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**PRESENTATION OF THE  
PROFESSIONAL AND VOCATIONAL LICENSING DIVISION**

TO THE HOUSE COMMITTEE ON  
INTRASTATE COMMERCE

TWENTY-NINTH LEGISLATURE  
Regular Session of 2018

Tuesday, February 6, 2018  
10:30 a.m.

**TESTIMONY ON HOUSE BILL NO. 2062, RELATING TO ATHLETIC TRAINERS.**

TO THE HONORABLE TAKASHI OHNO, CHAIR, AND MEMBERS OF THE  
COMMITTEE:

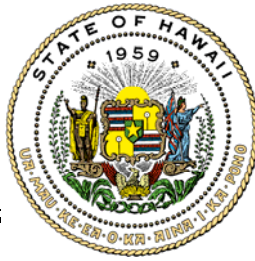
My name is Kedin Kleinhans, and I am the Executive Officer of the Athletic Trainers Program with the Department of Commerce and Consumer Affairs ("Department"). Thank you for the opportunity to testify on H.B. 2062, which is a companion to S.B. 2053. The Department supports this measure.

This measure makes permanent the regulation of athletic trainers, and amends Hawaii Revised Statutes ("HRS") chapter 436H by clarifying that an individual who accompanies an athlete or team of athletes into this state for a temporary period is not required to possess a valid license, registration, or certification from another jurisdiction if that jurisdiction does not regulate athletic trainers.

The Department agrees with Auditor Report No. 17-08, as the current registration requirement for athletic trainers is reasonably necessary to protect the public interest. The decisions an athletic trainer makes can significantly impact an athlete's health, safety, and welfare. The Department also agrees that current regulation of athletic trainers does not impose unreasonable restrictions on individuals entering the profession.

The Department also supports the amendments to HRS 436H-5, Exemptions, on page 6, lines 10-16, and agrees that these amendments will help protect the health, safety, and welfare of California athletes visiting Hawaii.

Thank you for the opportunity to testify in support of H.B. 2062.



HOUSE COMMITTEE ON INTRASTATE COMMERCE  
The Honorable Takashi Ohno, Chair  
The Honorable Isaac W. Choy, Vice Chair

**H.B. NO. 2062, RELATING TO ATHLETIC TRAINERS**

Hearing: Tuesday, February 6, 2018, 10:30 a.m.

The Office of the Auditor has **no position** regarding H.B. No. 2062, which makes permanent the regulation of athletic trainers and provides an exemption for athletic trainers “who [do] not possess a valid license, registration, or certification from another jurisdiction because that jurisdiction does not regulate athletic trainers; provided that the individual accompanies a team of athletes from that jurisdiction for a temporary period for an athletic or sporting event in the State.” However, we offer the following **comments**.

Relying on our Report 17-08, *Sunset Evaluation: Regulation of Athletic Trainers*, H.B. No. 2062 notes the following:

The Auditor's Report noted that California is the only state that does not regulate athletic trainers. The Auditor urged consideration of a statutory amendment to temporarily exempt from regulation athletic trainers traveling to Hawaii with California teams.

We respectfully note one important qualification to our recommendation.

Report 17-08 recommended that athletic trainers traveling to Hawai‘i to accompany California (and any other jurisdiction the does not regulate athletic trainers) athletes or teams be exempt for a temporary period for an athletic or sporting event in the State, but only if they are certified by a national association, such as the National Athletic Trainers’ Association (“NATA”) or the Board of Certification for the Athletic Trainer (“BOC”).

This bill would allow anyone who does not “possess a valid license, registration, or certification from another jurisdiction because that jurisdiction does not regulate athletic trainers” to temporarily act as an athletic trainer while accompanying athletes and/or athletic teams to Hawai‘i, even if they are not certified by a national association, and arguably even if they do not regularly work as an athletic trainer. Our office would suggest that they should have, at a minimum, certification from a national association that relates to athletic training.

Thank you for your support of the Office of the Auditor and for considering the Office of the Auditor’s testimony in relation to H.B. No. 2062.

**Testimony on behalf of the Hawaii Athletic Trainers' Association**

**Support for H.B. 2062**

**Tuesday, February 6, 2018**

**10:30 AM, Room 429**

To: Chair Takashi Ohno and Members of the House Committee on Intrastate Commerce:

My name is Darryl Funai and I am testifying for the members of the Hawaii Athletic Trainers' Association (HATA) in strong support of H.B. 2062.

HATA is the professional membership association for Certified Athletic Trainers in our state. Certified Athletic Trainers are health care providers who specialize in the prevention, assessment, treatment and rehabilitation of injuries and illnesses of athletes participating in various athletic events in Hawaii. Athletic Trainers are employed in all Hawaii's public schools, some private schools, colleges, Universities, hospitals, physician offices, clinics, and by the military.

Since its enactment in 2012, The Athletic Trainer Registration Act has been successful in establishing a registration procedure that authenticates qualified athletic trainers and manages complaints. The main success has been to increase the safety for Hawaii athletes and especially the many youth participating in competitive sports. HATA strongly supports making permanent the current registration requirement for athletic trainers.

The measure also adds language to exempt athletic trainers from regulation who are from a state that does not regulate athletic trainers. HATA has some concerns with adding in this exemption and asks the committee to consider the implications of such language.

The recent Auditor Report No. 17-08 stated the following as one of its findings:

*"The public interest requires that the profession of athletic trainer continue to be regulated and the program requiring athletic trainers to register with the department of commerce and consumer affairs be reenacted."*

HATA would like to highlight that exempting athletic trainers because they come from a state without regulation, conflicts with the public interest requiring the profession to be regulated. We are also unaware of any demand or need for this exemption. HATA respectfully requests removing this language from the measure in order for additional information to be gathered and for analysis of the legal implications of creating such an exemption.

Thank you for the opportunity to testify on this measure and please let me know if you have any questions.