
A BILL FOR AN ACT

RELATING TO ATHLETIC TRAINERS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The Hawaii Revised Statutes is amended by
2 adding a new chapter to be appropriately designated and to read
3 as follows:

4 **"CHAPTER**

5 **ATHLETIC TRAINERS**

6 § -1 **Title.** This chapter is known as the "Athletic
7 Trainer Licensing Act".

8 § -2 **Definitions.** As used in this chapter, unless the
9 context indicates otherwise:

10 "Adequate records" means legible records that contain, at a
11 minimum:

- 12 (1) The athletic training service plan or protocol;
13 (2) An evaluation of objective findings;
14 (3) The plan of care and the treatment records; or
15 (4) Written orders.

16 "Athlete" means an individual, referee, coach, or athletic
17 staff member who participates in exercises, sports, or games
18 requiring physical strength, agility, flexibility, range of



1 motion, speed, or stamina, and the exercises, sports, or games
2 are of a type generally conducted in association with an
3 educational institution or professional, amateur, or
4 recreational sports club or organization.

5 "Athletic injury" means:

6 (1) An injury sustained by an athlete that affects the
7 individual's participation or performance in sports,
8 games, recreation, or exercise; or

9 (2) A condition that is within the scope of practice of an
10 athletic trainer identified by a directing physician
11 or physical therapist as benefiting from athletic
12 training services.

13 "Athletic trainer" means an individual who is licensed
14 under this chapter and carries out the practice of athletic
15 training.

16 "Directing physician" means a physician and surgeon
17 licensed under chapter 453, or an osteopathic physician and
18 surgeon licensed under chapter 460, who, within the licensee's
19 scope of practice and individual competency, is responsible for
20 the athletic training services provided by the athletic trainer
21 and oversees the practice of athletic training by the athletic
22 trainer, as established by rule.



1 "Director" means the director of commerce and consumer
2 affairs.

3 The "practice of athletic training" means the application
4 by a licensed and certified athletic trainer of principles and
5 methods of:

- 6 (1) Prevention of athletic injuries;
- 7 (2) Recognition, evaluation, and assessment of athletic
8 injuries and conditions;
- 9 (3) Immediate care of athletic injuries, including common
10 emergency medical situations;
- 11 (4) Rehabilitation and reconditioning of athletic
12 injuries;
- 13 (5) Athletic training services administration and
14 organization; and
- 15 (6) Education of athletes.

16 § -3 **Duties of supervising physician.** A directing
17 physician shall provide supervision to an athletic trainer by a
18 verbal order when in the presence of the athletic trainer and by
19 written order or by athletic training service plans or protocols
20 when a supervising physician is not present.



1 § **-4 Licensure required.** (a) A license is required to
2 engage in the practice of athletic training, except as
3 specifically provided in section -8.

4 (b) The director shall issue to an individual who
5 qualifies under this chapter a license in the classification of
6 athletic trainer.

7 (c) An individual may not use the title "licensed athletic
8 trainer," or "athletic trainer," or abbreviations or insignias
9 to imply that the individual is an athletic trainer unless the
10 individual is licensed under this chapter.

11 § **-5 Qualifications for licensure.** The director shall
12 issue a license to practice as an athletic trainer to an
13 applicant who:

14 (1) Has obtained a bachelor's or advanced degree from an
15 accredited four-year college or university and meets
16 the minimum athletic training curriculum requirement
17 established by rule;

18 (2) Has successfully completed an examination approved or
19 recognized by the director;

20 (3) Is in good standing with and provides documentation of
21 current certification by a nationally recognized
22 credentialing agency approved by the director;



- 1 (4) Submits an application on a form prescribed by the
- 2 director; and
- 3 (5) Pays the required licensing fee as determined by the
- 4 director.

5 **§ -6 Scope of practice.** An athletic trainer may:

- 6 (1) Prevent injuries by:
 - 7 (A) Designing and implementing physical conditioning
 - 8 programs, which may include:
 - 9 (i) Strength and range of motion testing;
 - 10 (ii) Nutritional advisement; and
 - 11 (iii) Psychosocial intervention and referral;
 - 12 (B) Performing preparticipation screening;
 - 13 (C) Fitting protective equipment;
 - 14 (D) Designing and constructing protective products;
 - 15 and
 - 16 (E) Continuously monitoring changes in the
 - 17 environment;
- 18 (2) Recognize and evaluate injuries by:
 - 19 (A) Obtaining a history of the injury;
 - 20 (B) Inspecting an injured body part and associated
 - 21 structures;



- 1 (C) Palpating bony landmarks and soft tissue
- 2 structures; and
- 3 (D) Performing clinical tests to determine the extent
- 4 of an injury;
- 5 (3) Provide immediate care of injuries by:
 - 6 (A) Initiating cardiopulmonary resuscitation;
 - 7 (B) Administering basic or advanced first aid;
 - 8 (C) Removing athletic equipment; and
 - 9 (D) Immobilizing and transporting an injured athlete;
- 10 (4) Determine whether an athlete may return to
- 11 participation or, if the injury requires further
- 12 definitive care, refer the athlete to the appropriate
- 13 directing physician;
- 14 (5) Rehabilitate and recondition an injury by
- 15 administering therapeutic exercise and therapeutic and
- 16 physical modalities, including cryotherapy,
- 17 thermotherapy, and intermittent compression,
- 18 electrical stimulation, ultra sound, traction devices,
- 19 and mechanical devices as directed by established,
- 20 written athletic training service plans or protocols
- 21 or upon the order of a directing physician;



- 1 (6) Provide athletic training services administration,
2 including:
 - 3 (A) Implementing athletic training service plans or
4 protocols;
 - 5 (B) Writing organizational policies and procedures;
 - 6 (C) Complying with governmental and institutional
7 standards; and
 - 8 (D) Maintaining records to document services
9 rendered; and
- 10 (7) Educate athletes to facilitate physical conditioning
11 and reconditioning by designing and implementing
12 appropriate programs to minimize the risk of injury.

13 § -7 **Term of license; expiration; renewal.** (a) The
14 director shall issue each license for an athletic trainer in
15 accordance with a two-year renewal cycle established by rule.
16 The director, by rule, may extend or shorten a renewal period by
17 as much as one year to stagger the renewal cycles it
18 administers.

19 (b) Each license automatically expires on the expiration
20 date shown on the license unless renewed in accordance with
21 rules adopted by the director.



1 § **-8 Exemptions from licensure.** This chapter does not
2 require the licensure of an individual who assists in an
3 emergency or who provides services for which no fee is
4 contemplated, charged, or received, provided the individual does
5 not profess to be an athletic trainer. .

6 § **-9 Grounds for denial of license.** The director may
7 refuse to issue a license to an applicant, refuse to renew the
8 license of a licensee, revoke, suspend, restrict, or place on
9 probation the license of a licensee, issue a public or private
10 reprimand to a licensee, and issue cease and desist orders in
11 accordance with chapter 91 for unprofessional conduct or other
12 violations of this chapter.

13 § **-10 Unprofessional conduct.** "Unprofessional conduct"
14 includes:

- 15 (1) Failing to report to the director an act or omission
16 of a licensee, applicant, or any other individual
17 which violates a provision of this chapter;
- 18 (2) Interfering with an investigation of a disciplinary
19 proceeding by wilful misrepresentation of facts or by
20 use of threats or harassment against a client or
21 witness to prevent that individual from providing



1 evidence in a disciplinary proceeding, investigation,
2 or other legal action;

3 (3) Failing to maintain client confidentiality unless
4 otherwise required by law;

5 (4) Promoting an unnecessary device, treatment,
6 intervention, or service for financial gain by the
7 athletic trainer or third party; and

8 (5) Failing to maintain adequate records."

9 SECTION 2. This Act shall take effect upon its approval.

10

INTRODUCED BY: *B. Stakum*

JAN 19 2007



Report Title:

Athletic Trainer

Description:

Requires licensing for athletic trainers.

