

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1160 Session of 2022

INTRODUCED BY BAKER, MUTH, FONTANA, SCHWANK, COLLETT, STEFANO, LAUGHLIN, COSTA, PHILLIPS-HILL AND COMMITTA, APRIL 4, 2022

AS AMENDED ON THIRD CONSIDERATION, SEPTEMBER 21, 2022

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; provided penalties;
9 and making repeals," further providing for definitions; and
10 abrogating an inconsistent regulation.

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

13 Section 1. The definitions of "athletic training services"
14 and "physically active person" in section 2 of the act of
15 December 20, 1985 (P.L.457, No.112), known as the Medical
16 Practice Act of 1985, are amended AND THE SECTION IS AMENDED BY <--
17 ADDING A DEFINITION to read:

18 Section 2. Definitions.

19 The following words and phrases when used in this act shall
20 have the meanings given to them in this section unless the
21 context clearly indicates otherwise:

22 * * *

1 "Athletic training services."

2 (1) The management and provision of care of [injuries] <--
3 AN INJURY to a physically active person as defined in this
4 act with the direction of a licensed physician. The term
5 includes the rendering of emergency care, development of
6 injury prevention programs and providing appropriate
7 preventative and supporting devices for the physically active
8 person. The term also includes the assessment, management,
9 treatment, rehabilitation and reconditioning of the
10 physically active person whose conditions are within the
11 professional preparation and education of a licensed athletic
12 trainer. The term also includes the use of modalities such as
13 mechanical stimulation, heat, cold, light, air, water,
14 electricity, sound, massage and the use of therapeutic
15 exercises, reconditioning exercise and fitness programs.

16 (2) Athletic training services shall not include
17 [surgery, invasive procedures or prescription of any
18 controlled substance] any of the following:

19 (i) Surgery.

20 (ii) Prescription of any controlled substance.

21 (iii) Invasive procedures, except an athletic
22 trainer licensed to practice may, with the direction of a
23 licensed physician, perform the following invasive
24 procedures pursuant to a written protocol:

25 (A) Rectal thermometry.

26 (B) Intramuscular or subcutaneous medication
27 administration injections.

28 (C) Airway adjuncts in conformity with basic
29 life support protocols and instruments.

30 (D) Capillary finger sticks for the purpose of

1 testing blood glucose levels.

2 (E) Nasal plugs.

3 (F) Blister and nail care.

4 (G) Administration of naloxone.

5 (H) Removal of superficial foreign bodies.

6 (I) Any other procedures authorized by the
7 board.

8 (3) Nothing in this definition shall be construed to
9 require a licensed physician to authorize a licensed athletic
10 trainer to perform invasive procedures.

11 * * *

12 "INJURY." A MUSCULOSKELETAL OR ORTHOPEDIC INJURY OR OTHER <--
13 MEDICAL CONDITION SUFFERED BY A PHYSICALLY ACTIVE PERSON WHERE
14 PREVENTION, MAINTENANCE AND TREATMENT IS PROVIDED WITHIN THE
15 ACCEPTABLE STANDARD OF CARE AND EDUCATION FOR AN ATHLETIC
16 TRAINER.

17 * * *

18 "Physically active person." An individual who [participates
19 in organized, individual or team sports, athletic games or
20 recreational sport activity.] ~~engages in an activity that may be~~ <--
21 ~~associated with any injury, disorder or medical condition which~~
22 ~~requires a level of strength, endurance, flexibility, range of~~
23 ~~motion, speed or agility or could result from exercise, sports,~~
24 ~~recreation, wellness or employment.~~ ENGAGES IN AN ACTIVITY <--
25 ASSOCIATED WITH EXERCISE, SPORTS, RECREATION OR VOCATION THAT
26 REQUIRES A LEVEL OF STRENGTH, ENDURANCE, FLEXIBILITY, RANGE OF
27 MOTION, SPEED OR AGILITY.

28 * * *

29 Section 2. The provisions of 49 Pa. Code Ch. 18 Subch. E H <--
30 are abrogated insofar as they are inconsistent with the

1 amendment of the definitions of "athletic training services" and
2 "physically active person" in section 2 of the act.
3 Section 3. This act shall take effect immediately.