10, 2001 (P.L.859, No.92),
18 are amended and the section is amended by adding a definition to
19 read:

20 Section 2. Definitions.

21 The following words and phrases when used in this act shall

1 have the meanings given to them in this section unless the
2 context clearly indicates otherwise:

3 * * *

4 "Athletic training services." The management and provision
5 of care of injuries to a physically active person as defined in
6 this act with the direction of a licensed physician. The term
7 includes the rendering of emergency care, development of injury
8 prevention programs and providing appropriate preventative and
9 supporting devices for the physically active person. The term
10 also includes the assessment, management, treatment,
11 rehabilitation and reconditioning of the physically active
12 person whose conditions are within the professional preparation
13 and education of a [certified] licensed athletic trainer. The
14 term also includes the use of modalities such as mechanical
15 stimulation, heat, cold, light, air, water, electricity, sound,
16 massage and the use of therapeutic exercises, reconditioning
17 exercise and fitness programs. Athletic training services shall
18 not include surgery, invasive procedures or prescription of any
19 controlled substance.

20 * * *

21 ["Certified athletic trainer." A person who is certified to
22 perform athletic training services by the State Board of
23 Medicine or State Board of Osteopathic Medicine.]

24 * * *

25 "Licensed athletic trainer." A person who is certified to
26 perform athletic training services by the State Board of
27 Medicine or the State Board of Osteopathic Medicine.

28 * * *

29 "Physically active person." An individual designated by a
30 physician as physically active, including an individual who

1 participates in organized, individual or team sports, athletic
2 games or recreational sport activity or an individual who the
3 physician believes would benefit from athletic training.

4 * * *

5 "Referral." An order from a licensed physician, dentist or
6 podiatrist to [a certified] an athletic trainer for athletic
7 training services. An order may be written or oral, except that
8 an oral order must be reduced to writing within 72 hours of
9 issuance.

10 * * *

11 "Written protocol." A written agreement developed in
12 conjunction with one or more supervising physicians which
13 identifies and is signed by the supervising physician and the
14 [certified] licensed athletic trainer. It describes the manner
15 and frequency in which the [certified] licensed athletic trainer
16 regularly communicates with the supervising physician. It
17 includes standard operating procedures developed in agreement
18 with the supervising physician and [certified] licensed athletic
19 trainer that the [certified] licensed athletic trainer follows
20 when not directly supervised on site by the supervising
21 physician.

22 Section 2. Section 51.1(a), (b), (c), (d) and (f) of the
23 act, added December 10, 2001 (P.L.859, No.92), are amended to
24 read:

25 Section 51.1. Athletic trainers.

26 (a) General rule.--An athletic trainer [certified] licensed
27 by the board may, under the direction of a physician, podiatrist
28 or dentist, provide athletic training services to a physically
29 active person under the care of a physician, dentist or
30 podiatrist. An athletic trainer [certified] licensed under this

1 section shall refer a physically active person with conditions
2 outside the scope of athletic training services to a physician,
3 dentist or podiatrist.

4 (b) Temporary [certifications] licenses.--Any athletic
5 trainer who holds a valid certificate issued by the State Board
6 of Physical Therapy under the act of October 10, 1975 (P.L.383,
7 No.110), known as the Physical Therapy Practice Act, relating to
8 the practice of athletic training, prior to the effective date
9 of this act shall, on and after the effective date hereof, be
10 deemed to be [certified] licensed by the State Board of Medicine
11 or State Board of Osteopathic Medicine as provided for in this
12 act, unless his or her certification has expired or been revoked
13 prior to the effective date of this act.

14 (c) [Certification] Licensure, title and limitation on
15 practice.--An athletic trainer who meets the requirements of
16 this section shall be [certified] licensed, may use the title
17 "athletic trainer" or the abbreviation for the title,
18 ["A.T.C.,"] "A.T.L.," and may perform athletic training
19 services. A person who is not [certified] licensed under this
20 section may not use the designation of [certified] licensed
21 athletic trainer, athletic trainer or any of the listed
22 abbreviations for that title, including ["C.A.T." or "A.T.C.,"]
23 "L.A.T." or "A.T.L.," or any similar designation. This section
24 shall not prohibit any person trained and licensed or certified
25 under any other law from engaging in the licensed or certified
26 practice in which the person is trained.

27 (d) Regulations.--The State Board of Medicine and the State
28 Board of Osteopathic Medicine shall jointly promulgate
29 regulations which:

30 (1) establish approved education and training programs

1 for certification; and

2 (2) define the circumstances and protocol under which a
3 certified athletic trainer may perform athletic training
4 services.

5 [Until such regulations are promulgated by the State Board of
6 Medicine and the State Board of Osteopathic Medicine, the
7 athletic trainer shall be regulated by the regulations, duly
8 promulgated by the State Board of Physical Therapy prior to the
9 enactment of this amendatory act governing the activities of
10 certified athletic trainers, which are not inconsistent with
11 this act.] All references in the current regulations referencing
12 certification or certified athletic trainers shall be deemed to
13 be references to licensure or licensed athletic trainers after
14 the effective date of this act.

15 * * *

16 (f) Jurisdiction.--The State Board of Medicine shall be
17 responsible for the [certification] licensure of athletic
18 trainers. Jurisdiction will be determined by the type of
19 physician who supervises and directs the [certified] licensed
20 athletic trainer. [Certified] Licensed athletic trainers
21 supervised by physicians regulated by the Medical Practice Act
22 of 1985 shall fall within the jurisdiction of the State Board of
23 Medicine.

24 Section 3. The board shall issue licenses in the course of
25 its normal biannual process. Any athletic trainers with a valid
26 certification prior to the effective date of this act may refer
27 to themselves as licensed athletic trainers upon the effective
28 date of this act, even though the board has not issued a license
29 in lieu of certification.

30 Section 4. This act shall take effect in 30 days.