
A BILL FOR AN ACT

RELATING TO ATHLETIC TRAINERS.

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

1 SECTION 1. The legislature finds that Hawaii is one of
2 only four states that does not currently regulate the practice
3 of athletic training and that continued lack of regulation
4 creates the risk that individuals who have lost or are unable to
5 obtain licensure in another state will move here to practice,
6 thereby putting the public in danger and degrading the standards
7 of the profession as a whole. The legislature finds that there
8 is a pressing and immediate need to regulate the profession of
9 athletic training in order to protect the public health, safety,
10 and welfare. The legislature finds that this need is
11 particularly important since athletic trainers often work with
12 elementary and secondary school age children.

13 The legislature notes that section 26H-6, Hawaii Revised
14 Statutes, states that the Auditor shall perform a sunrise review
15 before new regulations are imposed on a previously unregulated
16 profession. However, the legislature finds that it is within
17 the law-making authority vested in the legislature by article



1 III, section 1 of the Hawaii State Constitution to enact
 2 legislation regulating the profession of athletic trainers,
 3 notwithstanding section 26H-6, Hawaii Revised Statutes, because
 4 of the pressing need to implement regulations to protect the
 5 public health, safety, and welfare.

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

9 **"CHAPTER**

10 **ATHLETIC TRAINERS**

11 § -1 **Title.** This chapter is known as the "Athletic
 12 Trainer Registration Act".

13 § -2 **Definitions.** As used in this chapter, unless the
 14 context indicates otherwise:

15 "Athlete" means a person who prepares for or participates
 16 in organized sports or sports-related activities, amateur or
 17 recreational sports involving athletic competition, or
 18 performance arts including interscholastic, intercollegiate,
 19 intramural, semiprofessional, or professional sports activities.

20 "Athletic injury" means an injury that affects the
 21 preparation for or participation in organized sports or sports-
 22 related activities, amateur or recreational sports involving



1 athletic competition, or performance arts including
2 interscholastic, intercollegiate, intramural, semiprofessional,
3 or professional sports activities.

4 "Athletic trainer" means an individual who is registered
5 under this chapter and carries out the practice of athletic
6 training.

7 "Department" means the department of commerce and consumer
8 affairs.

9 "Directing physician" means a physician or surgeon or an
10 osteopathic physician or surgeon licensed under chapter 453,
11 who, within the licensee's scope of practice and individual
12 competency, is responsible for the athletic training services
13 provided by the athletic trainer and oversees the practice of
14 athletic training by the athletic trainer, as established by
15 rule.

16 "Director" means the director of commerce and consumer
17 affairs.

18 "Practice of athletic training" means the application by a
19 registered and certified athletic trainer of principles and
20 methods to:

21 (1) Prevent athletic injuries;



- 1 (2) Recognize, evaluate, and assess athletic injuries and
- 2 conditions;
- 3 (3) Provide immediate care of athletic injuries, including
- 4 common emergency medical situations;
- 5 (4) Rehabilitate and recondition athletic injuries;
- 6 (5) Administer athletic training services and
- 7 organization; and
- 8 (6) Educate athletes.

9 § -3 **Registration required.** No person shall represent,
10 advertise, or announce oneself, either publicly or privately, as
11 an athletic trainer, nor use in connection with the person's
12 name or place of business the words "registered athletic
13 trainer", "athletic trainer", or any other words, letters,
14 abbreviations, or insignia indicating or implying that the
15 person is an athletic trainer unless the person has registered
16 with the department of commerce and consumer affairs.

17 § -4 **Registration requirements.** (a) Athletic trainers
18 shall:

- 19 (1) Register with the department by providing the athletic
- 20 trainer's name, business address, and a current and
- 21 unencumbered certification from the National Athletic
- 22 Trainers Association Board of Certification;



1 (2) Renew the athletic trainer's registration every three
2 years by providing the information required by
3 paragraph (1); and

4 (3) Notify the department of any changes in registration
5 information within thirty days of the change.

6 (b) The department shall maintain a current list of the
7 names and business addresses of athletic trainers registered
8 under subsection (a).

9 (c) Records of the registrant's certification from the
10 National Athletic Trainers Association Board of Certification
11 shall be public records.

12 **§ -5 Duties of directing physician.** A directing
13 physician shall provide supervision to an athletic trainer by
14 verbal order when in the presence of the athletic trainer or by
15 written order or written athletic training service plans or
16 protocols when a supervising physician is not present with the
17 athletic trainer.

18 **§ -6 Registration indicates permission to engage in the**
19 **practice of athletic training.** A registration granted under
20 this chapter shall mean that the registered person has met
21 requirements that include minimum practice standards to provide
22 protection to the public and is permitted to use the title of



1 athletic trainer and to engage in the practice of athletic
2 training. In the granting of permission to engage in the
3 profession of athletic training, and consistent with section
4 436B-2, the definition of "license" is inclusive of a
5 registration issued under this chapter and, therefore, an
6 athletic trainer who is registered under this chapter shall be
7 regarded as an athletic trainer who holds a license to practice
8 the profession of athletic training."

9 SECTION 3. This Act shall take effect on August 1, 2010.

10



Report Title:

Athletic Trainers; Registration

Description:

Requires athletic trainers to register with the department of commerce and consumer affairs. (SD1)

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

