

**AK Practice Act enacted 6/18/14 eff. 7/1/15**

**AN ACT**

Relating to the licensing and regulation of athletic trainers; and providing for an effective date.

\* **Section 1.** AS 08.01.010 is amended by adding a new paragraph to read:  
(39) regulation of athletic trainers under AS 08.07.

\* **Sec. 2.** AS 08 is amended by adding a new chapter to read:

**Chapter 07. Athletic Trainers.**

**Sec. 08.07.010. License required.** (a) An individual may not practice or offer to practice athletic training, or allow another person to offer athletic training by the individual, in the state without being licensed under this chapter, unless the individual is

- (1) a student in an accredited athletic trainer program who is practicing athletic training under the supervision of an athletic trainer or a person licensed to practice medicine or osteopathy under AS 08.64;
- (2) licensed, certified, or registered as an athletic trainer in another state and is present in the state for not more than 90 days in a calendar year for a specific athletic event or series of athletic events with an individual or group not based in the state; or
- (3) in the military service of the United States or as an employee of the federal government performing athletic training services within the scope of the individual's official duties.

(b) This section does not prohibit a person licensed under another chapter of this title from performing functions defined as athletic training if those functions are within the scope of that person's license and the person does not use a title listed in (d) of this section.

(c) Nothing in this chapter requires licensing of a coach or fitness trainer who (1) does not use a title listed in (d) of this section; and (2) is acting within the scope of the person's duties as a coach or fitness trainer.

(d) Unless licensed under this chapter or exempted under (a)(2) or (3) of this section, an individual may not use the titles "athletic trainer," "licensed athletic trainer," "certified athletic trainer," "athletic trainer certified," "A.T.," "A.T.L.," "C.A.T.," "A.T.C.," or any combination of those terms to indicate that the individual is a licensed athletic trainer.

**Sec. 08.07.020. Qualifications for license; fee; renewal.** (a) The department shall issue an athletic trainer license to an individual who (1) applies to the department on a form provided by the department;

- (2) meets the requirements established in regulation by the department;
- (3) pays the fees established by the department; and
- (4) provides proof of certification by the Board of Certification, Inc., or another nationally recognized professional association approved by the department.

(b) An athletic trainer license may be renewed upon proof of certification by the Board of Certification, Inc., or another nationally recognized professional association approved by the department and as provided in AS 08.01.100.

**Sec. 08.07.030. Scope of practice of athletic trainers.** (a) An athletic trainer may practice athletic training only under the direction of a person licensed to practice medicine or osteopathy under AS 08.64. In this subsection, "direction" means the physician authorizes a procedure by a verbal order if the physician is present or by written order, telecommunication, or athletic training treatment plans, protocols, or standing orders established by the physician if the physician is not present.

(b) An athletic trainer shall immediately refer an athlete to an appropriate licensed health care professional if the athletic trainer determines that athletic training is contraindicated or the symptoms or conditions present require treatment outside the scope of practice of an athletic trainer.

(c) The practice of an athletic trainer includes

- (1) the treatment of an athlete for an athletic injury or illness prevention;
- (2) the clinical evaluation and assessment of an athlete for an athletic injury or illness sustained or exacerbated while participating in an athletic or sport-related exercise or activity;
- (3) the immediate care and treatment of an athlete for an athletic injury or illness sustained or exacerbated while participating in an athletic or sport-related exercise or activity; and
- (4) the rehabilitation and reconditioning of an athlete from an athletic injury or illness sustained or exacerbated while participating in an athletic or sport-related exercise or activity.

(d) In this section, "health care professional" has the meaning given to "health care provider" in AS 09.65.300.

**Sec. 08.07.040. Regulations.** After consulting the professional standards issued by the Board of Certification, Inc., the board's successor, or another nationally recognized professional association approved by the department, the department shall adopt regulations to protect the public, ensure quality patient care, and regulate the licensing of athletic trainers that include

- (1) minimum standards for licensure as an athletic trainer;
- (2) minimum standards of care for practice as an athletic trainer; and
- (3) continuing education requirements.

**Sec. 08.07.090. Definitions.** In this chapter,

- (1) "athlete" means an individual who participates in an athletic or sport-related exercise or activity, including interscholastic, intercollegiate, intramural, semiprofessional, and professional sports activities;
- (2) "athletic injury or illness" means an injury or illness sustained or exacerbated through participation in an activity, exercise, recreation, sport, or game requiring physical strength, range of motion, flexibility, body awareness and control, speed, stamina, or agility of a type sustained in association with sports participation as part of an educational institution, professional sports club, amateur sports club, recreational sports club, or organization;
- (3) "athletic trainer" means an individual who is licensed under AS 08.07.020 to practice athletic training in this state;

(4) "athletic training" means injury and illness prevention and the evaluation, assessment, immediate care, treatment, rehabilitation, and reconditioning of an athletic injury or illness.

\* **Sec. 3.** AS 09.65.300(c)(1) is amended to read:

(1) "health care provider" means a state licensed physician, physician assistant, dentist, dental hygienist, osteopath, optometrist, chiropractor, registered nurse, practical nurse, nurse midwife, advanced nurse practitioner, naturopath, physical therapist, occupational therapist, marital and family therapist, psychologist, psychological associate, licensed clinical social worker, **athletic trainer**, or certified direct-entry midwife;

\* **Sec. 4.** AS 47.17.290(14) is amended to read:

(14) "practitioner of the healing arts" includes **athletic trainers**, chiropractors, mental health counselors, social workers, dental hygienists, dentists, health aides, nurses, nurse practitioners, certified nurse aides, occupational therapists, occupational therapy assistants, optometrists, osteopaths, naturopaths, physical therapists, physical therapy assistants, physicians, physician's assistants, psychiatrists, psychologists, psychological associates, audiologists and speech-language pathologists licensed under AS 08.11, hearing aid dealers licensed under AS 08.55, marital and family therapists licensed under AS 08.63, religious healing practitioners, acupuncturists, and surgeons;

\* **Sec. 5.** The uncodified law of the State of Alaska is amended by adding a new section to read:

APPLICABILITY. The license requirement in AS 08.07.010, enacted by sec. 2 of this Act,

(1) applies immediately to a person who has (A) never practiced athletic training, as defined in AS 08.07.090, enacted by sec. 2 of this Act, before the effective date of sec. 2 of this Act; or (B) has practiced athletic training in the state, but does not meet the requirements of (2) of this section; and

(2) does not apply until two years after the effective date of sec. 2 of this Act to a person who has been practicing athletic training in this state for at least three of the five years immediately preceding the effective date of sec. 2 of this Act and is certified by the Board of Certification, Inc., and practicing athletic training within the scope of that certification.

\* **Sec. 6.** The uncodified law of the State of Alaska is amended by adding a new section to read: TRANSITIONAL PROVISION: REGULATIONS. The Department of Commerce, Community, and Economic Development may adopt regulations necessary to implement the changes made by this Act. The regulations take effect under AS 44.62 (Administrative Procedure Act), but not before the effective date of the law implemented by the regulation.

\* **Sec. 7.** Section 6 of this Act takes effect immediately under AS 01.10.070(c).

\* **Sec. 8.** Except as provided in sec. 7 of this Act, this Act takes effect July 1, 2015.