

A BILL

22-688

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA



To amend the District of Columbia Health Occupations Revision Act of 1985 to make technical amendments to provisions, allow athletic trainers to rehabilitate injuries resulting from concussions, broaden the definition of athletic treatment to include those seeking treatment for athletic injuries, expand the scope of injuries that can be treated by athletic trainers, broaden the definition of treatment to include electricity, mechanical equipment and other therapeutic modalities, and to authorize the Board of Medicine to regulate the practice of athletic trainers.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Athletic Trainers Clarification Amendment Act of 2018”.

Sec. 2. The District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code § 3-1201.01 *et seq.*), is amended as follows:

(a) Section 102 (D.C. Official Code § 3-1201.02) is amended as follows:

(1) Paragraph (2A-ii) is amended as follows:

(A) Subparagraph (B)(i) is amended to read as follows:

“(i) The rendering of a medical diagnosis or opinion regarding a physical disability, or the use of X rays, radium, or electricity for cauterization or surgery by an athletic trainer;”.

(B) Subparagraph (D) is amended as follows:

30 (i) Sub-subparagraph (i) is amended as follows:

31 (I) Sub-sub-subparagraph (I) is amended by striking the
32 phrase “; or” and inserting a semicolon in its place.

33 (II) Sub-sub-subparagraph (II) is amended by striking the
34 period and inserting the phrase “; or” in its place.

35 (III) A new sub-sub-subparagraph (III) is added to read as
36 follows:

37 “(III) Any physically active person seeking treatment for
38 athletic injuries.”.

39 (ii) Sub-subparagraph (ii) is amended to read as follows:

40 “(ii) Athletic injury” means a musculoskeletal or orthopedic injury
41 or other medical condition suffered by an athlete resulting from, or limiting participation in or
42 training for scholastic, recreational, professional, amateur athletic activities, or other physical
43 activities.”.

44 (iii) Sub-subparagraph (iii) is amended to read as follows:

45 “(iii) “Treatment” means the prevention, management, evaluation,
46 recognition, treatment, rehabilitation, or reconditioning of an athletic injury, including the usage
47 of appropriate preventative and supportive devices, temporary cold, heat, water, light, sound,
48 electricity, passive or active exercise, massage, mechanical devices, mechanical equipment, or

49 any other therapeutic modality for which an athletic trainer has received appropriate training or
50 education.”.

51 (b) Section 203 (D.C. Official Code § 3-1202.03) is amended as follows:

52 (1) The section heading is amended by striking the phrase “and Trauma
53 Technologists” and inserting the phrase “Trauma Technologists, and Athletic Trainers” in its
54 place.

55 (2) Subsection (a) is amended as follows:

56 (A) Paragraph (2) is amended by striking the phrase “Committee on
57 Trauma Technologists” and inserting the phrase “Committee on Trauma Technologists, and the
58 practice of athletic trainers with the advice of the Advisory Committee on Athletic Trainers” in
59 its place.

60 (B) Paragraph (8) is amended as follows:

61 (i) Subparagraph (E) is amended by striking the phrase “; and” and
62 inserting a semicolon in its place.

63 (ii) Subparagraph (F) is amended by striking the period and
64 inserting the phrase “; and” in its place.

65 (iii) A new subparagraph (G) is added to read as follows:

66 “(G) The practice of athletic trainers in accordance with guidelines
67 approved by the Advisory Committee on Athletic Trainers.”.

68 (c) Section 209(b) (D.C. Official Code § 3-1202.09(b)) is amended to read as follows:

69 “(b) The Board shall regulate the practice of physical therapy, including practice by
70 physical therapist assistants.

71 (d) Section 504(s) (D.C. Official Code § 3–1205.04) is amended as follows:

72 (1) Paragraph (1) is amended as follows:

73 (A) The lead-in language is amended by striking the phrase “Board of
74 Physical Therapy” and inserting the phrase “Board of Medicine” in its place.

75 (B) Subparagraph (B) is amended by striking the phrase “Board of
76 Physical Therapy” and inserting the phrase “Board of Medicine” in its place.

77 (2) Paragraph (2) is amended by striking the phrase “Board of Physical Therapy”
78 and inserting the phrase “Board of Medicine” in its place.

79 (e) Section 909 (D.C. Official Code § 3-1209.09) is amended as follows:

80 (1) Subsection (a)(2) is repealed.

81 (2) Subsection (d)(2) is amended by striking the phrase “under the direct
82 supervision” and inserting the phrase “under either the direct or indirect supervision” in its place.

83 (3) Subsection (e)(2) is amended by striking the phrase “under the direct
84 supervision” and inserting the phrase “under either the direct or indirect supervision” in its place.

85 (4) Subsection (h) is amended by striking the phrase “under the direct
86 supervision” and inserting the phrase “under either the direct or indirect supervision” in its place.

87 (g) Section 910 (D.C. Official Code § 3-1209.10) is amended as follows:

88 (1) Subsection (a)(1) is repealed.

89 (2) Subsection (d)(2) is amended by striking the phrase “under the direct
90 supervision” and inserting the phrase “under either the direct or indirect supervision” in its place.

91 (3) Subsection (e)(2) is amended by striking the phrase “under the direct
92 supervision” and inserting the phrase “under either the direct or indirect supervision” in its place.

93 (4) Subsection (h) is amended by striking the phrase “under the direct
94 supervision” and inserting the phrase “under either the direct or indirect supervision” in its place.

95 (h) Section 911 (D.C. Official Code § 3-1209.11(a)(2)) is amended by striking the
96 phrase “personal and direct” and inserting the word “personal” in its place.

97 Sec. 3. The Department of Health Functions Clarification Act of 2001, effective October
98 3, 2001 (D.C. Law 14-28; D.C. Official Code § 7-731 *et seq.*), is amended by adding a new
99 section 4948 to read as follows:

100 “Sec. 4948. Advisory Committee on Athletic Trainers.

101 “(a) There is established an Advisory Committee on Athletic Trainers to consist of 5
102 members as follows:

103 “(1) The Director of the Department of Health, or his or her designee; and

104 “(2) Four athletic trainers licensed in the District.

105 “(b) Of the appointees to the Advisory Committee on Athletic Trainers other than the
106 Director, 2 shall serve an initial term of 2 years and 2 shall serve an initial term of 3 years.

107 Subsequent appointments shall be for terms of 3 years.

108 “(c)(1) The Advisory Committee on Athletic Trainers shall develop and submit to the
109 Board of Medicine guidelines for licensing, registration, and regulation of athletic trainers in the
110 District. The guidelines shall set forth the education and experience requirements for registration
111 and licensure and the actions that athletic trainers may perform.

112 “(2)(A) Guidelines approved by the Board of Medicine under section 203 of the
113 District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1986 (D.C.
114 Law 6-99; D.C. Official Code § 3-1202.03), shall remain in effect until revised guidelines are
115 submitted to and approved by the Board of Medicine.

116 “(B) The Advisory Committee on Athletic Trainers shall submit revised
117 guidelines to the Board of Medicine by October 1, 2019.

118 “(3) The Advisory Committee on Athletic Trainers shall meet at least annually to
119 review the guidelines and make necessary revisions for submission to the Board of Medicine.”.

120 Sec. 4. Fiscal impact statement.

121 The Council adopts the fiscal impact statement in the committee report as the fiscal
122 impact statement required by section 4a of the General Legislative Procedures Act of 1975,
123 approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

124 Sec. 5. Effective date.

125 This act shall take effect following approval by the Mayor (or in the event of veto by the
126 Mayor, action by the Council to override the veto), a 30-day period of congressional review as
127 provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December

ENGROSSED ORIGINAL

128 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of
129 Columbia Register.