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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 930 Session of  
2011

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

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REFERRED TO COMMITTEE ON PROFESSIONAL LICENSURE, MARCH 4, 2011

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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.