

SB2053

Measure Title: RELATING TO ATHLETIC TRAINERS.

Report Title: Athletic Trainers; Sunset Repeal; Exemptions

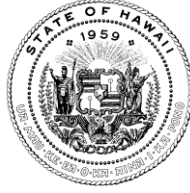
Description: Makes permanent the regulation of athletic trainers. Clarifies that an individual who accompanies an athlete or team of athletes into this State for a temporary period is not required to possess a valid license, registration, or certification from another jurisdiction if that jurisdiction does not regulate athletic trainers.

Companion: [HB2062](#)

Package: None

Current Referral: CPH

Introducer(s): BAKER, GABBARD, INOUYE, Galuteria, Ihara, Kim, Nishihara, Shimabukuro



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

TO THE SENATE COMMITTEE ON
COMMERCE, CONSUMER PROTECTION, AND HEALTH

TWENTY-NINTH LEGISLATURE
Regular Session of 2018

Wednesday, February 14, 2018
9:00 a.m.

TESTIMONY ON SENATE BILL NO. 2053, RELATING TO ATHLETIC TRAINERS.

TO THE HONORABLE ROSALYN H. BAKER, CHAIR, AND MEMBERS OF THE
COMMITTEE:

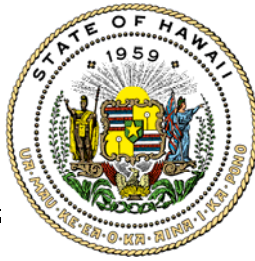
My name is Kedin Kleinhans, and I am the Executive Officer of the Athletic Trainers Program with the Department of Commerce and Consumer Affairs ("Department"). Thank you for the opportunity to testify in support of S.B. 2053, which is a companion to H.B. 2062.

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 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 provide testimony on S.B. 2053.



SENATE COMMITTEE ON COMMERCE, CONSUMER PROTECTION, AND HEALTH
The Honorable Rosalyn H. Baker, Chair
The Honorable Jill N. Tokuda, Vice Chair

S.B. NO. 2053, RELATING TO ATHLETIC TRAINERS

Hearing: Wednesday, February 14, 2018, 9:00 a.m.

The Office of the Auditor has **no position** regarding S.B. No. 2053 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*, S.B. No. 2053 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 that 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. We would suggest that they should have, at a minimum, certification from a national association that relates to athletic training.

Finally, the Committee is probably already aware of this, but we offered the same comments when this measure’s companion bill, H.B. No. 2062, was heard by the House Committee on Intrastate Commerce on February 6, 2018. Following this hearing, H.B. No. 2062 was passed, but with amendments addressing the issues raised in this testimony.

Thank you for considering the Office of the Auditor’s testimony in relation to S.B. No. 2053.

Testimony on behalf of the Hawaii Athletic Trainers' Association

Support for S.B. 2053

Wednesday, February 14, 2018

9:00 AM, Room 229

To: Chair Rosalyn H. Baker and Members of the Senate Committee on Commerce, Consumer Protection, and Health:

My name is Darryl Funai and I am testifying for the members of the Hawaii Athletic Trainers' Association (HATA) in strong support of S.B. 2053.

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 appreciates the intent of this provision but respectfully requests removing this language from the measure. California is in the process of passing legislation to enact its own registration program and therefore this language is unnecessary.

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