

1 A bill to be entitled

2 An act relating to athletic trainers; repealing s.
3 468.70, F.S., relating to legislative intent regarding
4 the licensure and regulation of athletic trainers;
5 amending s. 468.701, F.S.; revising definitions;
6 amending s. 468.707, F.S.; revising athletic trainer
7 licensure requirements; creating s. 468.708, F.S.;
8 authorizing certain out-of-state persons to practice
9 athletic training in the state without a license for a
10 specified period; requiring such persons to apply for
11 a temporary license to practice beyond the specified
12 period; amending s. 468.709, F.S.; deleting provisions
13 establishing the athletic trainer examination fee;
14 amending s. 468.713, F.S.; revising responsibilities
15 of athletic trainers; amending s. 468.717, F.S.;
16 prohibiting the use of certain titles or abbreviations
17 by persons who are not licensed as an athletic
18 trainer, to which penalties apply; amending s.
19 468.719, F.S.; providing that an athletic trainer's
20 failure to include his or her credentials in
21 advertising is grounds for disciplinary action;
22 amending s. 468.723, F.S.; providing for applicability
23 of provisions regulating athletic trainers; providing
24 an effective date.

25
26 Be It Enacted by the Legislature of the State of Florida:

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

27
 28 Section 1. Section 468.70, Florida Statutes, is repealed.

29 Section 2. Section 468.701, Florida Statutes, is amended
 30 to read:

31 468.701 Definitions.—As used in this part, the term:

32 ~~(1) "Athlete" means a person who participates in an~~
 33 ~~athletic activity.~~

34 (1)(2) "Athletic activity" means the participation in an
 35 activity, conducted by an educational institution, a
 36 professional athletic organization, or an amateur athletic
 37 organization, involving exercises, sports, games, or recreation
 38 requiring any of the physical attributes of strength, agility,
 39 flexibility, range of motion, speed, and stamina.

40 ~~(3) "Athletic injury" means an injury sustained which~~
 41 ~~affects the athlete's ability to participate or perform in~~
 42 ~~athletic activity.~~

43 (2)(4) "Athletic trainer" means a person who is licensed
 44 under this part to practice athletic training.

45 (3)(5) "Athletic training" means the ~~recognition,~~
 46 prevention of, diagnosis of, and intervention in emergency,
 47 acute, and chronic medical conditions involving impairment,
 48 functional limitations, and disabilities pursuant to a protocol
 49 approved by a supervising physician ~~treatment of athletic~~
 50 ~~injuries.~~

51 (4)(6) "Board" means the Board of Athletic Training.

52 (5)(7) "Board of Certification" means the nationally

53 accredited certifying body for athletic trainers or its
54 successor agency.

55 ~~(6)~~~~(8)~~ "Department" means the Department of Health.

56 ~~(7)~~~~(9)~~ "Direct supervision" means the physical presence of
57 the supervisor on the premises so that the supervisor is
58 immediately available to the athletic training student ~~trainee~~
59 when needed.

60 ~~(8)~~~~(10)~~ "Supervision" means the easy availability of the
61 supervisor to the athletic trainer, which includes the ability
62 to communicate by telecommunications.

63 Section 3. Section 468.707, Florida Statutes, is amended
64 to read:

65 468.707 Licensure by examination; requirements.—Any person
66 desiring to be licensed as an athletic trainer shall apply to
67 the department on a form approved by the department. The
68 department shall license each applicant who:

69 (1) Has completed the application form and remitted the
70 required fees.

71 (2) Is at least 21 years of age and of good moral
72 character.

73 (3) Has obtained a baccalaureate degree or higher from a
74 college or university accredited by an accrediting agency
75 recognized and approved by the United States Department of
76 Education or the Commission on Recognition of Postsecondary
77 Accreditation, approved by the board, or recognized by the Board
78 of Certification.

79 (4) If graduated after 2004, has completed an approved
 80 athletic training curriculum from a college or university
 81 accredited by a program recognized by the board of
 82 Certification.

83 (5) Has current certification in cardiovascular pulmonary
 84 resuscitation with an automated external defibrillator from the
 85 American Red Cross or the American Heart Association, or an
 86 equivalent certification as determined by the board.

87 (6) Has passed the examination and holds a valid
 88 certification ~~is certified~~ by the Board of Certification.

89 Section 4. Section 468.708, Florida Statutes, is created
 90 to read:

91 468.708 Practice as athletic trainer when licensed by
 92 another state or territory.-

93 (1) A person may practice athletic training in this state
 94 without a license if the person is:

95 (a) Certified by a nationally recognized athletic training
 96 program or licensed by another state or territory as an athletic
 97 trainer; and

98 (b) Performing athletic training duties as an employee of
 99 a team, organization, or company that is not based in this state
 100 during the team's, organization's, or company's stay in the
 101 state, if such stay does not exceed 30 days. For purposes of
 102 this section, a team, organization, or company is not based in
 103 this state if its home contests are held outside of Florida,
 104 regardless of whether its administrative offices are located in

105 the state.

106 (2) A person described in subsection (1) must apply to the
 107 board for a temporary license if such person performs athletic
 108 training duties as an employee of a team, organization, or
 109 company not based in Florida that stays in the state for more
 110 than 30 days.

111 Section 5. Paragraph (b) of subsection (1) of section
 112 468.709, Florida Statutes, is amended to read:

113 468.709 Fees.—

114 (1) The board shall, by rule, establish fees for the
 115 following purposes:

116 ~~(b) An examination fee, not to exceed \$200.~~

117 Section 6. Section 468.713, Florida Statutes, is amended
 118 to read:

119 468.713 Responsibilities of athletic trainers.—

120 (1) An athletic trainer shall practice within a written
 121 protocol established between the athletic trainer and a
 122 supervising physician licensed under chapter 458, chapter 459,
 123 chapter 460, or otherwise authorized by Florida law to practice
 124 medicine or, at an athletic event, pursuant to direction from a
 125 physician licensed under chapter 458, chapter 459, chapter 460,
 126 or otherwise authorized by Florida law to practice medicine.

127 (2) A written protocol shall require that the athletic
 128 trainer notify the supervising physician of new acute injuries
 129 that do not respond to typical treatment modalities as soon as
 130 practicable.

131 (3) An athletic trainer must clearly convey to a patient
132 that he or she is a licensed athletic trainer.

133 Section 7. Section 468.717, Florida Statutes, is amended
134 to read:

135 468.717 Violations and penalties.—Each of the following
136 acts constitutes a misdemeanor of the first degree, punishable
137 as provided in s. 775.082 or s. 775.083:

138 (1) Practicing athletic training for compensation without
139 holding an active license under this part.

140 (2) Using or attempting to use an athletic trainer license
141 that has been suspended or revoked.

142 (3) Knowingly employing unlicensed persons in the practice
143 of athletic training.

144 (4) Obtaining or attempting to obtain an athletic trainer
145 license by misleading statements or knowing misrepresentation.

146 (5) Using the title "athletic trainer" or "licensed
147 athletic trainer," the abbreviation "AT" or "LAT," or a similar
148 title or abbreviation that suggests licensure as an athletic
149 trainer without being licensed under this part.

150 Section 8. Paragraph (a) of subsection (1) of section
151 468.719, Florida Statutes, is amended to read:

152 468.719 Disciplinary actions.—

153 (1) The following acts constitute grounds for denial of a
154 license or disciplinary action, as specified in s. 456.072(2):

155 (a) Failing to include the athletic trainer's name,
156 credentials, and license number in any advertising, including,

157 | but not limited to, business cards and letterhead, related to
158 | the practice of athletic training. Advertising does ~~shall~~ not
159 | include clothing or other novelty items.

160 | Section 9. Subsections (6) and (7) are added to section
161 | 468.723, Florida Statutes, to read:

162 | 468.723 Exemptions.—This part does not prevent or
163 | restrict:

164 | (6) A person licensed in this state under any other law
165 | from engaging in the practice for which he or she is licensed.

166 | (7) Third-party payors from reimbursing employers of
167 | athletic trainers for covered services rendered by a licensed
168 | athletic trainer.

169 | Section 10. This act shall take effect July 1, 2014.