

## Chapter 40a Athletic Trainer Licensing Act

### Part 1 General Provisions

#### **58-40a-101 Title.**

This chapter is known as the "Athletic Trainer Licensing Act."

Enacted by Chapter 206, 2006 General Session

#### **58-40a-102 Definitions.**

In addition to the definitions in Section 58-1-102, as used in this chapter:

- (1) "Adequate records" means legible records that contain, at a minimum:
  - (a) the athletic training service plan or protocol;
  - (b) an evaluation of objective findings;
  - (c) the plan of care and the treatment records; or
  - (d) written orders.
- (2) "Athlete" means an individual, referee, coach, or athletic staff member who participates in exercises, sports, or games requiring physical strength, agility, flexibility, range of motion, speed, or stamina, and the exercises, sports, or games are of a type generally conducted in association with an educational institution or professional, amateur, or recreational sports club or organization.
- (3) "Athletic injury" means:
  - (a) an injury sustained by an athlete that affects the individual's participation or performance in sports, games, recreation, or exercise; or
  - (b) a condition that is within the scope of practice of an athletic trainer identified by a directing physician or physical therapist as benefitting from athletic training services.
- (4) "Athletic trainer" means an individual who is licensed under this chapter and carries out the practice of athletic training.
- (5) "Board" means the Athletic Trainers Licensing Board created in Section 58-40a-201.
- (6) "Directing physician" means a physician and surgeon licensed under Section 58-67-301, 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.
- (7) The "practice of athletic training" means the application by a licensed and certified athletic trainer of principles and methods of:
  - (a) prevention of athletic injuries;
  - (b) recognition, evaluation, and assessment of athletic injuries and conditions;
  - (c) immediate care of athletic injuries, including common emergency medical situations;
  - (d) rehabilitation and reconditioning of athletic injuries;
  - (e) athletic training services administration and organization; and
  - (f) education of athletes.

Enacted by Chapter 206, 2006 General Session

**58-40a-103 Duties of directing physician.**

A directing physician shall provide direction to an athletic trainer by a verbal order when in the presence of the athletic trainer and by written order or by athletic training service plans or protocols when a directing physician is not present.

Enacted by Chapter 206, 2006 General Session

**Part 2  
Board**

**58-40a-201 Board composition -- Duties and responsibilities.**

- (1) There is created the Athletic Trainers Licensing Board consisting of four licensed athletic trainers, one member representative of the directing physicians referred to in Subsection 58-40a-102(6), and one member of the general public who has never been authorized to practice a healing art and never had a substantial personal, business, professional, or pecuniary connection with a healing art or with a medical education or health care facility, except as a client or potential client.
- (2) The board shall be appointed and serve in accordance with Section 58-1-201.
- (3) The board shall carry out the duties and responsibilities in Sections 58-1-202 and 58-1-203, and shall designate one of its members on a permanent or rotating basis to:
  - (a) assist the division in reviewing complaints concerning the unlawful or unprofessional conduct of a licensee under this chapter; and
  - (b) advise the division of its investigation of these complaints.
- (4) A board member who has, under Subsection (3), reviewed a complaint or advised in its investigation may be disqualified from participating with the board when the board serves as a presiding officer in an adjudicative proceeding concerning the complaint.

Enacted by Chapter 206, 2006 General Session

**Part 3  
Licensing**

**58-40a-301 Licensure required.**

- (1) A license is required to engage in the practice of athletic training, except as specifically provided in Section 58-1-307 or 58-40a-305.
- (2) The division shall issue to an individual who qualifies under this chapter a license in the classification of athletic trainer.
- (3) An individual may not use the title "licensed athletic trainer," or "athletic trainer," or abbreviations or insignias to imply that the individual is an athletic trainer unless the individual is licensed under this chapter.

Enacted by Chapter 206, 2006 General Session

**58-40a-302 Qualifications for licensure.**

The division shall issue a license to practice as an athletic trainer to an applicant who:

- (1) has obtained a bachelor's or advanced degree from an accredited four-year college or university and meets the minimum athletic training curriculum requirement established by the board by rule;
- (2) has successfully completed the certification examination administered by the Board of Certification Inc. or equivalent examination approved or recognized by the board;
- (3) is in good standing with and provides documentation of current certification by the Board of Certification Inc. or a nationally recognized credentialing agency approved by the board;
- (4) submits an application to the division on a form prescribed by the division; and
- (5) pays the required licensing fee as determined by the department under Section 63J-1-504.

Amended by Chapter 183, 2009 General Session

**58-40a-303 Scope of practice.**

An athletic trainer may:

- (1) prevent injuries by:
  - (a) designing and implementing physical conditioning programs, which may include:
    - (i) strength and range of motion testing;
    - (ii) nutritional advisement; and
    - (iii) psychosocial intervention and referral;
  - (b) performing preparticipation screening;
  - (c) fitting protective equipment;
  - (d) designing and constructing protective products; and
  - (e) continuously monitoring changes in the environment;
- (2) recognize and evaluate injuries by:
  - (a) obtaining a history of the injury;
  - (b) inspecting an injured body part and associated structures;
  - (c) palpating bony landmarks and soft tissue structures; and
  - (d) performing clinical tests to determine the extent of an injury;
- (3) provide immediate care of injuries by:
  - (a) initiating cardiopulmonary resuscitation;
  - (b) administering basic or advanced first aid;
  - (c) removing athletic equipment; and
  - (d) immobilizing and transporting an injured athlete;
- (4) determine whether an athlete may return to participation or, if the injury requires further definitive care, refer the athlete to the appropriate directing physician;
- (5) rehabilitate and recondition an injury by administering therapeutic exercise and therapeutic and physical modalities, including cryotherapy, thermotherapy, and intermittent compression, electrical stimulation, ultra sound, traction devices, or mechanical devices as directed by established, written athletic training service plans or protocols or upon the order of a directing physician;
- (6) provide athletic training services administration, including:
  - (a) implementing athletic training service plans or protocols;
  - (b) writing organizational policies and procedures;
  - (c) complying with governmental and institutional standards; and
  - (d) maintaining records to document services rendered; and

- (7) educate athletes to facilitate physical conditioning and reconditioning by designing and implementing appropriate programs to minimize the risk of injury.

Enacted by Chapter 206, 2006 General Session

**58-40a-304 Term of license -- Expiration -- Renewal.**

- (1)
  - (a) The division shall issue each license for an athletic trainer in accordance with a two-year renewal cycle established by rule in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act.
  - (b) The division may, by rule, extend or shorten a renewal period by as much as one year to stagger the renewal cycles it administers.
- (2) Each license automatically expires on the expiration date shown on the license unless the licensee renews it in accordance with Section 58-1-308.

Amended by Chapter 382, 2008 General Session

**58-40a-305 Exemptions from licensure.**

In addition to the exemptions from licensure in Section 58-1-307, this chapter does not require the licensure of a medical assistant as defined in Section 58-67-102 or 58-68-102 or an individual who assists in an emergency or in providing services for which no fee is contemplated, charged, or received, provided the individual does not hold himself out as an athletic trainer.

Enacted by Chapter 206, 2006 General Session

**Part 4  
License Denial and Discipline**

**58-40a-401 Grounds for denial of license.**

The division may refuse to issue a license to an applicant, refuse to renew the license of a licensee, revoke, suspend, restrict, or place on probation the license of a licensee, issue a public or private reprimand to a licensee, and issue cease and desist orders in accordance with Section 58-1-401.

Enacted by Chapter 206, 2006 General Session

**Part 5  
Unprofessional Conduct**

**58-40a-501 Unprofessional conduct.**

- In addition to the provisions of Subsection 58-1-501(2), "unprofessional conduct" includes:
- (1) failing to report to the division an act or omission that violates a provision of this chapter by a licensee, applicant, or another individual;

- (2) interfering with an investigation of a disciplinary proceeding by willful misrepresentation of facts or by use of threats or harassment against a client or witness to prevent that individual from providing evidence in a disciplinary proceeding, investigation, or other legal action;
- (3) failing to maintain client confidentiality unless otherwise required by law;
- (4) promoting an unnecessary device, treatment, intervention, or service for financial gain by the athletic trainer or a third party; and
- (5) failing to maintain adequate records.

Amended by Chapter 262, 2013 General Session