

MS AT ACT 2009

SENATE BILL NO. 2600

73-55-3. **Definitions.** The following words and phrases shall have the meanings ascribed herein unless the context clearly indicates otherwise:

(a) "Advisory council" means the Mississippi Council of Advisors in Athletic Training established in this chapter.

(b) "Athletic training" means the treatment of an athlete for risk management and athletic injury prevention, the clinical evaluation and assessment of an athlete for an injury or illness, or both, the immediate care and treatment for an injury or illness, or both, and the rehabilitation and reconditioning of an athlete's injury or illness, or both, as long as those activities are performed under the direction of a licensed physician, nurse practitioner or physician assistant. The practice of athletic training does not include the practice of physical therapy, the practice of medicine, the practice of osteopathic medicine and surgery, the practice of nursing or the practice of chiropractic.

(c) "Athletic trainer" means a person licensed by the State Department of Health as an athletic trainer after meeting the requirements of this chapter and rules and regulations promulgated pursuant to this chapter, who, upon the advice, consent and oral or written prescriptions or referrals of a licensed physician, nurse practitioner or physician assistant, carries out the practice of athletic training, and in carrying out these functions the athletic trainer is authorized to use physical modalities, such as heat, light, sound, cold, electricity or mechanical devices related to prevention, recognition, evaluation, management, disposition, rehabilitation and treatment. An athletic trainer shall practice only in those areas in which the athletic trainer is competent by reason of training or experience that can be substantiated by records or other evidence found acceptable by the board in the exercise of the board's considered discretion.

(d) "Athletic injury" means any injury sustained by a person as a result of the person's participation in sports, games or recreational activities requiring physical strength, flexibility, range of motion, speed or stamina, or comparable injury.

(e) "Athlete" means an individual who participates in exercises, sports, or games requiring physical strength, agility, flexibility, range of motion, speed or stamina; or an individual with an athletic injury that a licensed physician, nurse practitioner or physician assistant deems would benefit from athletic training services.

(f) "Department" means the State Department of Health.

(g) "Clinical setting" means a hospital, department, outpatient facility or clinic whose primary purpose is sports medicine, rehabilitation or wellness.

(h) "Nonclinical setting" means a location where school, professional, recreational or sanctioned amateur athletic activities are being held.

(i) "Board" means the State Board of Health.

(j) "Physician" means a physician licensed by the State Board of Medical Licensure.

(k) "BOC, Inc.," means the Board of Certification, Incorporated, or its successor agency, the National Credentialing Agency of Athletic Trainers; formerly referred to as the National Athletic Trainers' Association Board of Certification, Inc.

73-55-5. Use of descriptive names or titles. No person shall engage in athletic training or use the titles "athletic trainer," "certified athletic trainer" or "licensed athletic trainer" or use the letters "LAT," or "AT" or any other facsimile thereof, whether or not compensation is received or expected, unless he or she is licensed as an athletic trainer in this state as provided in this chapter.

73-55-7. Licensing Requirements. Any person seeking licensure as an athletic trainer shall meet at least one (1) of the following requirements:

(a) Satisfactorily complete all of the BOC, Inc., qualifications and be certified as an athletic trainer in good standing

(b) Hold a degree in physical therapy and complete BOC, Inc., certification requirements.

Each application or filing made under this section shall include the social security number(s) of the applicant in accordance with Section 93-11-64.

73-55-9. Clinical and nonclinical settings. The athletic trainer functioning in the nonclinical and clinical setting may, under the direction of a physician, nurse practitioner or physician assistant, evaluate, treat and provide appropriate immediate care and treatment to injuries incurred by an athlete during participation in or training for scholastic, recreational, professional or sanctioned amateur athletic activities.

Evaluation and treatment by an athletic trainer in the nonclinical setting to supportive staff, spectators and other persons other than an athlete shall be limited to immediate care and treatment. An athletic trainer functioning in a clinical setting may evaluate and provide treatment for an athletic injury under the direction or referral of a licensed physician, nurse practitioner or physician assistant. An athletic trainer functioning in the nonclinical and clinical setting may use therapeutic exercise and modalities such as heat, cold, light, air, massage, water, sound and electricity for the treatment of musculoskeletal injuries and the

use of passive (manual and mechanical) techniques for the purpose of treatment.

73-55-11 Deleted (grandfather clause)

73-55-13. Fees; continuing education requirements. (1) Except as provided in Section 33-1-39, a person licensed as an athletic trainer under this chapter shall pay to the board a fee not to exceed Three Hundred Dollars (\$300.00) for every three-year period for a renewal of his license.

(2) Continuing education requirements for license renewal shall be fulfilled during three-year periods running concurrently with the requirement to maintain certification through the BOC, Inc. Proof of the completion of continuing education as required by this section shall be turned in to the board at the time of renewal of license.

73-55-15. Construction and effect of chapter. (1) Nothing in this chapter shall be construed to authorize the practice of medicine or nursing by any person not licensed by the State Board of Medical Licensure or the Mississippi Board of Nursing.

(2) Nothing in this chapter shall be construed as preventing or restricting any of the following persons from engaging in the profession or occupation for which they are licensed:

- (a) Physicians and surgeons licensed by the State Board of Medical Licensure.
- (b) Dentists licensed by the State Board of Dental Examiners.
- (c) Optometrists licensed by the State Board of Optometry.
- (d) Nurses licensed by the Mississippi Board of Nursing
- (e) Chiropractors licensed by the State Board of Chiropractic Examiners.
- (f) Podiatrists licensed by the State Board of Medical Licensure.
- (g) Physical therapists licensed by the State Board of Physical Therapy.
- (h) Occupational therapists licensed by the State Department of Health.
- (i) Massage therapists licensed by the State Board of Massage Therapy.

(3) The provisions of this chapter shall not restrict any of the following persons:

- (a) Coaches and physical education instructors in the performance of their duties.
- (b) Athletic trainers from other nations, states or territories performing their duties for their respective teams or organizations and only during the course of their team or organization's stay in this state.

SECTION 7. Section 73-55-11, Mississippi Code of 1972, which provides for licensure of any athletic trainer on July 1, 1991, who submitted proof of two-years' experience, is repealed.

SECTION 8. This act shall take effect and be in force from and after July 1, 2009.