

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 559 Session of 2023

INTRODUCED BY BAKER, MUTH, SCHWANK, BARTOLOTTA, ROTHMAN,
CAPPELLETTI, BROWN, COMITTA, SANTARSIERO AND DILLON,
MARCH 28, 2023

SENATOR STEFANO, CONSUMER PROTECTION AND PROFESSIONAL LICENSURE,
AS AMENDED, DECEMBER 13, 2023

AN ACT

1 Amending the act of December 20, 1985 (P.L.457, No.112),
2 entitled "An act relating to the right to practice medicine
3 and surgery and the right to practice medically related acts;
4 reestablishing the State Board of Medical Education and
5 Licensure as the State Board of Medicine and providing for
6 its composition, powers and duties; providing for the
7 issuance of licenses and certificates and the suspension and
8 revocation of licenses and certificates; provided penalties;
9 and making repeals," further providing for definitions; AND <--
10 ABROGATING REGULATIONS.

11 The General Assembly of the Commonwealth of Pennsylvania
12 hereby enacts as follows:

13 Section 1. The definitions of "athletic training services"
14 and "physically active person" in section 2 of the act of
15 December 20, 1985 (P.L.457, No.112), known as the Medical
16 Practice Act of 1985, are amended to read:

17 Section 2. Definitions.

18 The following words and phrases when used in this act shall
19 have the meanings given to them in this section unless the
20 context clearly indicates otherwise:

21 * * *

1 "Athletic training services."

2 (1) The management and provision of care of injuries to
3 a physically active person as defined in this act with the
4 direction of a licensed physician. The term includes the
5 rendering of emergency care, development of injury prevention
6 programs and providing appropriate preventative and
7 supporting devices for the physically active person. The term
8 also includes the assessment, management, treatment,
9 rehabilitation and reconditioning of the physically active
10 person whose conditions are within the professional
11 preparation and education of a licensed athletic trainer. The
12 term also includes the use of modalities such as mechanical
13 stimulation, heat, cold, light, air, water, electricity,
14 sound, massage and the use of therapeutic exercises,
15 reconditioning exercise and fitness programs.

16 (2) Athletic training services shall not include
17 [surgery, invasive procedures or prescription of any
18 controlled substance] any of the following:

19 (i) Surgery.

20 (ii) Prescription of any controlled substance.

21 (iii) Invasive procedures, except an athletic
22 trainer licensed to practice may, with the direction of a
23 licensed physician, perform the following invasive
24 procedures pursuant to a written protocol:

25 (A) Rectal thermometry.

26 (B) Intramuscular or subcutaneous medication
27 administration injections.

28 (C) Airway adjuncts in conformity with basic
29 life support protocols and instruments.

30 (D) Capillary finger sticks for the purpose of

1 testing blood glucose levels.
2 (E) Nasal plugs.
3 (F) Blister and nail care.
4 (G) Administration of naloxone.
5 (H) Removal of superficial foreign bodies.
6 (I) Any other procedures authorized by the
7 board.

8 (3) Nothing in this definition shall be construed to
9 require a licensed physician to authorize a licensed athletic
10 trainer to perform invasive procedures.

11 * * *

12 "Physically active person." An individual who ~~participates~~ <--
13 in ~~[organized, individual or team sports, athletic games or~~ <--
14 ~~recreational sport activity.] engages in an activity associated~~ <--
15 ~~with exercise, sports, recreation or vocation that requires a~~
16 ~~level of strength, endurance, flexibility, range of motion,~~
17 ~~speed or agility.~~ ANY OF THE FOLLOWING: <--

- 18 (1) AN INDIVIDUAL OR TEAM SPORT.
19 (2) AN ATHLETIC COMPETITION.
20 (3) A PERFORMING ART.
21 (4) A RECREATIONAL ACTIVITY.
22 (5) A MILITARY EXERCISE.

23 * * *

24 Section 2. The provisions of 49 Pa. Code Ch. 18 Subch. H are
25 abrogated insofar as they are inconsistent with the amendment of
26 the definitions of "athletic training services" and "physically
27 active person" in section 2 of the act.

28 Section 3. This act shall take effect immediately.