

STAND. COM. REP. NO.

562

Honolulu, Hawaii

MAR 06 2009

RE: S.B. No. 1129  
S.D. 1

Honorable Colleen Hanabusa  
President of the Senate  
Twenty-Fifth State Legislature  
Regular Session of 2009  
State of Hawaii

Madam:

Your Committee on Commerce and Consumer Protection, to which was referred S.B. No. 1129 entitled:

"A BILL FOR AN ACT RELATING TO ATHLETIC TRAINERS,"

begs leave to report as follows:

The purpose of this measure is to require licensure and registration of athletic trainers.

Your Committee received testimony in support of this measure from the Department of Education and Hawaii Athletic Trainers Association. Testimony in opposition to this measure was received from the Occupational Therapy Association of Hawaii. Testimony with comments on this measure was received from the Physical Therapists Association. The Department of Commerce and Consumer Affairs submitted testimony supporting the completion of a sunrise study prior to regulating athletic trainers. Written testimony presented to the Committee may be reviewed on the Legislature's website.

Your Committee finds that athletic trainers certified by the Board of Certification of the National Athletic Trainers Association are healthcare professionals who specialize in the prevention, assessment, treatment, and rehabilitation of injuries and illnesses of athletes and others engaged in physical exercise. Athletic trainers are employed in medical settings, public and private secondary schools, institutes of higher education, and fitness centers. Your Committee finds that, due to the nature of the work performed by athletic trainers, some oversight of the



profession is necessary to protect the public health, safety, and welfare. Your Committee further finds that although a resolution requesting that the State Auditor conduct a sunrise analysis was passed by the Legislature in 2005, that analysis has not yet been conducted. Finally, your Committee notes that athletic trainers themselves are perhaps the strongest proponents of regulation and oversight of this profession since there is currently nothing in Hawaii law that prohibits an unskilled, unqualified, or unethical individual from practicing athletic training in such a way that could harm individual clients and tarnish the reputation of the profession as a whole.

Your Committee notes that it is moving this measure forward for the purpose of further discussion and feedback toward a concurrent resolution requesting that the Auditor study the registration scheme proposed in this measure. Your Committee further notes that the testimony received from athletic trainers, physical therapists, and occupational therapists reveals that members of these professions often work closely together and perform interrelated functions when caring for patients. Your Committee encourages members of all of these professions to continue to work together to achieve consensus on this measure or other means of regulating the athletic trainer profession.

Your Committee has amended this measure by:

- (1) Removing provisions related to licensure of athletic trainers;
- (2) Removing provisions that defined the scope of practice of athletic trainers;
- (3) Removing the prohibition on unprofessional conduct by an athletic trainer;
- (4) Adding new provisions providing for the registration of athletic trainers with the Department of Commerce and Consumer Affairs; and
- (5) Making technical, nonsubstantive changes for the purpose of clarity and accuracy in the language of this measure.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and



purpose of S.B. No. 1129, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1129, S.D. 1, and be placed on the calendar for Third Reading.

Respectfully submitted on  
behalf of the members of the  
Committee on Commerce and  
Consumer Protection,

  
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ROSALYN H. BAKER, Chair



