

1                                   **EXEMPTION FROM LICENSURE FOR**  
2                                   **ATHLETIC TRAINERS**

3                                   2000 GENERAL SESSION

4                                   STATE OF UTAH

5                                   **Sponsor: John L. Valentine**

6 AN ACT RELATING TO OCCUPATIONS AND PROFESSIONS; PERMITTING CERTIFIED  
7 ATHLETIC TRAINERS TO PROVIDE SERVICES IN LIMITED CIRCUMSTANCES  
8 WITHOUT BEING LICENSED.

9 This act affects sections of Utah Code Annotated 1953 as follows:

10 AMENDS:

11                   **58-1-307**, as last amended by Chapter 138, Laws of Utah 1999

12 *Be it enacted by the Legislature of the state of Utah:*

13                   Section 1. Section **58-1-307** is amended to read:

14                   **58-1-307. Exemptions from licensure.**

15                   (1) Except as otherwise provided by statute or rule, the following persons may engage in  
16 the practice of their occupation or profession, subject to the stated circumstances and limitations,  
17 without being licensed under this title:

18                   (a) a person serving in the armed forces of the United States, the United States Public  
19 Health Service, the United States Department of Veterans Affairs, or other federal agencies while  
20 engaged in activities regulated under this chapter as a part of employment with that federal agency  
21 if the person holds a valid license to practice a regulated occupation or profession issued by any  
22 other state or jurisdiction recognized by the division;

23                   (b) a student engaged in activities constituting the practice of a regulated occupation or  
24 profession while in training in a recognized school approved by the division to the extent the  
25 activities are supervised by qualified faculty, staff, or designee and the activities are a defined part  
26 of the training program;

27                   (c) an individual engaged in an internship, residency, preceptorship, postceptorship,

28 fellowship, apprenticeship, or on-the-job training program approved by the division while under  
29 the supervision of qualified persons;

30 (d) an individual residing in another state and licensed to practice a regulated occupation  
31 or profession in that state, who is called in for a consultation by an individual licensed in this state,  
32 and the services provided are limited to that consultation;

33 (e) an individual who is invited by a recognized school, association, society, or other body  
34 approved by the division to conduct a lecture, clinic, or demonstration of the practice of a regulated  
35 occupation or profession if the individual does not establish a place of business or regularly engage  
36 in the practice of the regulated occupation or profession in this state;

37 (f) an individual licensed under the laws of this state, other than under this title, to practice  
38 or engage in an occupation or profession, while engaged in the lawful, professional, and competent  
39 practice of that occupation or profession;

40 (g) an individual licensed in a health care profession in another state who performs that  
41 profession while attending to the immediate needs of a patient for a reasonable period during  
42 which the patient is being transported from outside of this state, into this state, or through this  
43 state;

44 (h) an individual licensed in another state or country who is in this state temporarily to  
45 attend to the needs of an athletic team or group, except that the practitioner may only attend to the  
46 needs of the athletic team or group, including all individuals who travel with the team or group in  
47 any capacity except as a spectator; ~~and~~

48 (i) an individual licensed and in good standing in another state, who is in this state:

49 (i) temporarily, under the invitation and control of a sponsoring entity;

50 (ii) for a reason associated with a special purpose event, based upon needs that may exceed  
51 the ability of this state to address through its licensees, as determined by the division; and

52 (iii) for a limited period of time not to exceed the duration of that event, together with any  
53 necessary preparatory and conclusionary periods. The requirements of Section 63A-10-105 do not  
54 apply to exemptions authorized by the division pursuant to this Subsection (1)(i)[-]; and

55 (j) an individual who:

56 (i) is certified as an athletic trainer by the National § ATHLETIC § Trainers Association Board of  
57 Certification or another entity approved by the division;

58 (ii) is employed or officially associated with an educational institution, a professional

59 sports organization, or a bona fide amateur sports organization; and  
60 (iii) only provides athletic training services:  
61 (A) to athletes of the educational institution or sports organization to which the individual  
62 is employed or officially associated;  
63 (B) at an official athletic training, practice, or competition site; and  
64 (C) that are within the scope of the individual's certification.  
65 (2) A practitioner temporarily in this state who is exempted from licensure under  
66 Subsection (1) shall comply with each requirement of the licensing jurisdiction from which the  
67 practitioner derives authority to practice. Violation of any limitation imposed by this section  
68 constitutes grounds for removal of exempt status, denial of license, or other disciplinary  
69 proceedings.  
70 (3) An individual who is licensed under a specific chapter of this title to practice or engage  
71 in an occupation or profession may engage in the lawful, professional, and competent practice of  
72 that occupation or profession without additional licensure under other chapters of this title, except  
73 as otherwise provided by this title.  
74 (4) Upon the declaration of a national, state, or local emergency, the division in  
75 collaboration with the board may suspend the requirements for permanent or temporary licensure  
76 of persons who are licensed in another state. Persons exempt under this subsection shall be exempt  
77 from licensure for the duration of the emergency while engaged in the scope of practice for which  
78 they are licensed in the other state.

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**Legislative Review Note**  
**as of 1-13-00 12:44 PM**

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

**Office of Legislative Research and General Counsel**