

**OREGON HEALTH LICENSING AGENCY
BOARD OF ATHLETIC TRAINERS
MINUTES OF October 9, 2006**

MEMBERS PRESENT

Dave Sherden, Chairperson, ATR
Kathi Stotts, Vice Chairperson
Bart Rask M.D.
Paula Wolcott, Public Member
Duane Iversen, ATR / PT

STAFF PRESENT

Susan Wilson, Director
Larry Peck, Regulatory Operations Division Manager
Samantha Patnode, Board Liaison

CALL TO ORDER

Chairperson David Sherden called the meeting of the Board of Athletic Trainers to order at 9:07 a.m. on Monday, October 9, 2006, at the Oregon Health Licensing Agency (OHLA) in the Rhoades Conference Room, 700 Summer St NE, Suite 320, Salem, Oregon.

APPROVAL OF AGENDA

MOTION

Ms. Stotts made a motion and Ms. Wolcott seconded to approve the agenda. The motion passed with Mr. Sherden, Dr. Rask, Mr. Iversen, Ms. Wolcott, and Ms. Stotts voting aye.

MINUTES

MOTION

Mr. Wolcott made a motion and Ms. Iversen seconded to approve the minutes of October 10, 2005. The motion passed with Mr. Sherden, Dr. Rask, Mr. Iversen, and Ms. Stotts voting aye.

Revenues and Expenditures

Mr. Riggs reported the Oregon Health Licensing Agency 2007-09 budget request proposes a new uniform fee structure. OHLA projects a \$21 annual licensing fee for nearly 30,000 individually licensed practitioners regulated by the agency.

Online Renewals

Mr. Riggs stated there were a total of 20 online renewals from June through August 2006 for athletic trainers.

Ms. Wilson stated if the OHLA budget is approved by the 2007 Oregon Legislature, the new fee structure would be implemented possibly in late 2007. OHLA's 2007-09 Agency Budget Request was discussed. Recent changes made by the Legislature have placed focus for accountability and assessment of services with the central organization to help align and promote the priorities and objectives determined by the Governor. The agency-wide biennial budget represents a new look at how the State of Oregon licenses professionals and proposes to equalize licensing fees that now range from as high as \$1,500 to as low of \$16.50. Ms. Wilson added the strategic plan for OHLA places emphasis on getting people to work quickly while maintaining and monitoring for performance and services. Board members expressed support of the OHLA budget and uniform fee package.

Board members discussed the possibility of a "Medicare bill", noting it is currently under appeal to include athletic trainers in the insurance code as approved providers for reimbursement. Ms. Wilson stated currently there are limitations for specific services such as use of ultrasound and there may be a move to rectify these reimbursement limitations. Mr. Iversen commented that inclusion of athletic trainers in the insurance code would save Medicare money.

Compliance (tape 1, counter number 35)

Mr. Peck, Regulatory Operations Manager, reported on the 2005 and 2006 to date complaint percentages for the Board

of Athletic Trainers:

January 1 through August 31, 2006

- Total Number of Registrants - 183
- Total Number of Complaints - 1
- Percent of Complaints – 1%

Comparing 2004 and 2005 under the Full Year Comparison Report, the statistics for 2004 show an increase of two proposed orders and increase of one final order and an increase of ten licensees.

Dr. Rask asked if there were any complaints other than licensing, such as safety. Mr. Peck confirmed that for the current reporting period only licensing complaints were filed.

Mr. Iversen expressed concern regarding OHLA monitoring athletic summer camps and whether a licensed athletic trainer is required to be present along with a consulting physician. Ms. Stotts responded that the law states athletic trainers need to collaborate with a physician if the injury is not improving. Mr. Peck stated a complaint would have to be filed with Oregon Health Licensing Agency Regulatory Operations Division before they would automatically monitor the camps.

Licensing (tape 1, counter number 68)

Ms. Murphy, OHLA Licensing Supervisor, provided statistics on the total number of active, inactive, and expired status counts.

Comparison 2004 – 2005

- Original Registrants Issued -2
- Registrants Reviewed 10
- Late Renewals -2
- Total number of Registrants Issued 8

January – December 2005

- Original Registrants Issued 29
- Registrants Renewed 148
- Late Renewals 23
- Total Number of Registrants Issued 177

She gave an overview of a comparison report of 2002 through 2005 and provided a Licensing Workload by Transaction report for 2004 through 2006 illustrating activity within each month.

Revised Renewal Form (tape 1, counter number 155)

Ms. Murphy pointed out a revised renewal notice and insert noting the OHLA continuing education audit requirements and late fee charges.

Ms. Stotts stated the insert form may be confusing for individuals. The Board recommended the statement on the renewal notice, "I am current with my continuing education hours". Mr. Sherden stated the 80 continuing education hours have changed to 75 plus CPR. Ms. Murphy stated OHLA will institute the change when the rule changes.

Outreach and Communication (tape 1, counter number 193)

Mr. Bohot reported that the OHLA fact sheet for AT qualifications and CE requirements has been revised and updated, noting it will be posted to the Web site upon completion.

Mr. Bohot reported that the education requirements have been revised and updated. He drew the Board's attention to the OHLA Web site at www.oregon.gov/OHLA/AT and provided an overview of the updated page including hourly requirements, type of courses and subject matter allowed for CE credit.

Mr. Bohot presented a draft letter from OHLA to be sent to all Oregon colleges and universities reminding them of state regulations regarding students enrolled in athletic training programs and describing limitations and exemptions for students performing services. The Board suggested student supervision should be more clearly addressed in rule and sent the issue to the Rules Subcommittee. Other changes of interest included: revising several NATA BOC statements as follows "**If certified nationally, the student may be reimbursed for services**"; and if a student is at an athletic event and is providing the services of an athletic trainer, "**a registered athletic trainer *must be onsite***" (changes noted in bold).

MOTION

Ms. Wolcott made a motion and Ms. Stotts seconded to have the Rules Subcommittee review the NATA BOC certification language pertaining to "supervision" as it pertains to Oregon's rules, and findings will be reported at the April 30, 2007 Board meeting. The motion passed with Mr. Sherden, Dr. Rask, Mr. Iversen, Ms. Wolcott, and Ms. Stotts voting aye.

Mr. Bohot provided an overview of the OHLA Annual Performance Report for the fiscal year 2006.

- Percentage of contested case disciplinary action be resolved informally
- Percentage of critical status complaints investigated within one week of receipt
- Percentage of applicants who attain same-day licensing status
- Percentage of licensee who renew online
- Percentage of customers rating the agency's customer service as good or excellent

Mr. Bohot reported completion of the OHLA orientation handbook was designed for training board and council members about their role in the organization. Filming for the training video will begin November 6, 2006 and the orientation package will be completed in 2007.

ITEMS FOR BOARD ACTION

Proposed Administrative Rules (tape 1, counter number 582)

Ms. Patnode reported during the 2005 Legislature, OHLA legislation changed the name of the agency from the Health Licensing Office to the *Oregon Health Licensing Agency*, and the sunset provision in the athletic trainer statutes was repealed. The National Athletic Trainer Association / Board of Certification (NATA BOC) changed its name in 2002 to the *Board of Certification for Athletic Trainers (BOC)*, and in 2006 BOC continuing education hours changed from 80 to 75 every three years due to a change in the approved hours for cardiac pulmonary resuscitation training (CPR).

The Board reviewed the following definition:

(3) "Board of Certification" (BOC) means the national organization that provides a certification program for the entry-level athletic trainer and establishes requirements for maintaining status as a certified athletic trainer. The BOC certifies athletic trainers and identifies for the public, quality healthcare professionals through a system of certification, adjudication, standards of practice and continuing competency programs.

The Board agreed to delete the second sentence.

Ms. Patnode stated that the agency is proposing the following changes:

(6) Credit for completion of continuing education will be limited according to course work type, source and categories identified by ~~NATABOC~~ **BOC** and adopted in ~~1999~~ **January 1, 2006**. **A copy of contact hour requirements is available for review at the agency and on-line at BOC's website www.bocatc.org.** ~~as follows:-~~

~~(a) Contact hours required of registrants initially registered during the first year of a three-year reporting period: Category A -- 75, Category B -- 52, Category C -- 75, Category D -- a minimum of 5 and maximum of 15-20 contact hours, Category E -- 20;~~

~~(b) Contact hours required of registrants initially registered during the second year of a three-year reporting period: Category A -- 50, Category B -- 36, Category C -- 50, Category D -- a minimum of 5 and maximum of 15-13 contact hours, and Category E -- 13;~~

~~(c) Contact hours required of registrants initially registered during the third year of a three-year reporting period: Category A -- 20, Category B -- 16, Category C -- 20, Category D -- a minimum of 5 and maximum of 15-7 contact hours, and Category E -- 6.~~

The Board agreed to the deletion of (a), (b) and (c).

Mr. Iversen asked if an individual would be out of compliance with both BOC and Oregon's continuing education requirements if they were short two hours on the first year during the three year reporting period, and inquired how this situation would be viewed by the OHLA. Ms. Murphy explained the OHLA continuing education audit procedures are as follows:

- Audits performed yearly with the first beginning in December
- 10% of those actively registered during the continuing education audit time frame are audited
- A random audit selection; every tenth licensee
- Notification sent of licensees/registrants for those individuals selected
- Verification of audit documents by OHLA
- Notification letter of compliance/noncompliance
- Those in noncompliance required to submit documentation and/or clarification.
- Non-Compliance requires licensee to respond 30/60 calendar days from the date of final notification.
- Non-Compliance may result in suspension, probation or revocation.

Mr. Iversen recapped the BOC change to 75 hours of continuing education hours every three years. Ms. Patnode commented that the CE hours would be updated on the renewal notices and Web site, and pointed out that during the transition following rule adoption not every registrant will have the same CEU time frames. Ms. Murphy stated that the OHLA considers a licensee's renewal cycle in the CEU time frames.

MOTION

Mr. Iversen made a motion and Ms. Wolcott seconded to concur with the agency proposed rules as amended (noted below). The motion passed with Mr. Sherden, Dr. Rask, Mr. Iversen, Ms. Wolcott, and Ms. Stotts voting aye.

- Health Licensing Office name changed to Oregon Health Licensing Agency
- The National Athletic Trainer Association / Board of Certification (NATABOC) name changed to Board of Certification (BOC) for Athletic Trainers
- BOC implemented changes in the number of continuing education hours required within the three year reporting period. Continuing education hours were reduced from 80 to 75.

2007 Subcommittees (tape 1, counter number 744)

MOTION

Dr. Rask made a motion and Mr. Iversen seconded to reinstate the subcommittees used in 2006 for 2007. The motion passed with Mr. Sherden, Dr. Rask, Mr. Iversen, Ms. Wolcott, and Ms. Stotts voting aye.

- **Legislation/Rules:** Kathi Stotts; Bart Rask, M.D.
- **Enforcement:** David Sherden; Duane Iversen
- **Industry Liaison:** Duane Iversen; Paula Wolcott
- **Continuing Education:** Kathi Stotts; David Sherden
- **Public Safety:** Bart Rask, M.D.; Paula Wolcott

2007 Board Meeting Dates (tape 1, side 2, counter number 5)

MOTION

Ms. Wolcott made a motion and Mr. Iversen seconded to approve the 2007 board meeting dates. The motion passed with Mr. Sherden, Dr. Rask, Mr. Iversen, Ms. Wolcott, and Ms. Stotts voting aye.

- April 30, 2007
- October 8, 2007

2007 Chair and Vice Chair (tape 1, side 2, counter number 10)

MOTION

Mr. Rask made a motion and Mr. Iversen seconded to retain Duane Iversen as the chair and Paula Wolcott as vice chair for 2007. The motion passed with Mr. Sherden, Dr. Rask, Mr. Iversen, Ms. Wolcott, and Ms. Stotts voting aye.

Public Comment

No public comment

Board Interest File

Mr. Sherden summarized the board interest file.

The meeting adjourned at 11:00 a.m.

Samantha Patnode, Board Liaison