

Legislative Analysis



LICENSE EXEMPTION FOR OUT-OF-STATE ATHLETIC TRAINERS

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Senate Bill 263 (Substitute S-1)

Sponsor: Sen. Tory Rocca

House Committee: Regulatory Reform

Senate Committee: Regulatory Reform

Complete to 4-12-11

A SUMMARY OF SENATE BILL 263 AS PASSED BY THE SENATE 3-24-11

The bill would create an exemption from state licensure for out-of-state athletic trainers who are temporarily in Michigan as part of an athletic event that is using their services.

Currently, an individual is prohibited from engaging in the practice of athletic training unless licensed under the Public Health Code or otherwise authorized to do so. Under departmental rules (R 338.1369), a licensed athletic trainer (AT) may delegate the performance of an act, task, or function related to the practice of athletic training to another person under certain circumstances, including to a person who is an AT employed by or who accompanies an out-of-state team that is participating in an athletic event held in Michigan if the out-of-state AT is licensed or credentialed in his or her home state, or is certified by a national certification board (BOC certification).

Senate Bill 263 would amend Part 179 of the Public Health Code (Athletic Training) to specify that Part 179 would not apply to a person who is temporarily present in the state for an event that uses the services of athletic trainers and who is a BOC certified athletic trainer or is licensed as an athletic trainer in another state. (MCL 333.17902)

(Part 179 defines "practice of athletic training" as the treatment of an individual for risk management and injury prevention, the clinical evaluation and assessment of an individual for an injury or illness, or both, the immediate care and treatment of an individual for an injury or illness, or both, and the rehabilitation and reconditioning of an individual's injury or illness, or both, as long as those activities are within the rules promulgated under Part 179 and performed under the direction and supervision of a licensed physician.)

FISCAL IMPACT:

Without the bill, some out-of-state athletic trainers may choose to obtain a Michigan license, which would increase the costs and revenue to the Department of Community Health for licensure of this health profession. The licensure fees support the cost of the licensure processing and enforcement program. Given that current rules allow for delegated authority under certain circumstances, the fiscal impact of the bill is likely to be modest.

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