

Code of Laws of South Carolina
Current through December 2003

TITLE 44. HEALTH

CHAPTER 75. ATHLETIC TRAINERS' ACT OF SOUTH CAROLINA

SECTION 44-75-10. Short title.

This chapter may be cited as "The Athletic Trainers' Act of South Carolina".

SECTION 44-75-20. Definitions.

As used in this chapter:

(a) "**Athletic trainer**" means a person with specific qualifications as set forth in Section 44-75-50 who, upon the advice and consent of a licensed physician, carries out the practice of care, prevention, and physical rehabilitation of athletic injuries, and who, in carrying out these functions, may use physical modalities, including, but not limited to, heat, light, sound, cold, electricity, or mechanical devices related to rehabilitation and treatment.

(b) "Certificate" means official acknowledgment by the department that an individual has successfully completed educational and other requirements referred to in this act which entitle that individual to perform the functions and duties of an **athletic trainer**.

(c) "Department" means the Department of Health and Environmental Control.

(d) "Board" means the Board of Health and Environmental Control.

SECTION 44-75-30. Promulgation of regulations; establishment of Athletic Trainers' Advisory Committee. [SC ST SEC 44-75-30]

(a) The department, with the advice of the Athletic Trainers' Advisory Committee, must develop standards and prescribe regulations for the improvement of athletic training services in the State. All administrative responsibility for this program is vested in the department.

(b) An Athletic Trainers' Advisory Committee is created consisting of nine members appointed by the board. Two members must be from the department, one must be from the State Board of Medical Examiners, four must be certified athletic trainers, and two must be from the general public who are not certified or licensed in any health care field and are not connected in any way with athletic trainers.

Membership on the committee is by appointment by the board. The terms of the members are for four years or until successors are appointed except that of those first appointed four are appointed to a term of two years.

The committee must meet at least once each year to review the standards and regulations for improving athletic training services and make recommendations to the department.

SECTION 44-75-40. Necessity of certification; application; administrative procedures. [SC ST SEC 44-75-40]

- (a) No person may hold himself out as an **athletic trainer** or perform, for compensation, any activities of an **athletic trainer** as defined in § 44-75-20 without obtaining certification.
- (b) Any person desiring certification as an **athletic trainer** must apply to the department. The department must make a determination of the applicant's qualifications and issue the appropriate certificate to the applicant.
- (c) A certificate so issued is valid for a period not to exceed two years from the date of issuance and may be renewed subject to any requirements of this chapter.
- (d) The department must suspend or revoke a certificate so issued at any time it is determined that the holder no longer meets the prescribed qualifications set forth by the department or has failed to provide athletic training services of a quality acceptable by the department.
- (e) Any person whose application is denied, suspended, or revoked is entitled to a hearing before the board if he submits a written request to the board. Proceedings for denial, revocation, or suspension of a certificate must be conducted consistent with Act 176 of 1977 (Administrative Procedures Act).

SECTION 44-75-50. Requirements for certification. [SC ST SEC 44-75-50]

An applicant for an **athletic trainer** certification must pass the National Athletic Trainers' Association examination and:

- (a) have met the athletic training curriculum requirements of a college or university and give proof by means of a certified transcript; or
- (b) have a B.S. degree in physical or corrective therapy with a minor in physical education or health which includes a basic athletic training course and have spent at least two academic years working under the supervision of a certified **athletic trainer**; or
- (c) have earned a four-year college degree with appropriate academic courses and have completed two years working under the supervision of a certified **athletic trainer**.

SECTION 44-75-60. Reciprocity with other states. [SC ST SEC 44-75-60]

A certificate may be issued to any qualified **athletic trainer** holding certification in any other state if such other state recognizes the certificate of this State in the same manner.

SECTION 44-75-70. Fees. [SC ST SEC 44-75-70]

The department may levy fees in an amount sufficient to administer the requirements of this chapter.

SECTION 44-75-80. Exemption from certification. [SC ST SEC 44-75-80]

Nothing in this chapter prevents:

- (a) Licensed, registered, or certified professionals such as physicians, nurses, physical therapists, and chiropractors from practicing their professions if they do not hold themselves out to the public by any title or description as being athletic trainers.
- (b) A person from rendering services that are the same as or similar to those within the scope of practice provided for in this chapter so long as he is otherwise now employed or employed in the future as a faculty or staff member at the school in question and does not represent himself to be an **athletic trainer**.
- (c) The continued employment of persons employed on the effective date of this chapter by the State Department of Education, local boards of education, or private secondary or elementary schools for the treatment of injuries received by students participating in school sports activities.
- (d) Any person from serving as a student-trainer or in any similar position if service is carried out under the supervision of a physician or certified **athletic trainer**.

SECTION 44-75-90. Grandfather provision. [SC ST SEC 44-75-90]

Any person actively engaged as an **athletic trainer** on the effective date of this chapter must be issued a certificate if he submits proof of two years' experience as an **athletic trainer** within the preceding five-year period, is approved by the department, and pays any required fee.

SECTION 44-75-100. Applicability to employee of athletic organization. [SC ST SEC 44-75-100]

For purposes of this chapter, a person is engaged as an **athletic trainer** if the person is employed on a salary or contractual basis by an educational institution, a hospital, rehabilitation clinic, professional athletic organization, or other bona fide athletic organization and performs the duties of **athletic trainer** as a major responsibility of this employment.

SECTION 44-75-110. Hiring of certified athletic trainers by school districts. [SC ST SEC 44-75-110]

Nothing in this chapter may be construed to require school districts to hire certified athletic trainers.

SECTION 44-75-120. Penalties. [SC ST SEC 44-75-120]

Any person violating the provisions of this chapter is guilty of a misdemeanor and upon conviction must be punished by a fine of not less than twenty-five nor more than two hundred dollars.