

MINUTES

**UTAH
ATHLETIC TRAINERS LICENSING
BOARD MEETING**

April 26, 2016

**Room 402 – 4th Floor – 9:00 a.m.
Heber Wells Building
Salt Lake City, UT 84111**

CONVENED: 9:03 a.m.

ADJOURNED: 10:31 a.m.

**Bureau Manager:
Board Secretary:**

Suzette Farmer, Ph.D., RN
Melissa McGill

Conducting:

Marty Heim, Chair

Board Members Present:

Marty Heim
Michael Everett
Anne Jones, Public member
W. Blain Empey
Christian W. Millward, MD

Board Members Excused:

John Henderson

Guests:

Valerie Herzog
Lisa Walker
Patty Fahringer

TOPICS FOR DISCUSSION

DECISIONS AND RECOMMENDATIONS

October 24, 2015 Minutes:

Motion made by Mr. Everett to approve the October 27, 2015 minutes. The motion was seconded by Dr. Millward. The vote in favor was unanimous.

Environmental Scan:

When 58-63G-4-106 is implemented, administrative actions will be removed from the DOPL public website after ten years. In addition, a petition can be made to remove administrative actions after five years.

Susan Higgs, Compliance Report:

Ms. Higgs gave the board an update on the probationers scheduled for the meeting.

Probation Interviews:

Jesus Vargas (9412213-4810)

Interview conducted by Mr. Heim.

- Mr. Vargas is in full compliance.
- Motion made by Mr. Everett to lift the suspension after one year of not working requirement on his stipulation and order. The motion was seconded by Ms. Jones. The vote in favor was unanimous.
- Motion made by Mr. Everett to move Mr. Vargas to general supervision instead of indirect supervision. The motion was seconded by Dr. Millward. The vote in favor was unanimous.
- Motion made by Dr. Millward. To meet with Mr. Vargas every six months instead of every three months. The motion was seconded by Mr. Everett. The vote in favor was unanimous.

David Draper (6309419-4810)

Interview conducted by Mr. Heim.

- Reports that Affinity did not prompt him to enter his 12-Step and PIR documentation.
- His self-assessments are in compliance.
- Therapy reports have not been received since October 2015.
- Has missed four check-ins in six months.
- His five UA's have all been clean.
- Motion made by Mr. Empey to move Mr. Draper to quarterly supervisor reports instead of monthly. The motion was seconded by Ms. Jones. The vote in favor was unanimous.
- Board wants to see Mr. Draper every six months.

Review Utah Code 58-40a-102(6): Definition of "Directing Physician"

Mr. Heim opened the floor to discussion about the definition of "Directing Physician." Dr. Farmer read the statute and distributed a written document.

58-401-102. Definitions.

(6) "Directing physician" means a physician and surgeon licensed under Section 58-67-3-1, an osteopathic physician and surgeon licensed under Section 58-68-301, a chiropractic physician licensed

under Chapter 73, Chiropractic Physician Practice Act, a naturopathic physician licensed under Chapter 71, Naturopathic Physician Practice Act, or dentist licensed Under Section 58-69-301 who, within the licensee's scope of practice and individual competency, is **responsible** for the athletic training services provided by the athletic trainer and **oversees** the practice of athletic training by the athletic trainer, as established by board rule.

R156-40a-102. Definitions.

Board recommendation from October 2015:

Indicates an established professional relationship between physician and athletic trainer either verbal or in writing including mutually agreed upon standing orders, protocols, or treatment plans. There is no requirement for direct supervision by the physician of the athletic trainer.

The professional organization and a few physicians had sent letters to DOPL in support of the language recommended by the board.

The board's proposal was reviewed by DOPL after the October 2015 meeting. DOPL made recommendation back to the Board that, if a Rule change were desired it could read:

In accordance with Subsection 58-40a-102.(6)

"Directing physician" is further defined to mean a physician who is responsible for the athletic training services provided and:

- (1) provides the level of oversight that is commensurate with the needs of the athlete and the skills of the athletic trainer;
- (2) establishes a professional relationship with the athletic trainer; and
- (3) develops guidelines for athletic training services, either verbal or written, including athletic training service plans or protocols.

Dr. Farmer also clarified that statutory language is meant to be quite specific and that statute refers to "directing physician;" it does not refer to supervising, delegating, or prescribing physician.

Ms. Walker from the professional organization stated

that “someone” called DOPL in the past and that they were told that an Athletic Trainer had to have a directing physician present at all times. She would like a clear definition of “Directing Physician.”

Dr. Farmer indicated that the Division does not provide legal opinions when someone calls in with a question. Whenever someone calls, staff are instructed to direct the caller to the statute and rules, and the caller is advised to contact an attorney if additional questions remain. Should anyone contact the Division, they should not be told that athletic trainers must be supervised as the statutory language refers only to a “directing physician” and the statute includes a clear definition of the duties of the directing physician.

After additional discussion the board determined that there was no need to make any revisions to existing Rule. It was decided that the existing statute provided sufficient information about the question.

Maintenance of Certification for Renewal of Licensure

Dr. Farmer reviewed the statute (58-40a-102(7)) which states that the practice of athletic training is the application of athletic training methods by a licensed and certified athletic trainer. Dr. Farmer indicated that the renewal forms will be updated to ensure that licensees attest to holding certification upon renewal. Proof of certification would only be required by those licensees who are audited by DOPL at renewal.

Motion made by Mr. Empey to make no changes to Rule. The motion was seconded by Mr. Everett. The vote in favor was unanimous.

Board Training

The board discussed when they would be able to have DOPL come in and provide a training. The board decided to have the training on October 25 at the next meeting.

Next Meeting:

October 25, 2016

Minutes

Athletic Trainers Licensing Board

April 26, 2016

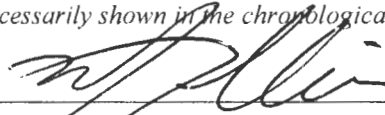
Note: These minutes are not intended to be a verbatim transcript but are intended to record the significant features of the business conducted in this meeting. Discussed items are not necessarily shown in the chronological order they occurred.

10/25/16

Date Approved

10/25/16

Date Approved



Marty Heim, Chair
Athletic Trainers Licensing Board



Suzette Farmer, Bureau Manager,
Division of Occupational & Professional Licensing