

State of Wisconsin



2009 Senate Bill 482

Date of enactment: **March 15, 2010**

Date of publication*: **March 29, 2010**

2009 WISCONSIN ACT 162

AN ACT *to repeal* 448.95 (2), 448.95 (3), 448.953 (3) and (4) and 448.956 (1) (am); *to amend* 448.95 (5) (a), 448.95 (5) (b), 448.95 (5) (c), 448.95 (5) (d), 448.952 (3), 448.953 (1) (f), 448.954 (2), 448.9545 (2) (a), 448.955 (1), 448.956 (2) (b), 448.956 (3) (intro.), 448.956 (3) (a), 448.956 (3) (b) and 448.956 (3) (c); and *to create* 448.95 (5) (e), 448.95 (5) (f), 448.95 (7) and 448.956 (1m) of the statutes; **relating to**: the practice of athletic trainers and granting rule-making authority.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 448.95 (2) of the statutes is repealed.

SECTION 2. 448.95 (3) of the statutes is repealed.

SECTION 3. 448.95 (5) (a) of the statutes is amended to read:

448.95 (5) (a) Preventing, recognizing and evaluating athletic injuries or illnesses sustained while participating in physical activity.

SECTION 4. 448.95 (5) (b) of the statutes is amended to read:

448.95 (5) (b) Managing and administering the initial treatment of athletic injuries or illnesses sustained while participating in physical activity.

SECTION 5. 448.95 (5) (c) of the statutes is amended to read:

448.95 (5) (c) Giving emergency care or first aid for an athletic injury or illness sustained while participating in physical activity.

SECTION 6. 448.95 (5) (d) of the statutes is amended to read:

448.95 (5) (d) Rehabilitating and physically reconditioning athletic injuries or illnesses sustained while participating in physical activity.

SECTION 7. 448.95 (5) (e) of the statutes is created to read:

448.95 (5) (e) Rehabilitating and physically reconditioning injuries or illnesses that impede or prevent an individual from returning to participation in physical activity, if the individual recently participated in, and intends to return to participation in, physical activity.

SECTION 8. 448.95 (5) (f) of the statutes is created to read:

448.95 (5) (f) Establishing or administering risk management, conditioning, and injury prevention programs.

SECTION 9. 448.95 (7) of the statutes is created to read:

448.95 (7) "Physical activity" means vigorous participation in exercise, sports, games, recreation, wellness, fitness, or employment activities.

SECTION 10. 448.952 (3) of the statutes is amended to read:

448.952 (3) An athletic trainer who is in this state temporarily with an individual or group that is participating in a specific athletic event or series of athletic events and who is licensed, certified, or registered by another state or country or certified as an athletic trainer by the ~~Board of Certification of the National Athletic Trainers'~~

* Section 991.11, WISCONSIN STATUTES 2007-08 : Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication as designated" by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].

Association Board of Certification, Inc., or its successor agency.

SECTION 11. 448.953 (1) (f) of the statutes is amended to read:

448.953 (1) (f) Submits evidence satisfactory to the affiliated credentialing board that he or she has met the requirements for certification established by the National Athletic Trainers' Association Board of Certification, Inc., or its successor agency and has passed the certification examination administered by the National Athletic Trainers' Association Board of Certification, Inc., or its successor agency.

SECTION 12. 448.953 (3) and (4) of the statutes are repealed.

SECTION 13. 448.954 (2) of the statutes is amended to read:

448.954 (2) In lieu of an examination under sub. (1), the affiliated credentialing board may accept the results of an examination administered by the National Athletic Trainers' Association Board of Certification, Inc., or its successor agency.

SECTION 14. 448.9545 (2) (a) of the statutes is amended to read:

448.9545 (2) (a) A course that has been approved for continuing education credit by the National Athletic Trainers' Association Board of Certification, Inc., or its successor agency.

SECTION 15. 448.955 (1) of the statutes is amended to read:

448.955 (1) The renewal dates for licenses granted under this subchapter, ~~other than temporary licenses granted under s. 448.953 (3) or (4),~~ are specified under s. 440.08 (2) (a).

SECTION 16. 448.956 (1) (am) of the statutes is repealed.

SECTION 17. 448.956 (1m) of the statutes is created to read:

448.956 (1m) Subject to sub. (1) (a), a licensee may provide athletic training to an individual without a refer-

ral, except that a licensee may not provide athletic training as described under s. 448.95 (5) (d) or (e) in an outpatient rehabilitation setting unless the licensee has obtained a written referral for the individual from a practitioner licensed or certified under subch. II, III, IV, V, or VII of this chapter; under ch. 446; or under s. 441.16 (2).

SECTION 18. 448.956 (2) (b) of the statutes is amended to read:

448.956 (2) (b) Suggest modifications in treatment or rehabilitation of an injured person to the ~~consulting physician~~ health care practitioner who referred the person to the athletic trainer or to any other health care provider who is providing treatment to the person.

SECTION 19. 448.956 (3) (intro.) of the statutes is amended to read:

448.956 (3) (intro.) When working on behalf of his or her ~~primary~~ employer, a licensee may, in accordance with a protocol established under sub. (1) (a), do all of the following:

SECTION 20. 448.956 (3) (a) of the statutes is amended to read:

448.956 (3) (a) Treat and rehabilitate an athletic injury or illness using cold, heat, light, sound, electricity, exercise, chemicals, or mechanical devices.

SECTION 21. 448.956 (3) (b) of the statutes is amended to read:

448.956 (3) (b) Evaluate and treat a person for an athletic injury or illness that has not previously been diagnosed.

SECTION 22. 448.956 (3) (c) of the statutes is amended to read:

448.956 (3) (c) Treat or rehabilitate an employee of ~~the primary employer with an injury or illness that is identical to an athletic injury and that~~ has resulted from an ~~occupational~~ employment activity as directed, supervised, and inspected by a physician, as defined in s. 448.01 (5), or by a person licensed under s. 446.02, who has the power to direct, decide, and oversee the implementation of the treatment or rehabilitation.