

AN ACT

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend the District of Columbia Health Occupations Revision Act of 1985 to bar athletic trainers from rendering a medical diagnosis or opinion regarding a physical disability, to allow athletic trainers to massage the superficial soft tissues of the body, to amend the definition of the terms “athlete”, “athletic injury”, and “treatment”, to authorize the Board of Medicine to regulate the practice of athletic trainers, and to authorize audiology assistants and speech-language pathology assistants to practice under indirect supervision; and to amend the Department of Health Functions Clarification Act of 2001 to establish an Advisory Committee on 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(2A-ii) (D.C. Official Code § 3-1201.02(2A-ii)) is amended as follows:

(1) Subparagraph (B)(i) is amended by striking the phrase “The diagnosis of a physical disability, massaging of the superficial soft tissues of the body,” and inserting the phrase “The rendering of a medical diagnosis or opinion regarding a physical disability” in its place.

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

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

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

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

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

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

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

“(ii) Athletic injury” means a musculoskeletal or orthopedic injury or other medical condition suffered by an athlete resulting from, or limiting participation in or

training for scholastic, recreational, professional, amateur athletic activities, or other physical activities.”.

(C) Sub-subparagraph (iii) is amended by striking the phrase “and exercise equipment” and inserting the phrase “and passive or active exercise, temporary mechanical devices, mechanical equipment, or any other therapeutic modality” in its place.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

ENROLLED ORIGINAL

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

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

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

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

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

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

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

“Sec. 4948. Advisory Committee on Athletic Trainers.

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

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

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

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

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

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

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

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

Sec. 4. Fiscal impact statement.

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

ENROLLED ORIGINAL

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

Chairman
Council of the District of Columbia

Mayor
District of Columbia