

STAND. COM. REP. NO. 1578

Honolulu, Hawaii

April 8, 2011

RE: S.B. No. 155
S.D. 2
H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Sixth State Legislature
Regular Session of 2011
State of Hawaii

Sir:

Your Committee on Finance, to which was referred S.B. No. 155, S.D. 2, entitled:

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

begs leave to report as follows:

The purpose of this bill is to establish a regulatory system for athletic trainers, including among other things, athletic trainer qualifications and registration requirements.

The Occupational Therapy Association of Hawaii, Hawaii Association of Athletic Trainers, and Hawaii Chapter-American Physical Therapy Association testified in support of this bill. The Department of Education, Department of Commerce and Consumer Affairs (DCCA), and Professional and Vocational Licensing Division of DCCA offered comments.

Your Committee has amended this bill by:

- (1) Including the treatment of athletic injuries under the definition of the "Practice of athletic training";
- (2) Clearly establishing an athletic trainer program within DCCA to be administered by the Director of Commerce and Consumer Affairs;

SB155 HD1 HSCR FIN HMS 2011-3705



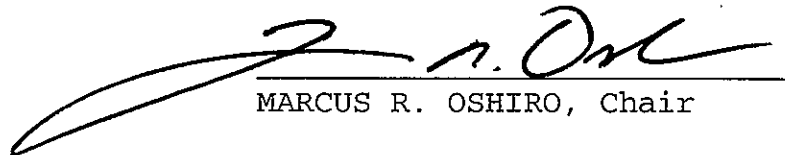
- (3) Clarifying that a person is prohibited from engaging in the practice of athletic training without meeting certain qualifications and registering with DCCA;
- (4) Clearly specifying the exemptions to the requirements applicable to athletic trainers;
- (5) Including among the exemptions in paragraph (4), individuals:
 - (A) Licensed to practice medicine; and
 - (B) Acting as an athletic trainer and a patient to himself or herself or performing gratuitous athletic training as a friend or family member who does not represent himself or herself to be an athletic trainer;
- (6) Allowing for the administration of routine assistance or first aid by a person who is not a registered athletic trainer for injuries or illnesses sustained at an athletic event or program;
- (7) Clarifying certain registration requirements for athletic trainers;
- (8) Establishing requirements for athletic trainers to maintain their registration;
- (9) Establishing certain powers and duties of the Director of Commerce and Consumer Affairs;
- (10) Providing for the establishment of license application, registration, renewal, restoration, and other fees and penalties;
- (11) Establishing grounds for the denial, revocation, or suspension of registration of athletic trainers;
- (12) Clarifying that the registration to indicate permission to engage in the practice of athletic training applies to a current registration and is subject to any applicable registration restriction or condition;
- (13) Establishing a fine of not more than \$1,000 for a violation;



- (14) Stipulating that each day's violation or failure to comply shall constitute a separate offense;
- (15) Stipulating that unless otherwise expressly provided, the remedies or penalties are cumulative to each other and to the remedies or penalties available under all other laws of this State;
- (16) Changing its effective date to July 1, 2030, to encourage further discussion; and
- (17) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 155, S.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 155, S.D. 2, H.D. 1.

Respectfully submitted on
behalf of the members of the
Committee on Finance,


MARCUS R. OSHIRO, Chair



