

**OREGON HEALTH LICENSING AGENCY
BOARD OF ATHLETIC TRAINERS
MINUTES OF April 24, 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, April 24, 2006, at the Oregon Health Licensing Agency in the Rhoades Conference Room, 700 Summer St NE, Suite 320, Salem, Oregon.

APPROVAL OF AGENDA

MOTION

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

MINUTES

MOTION

Mr. Stotts made a motion to approve the minutes and Ms. Wolcott 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, OHLA Fiscal Services Division Manager, reported on July 1, 2005 through March 31, 2006 biennium showing a beginning balance of \$36,133 as of July 1, 2005. Mr. Riggs explained the two main categories of interest. **Personal Services** are employee compensation and related benefits. **Services and Supplies** are non-personnel expenses for agency operations. Charges are divided into two types – direct and indirect – for each program. Indirect costs for agency operation include office supplies, rent, telephones, data processing hardware and software, etc. and costs are distributed by a prorated. Direct charges include attorney general counsel, postage, instate travel or investigative costs, and are distributed at actual rates.

As part of the 2007-09 budget development, Mr. Riggs reported OHLA is in the formative stages of establishing a uniform fee structure for OHLA regulated professions in an effort to reduce variability of fees and revenue flow. Ms. Wilson stated the proposed fee structure will reduce the number of separate administrative rules and special rulemaking required. There are currently 65 different licensing fees and the proposed change could reduce that number to six.

Mr. Riggs stated that the agency is considering flattening fees so that all will pay the same fees. If approved, a uniform fee for all 15 professions will be effective July 1, 2007. The Board reviewed the proposal for uniform fees and expressed support of the proposal.

JLCIMT Report

Ms. Wilson stated she appeared before the Joint Legislative Committee on Information Technology (JLCIMT) to report progress of the conversion and assure the electronic data provided to the public from OHLA through the Oregon.gov portal is consistent and secure. She noted the agency may need to appear before the Emergency Board at a later date if additional funding is required in the current biennium.

E-Government – License Renewal Store

Ms. Wilson stated the Oregon Health Licensing Agency (OHLA) will launch an online renewal feature on its Web site in May 2006. Licensees licensed by OHLA may access the online renewal capabilities 24 hours a day, seven days a week. The new online system will process only "clean document" payments using the latest technology to assure security. In the future these online services will be expanded for paying all fees including late fees and civil fines.

Compliance

Ms. Tamamoto, OHLA Compliance Specialist, reported on the 2005 and 2006 to date complaint percentages for the Board of Athletic Trainers, which indicated:

January 1 through December 31, 2005

Total Number of Registrants - 177

Total Number of Complaints - 3

Percent of Complaints – 1%

January 1 through March 31, 2006

Total Number of Registrants – 177

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.

Ms. Stotts asked if the Total Number of Licensees in January – 179, February – 181, and March -177 are when the licensee renewed. Ms. Tamamoto replied the numbers reported reference active status licensees.

Ms. Tamamoto reported on four closed files since the last board meeting. Mr. Iversen asked if individuals are being checked to see if they are maintaining the required licenses. Mr. Peck stated that OHLA is working towards that goal with limited Regulatory Operations Division staff. He added OHLA is requesting and proposing a policy package to increase the number of enforcement officers and support staff in the Regulatory Operations Division.

Mr. Iversen raised several issues regarding athletic trainer "student status", national certification and whether students working under the supervision or direction of a college or university while completing their training should be able to treat clients and charge for their services. He noted that some students are certified through the national Athletic Trainers Association / Board of Certification (NATA BOC), and that they are not required to be state registered to obtain the national certification. He asked if the student charges for providing athletic training services, should they be required to be registered while in a "student status"? Ms. Wilson clarified that a student, working to complete their athletic training program and under the college or university's oversight is exempt from registration requirements; however, if the student is working outside the college or university setting, that situation would require review.

Mr. Iversen commented that students are competing with registered athletic trainers and clinics within the same community, and that they are able to charge half the fee of registered practitioners. Mr. Sherden clarified that clients are paying the college or university directly for the service and are not compensating the student. He stated that a student who has obtained a NATA BOC certification and is acquiring additional graduate work at a college/university may work at a high school or clinic without direct supervision. Dr. Rask referenced medical

training, and noted that during a person's internship they practice under an attending physician, but the person is required to acquire the same license and comply with the same practice standards.

The statutory exemptions were referenced under ORS 688.718.

688.718 Registration required; exceptions

(1) A person may not practice athletic training or claim to be a registered athletic trainer unless the person is registered under ORS 688.720.

(2) Nothing in ORS 688.701 to 688.734 is intended to:

(c) Preclude any person from pursuing a supervised course of study leading to a degree or registration as an athletic trainer in an accredited or approved educational program if the person is identified student or trainee status;

Ms. Stotts suggested that a letter be sent to all universities/colleges as a reminder that students must identify themselves as "students" when practicing. Mr. Iversen asked if there is an individual on the sideline that is not NATA BOC certified, would the person have to be supervised by a registered individual? Mr. Peck stated that one cannot provide athletic training at a game without a registered person present.

Ms. Tamamoto, Compliance Specialist, reported on four closed files since the last board meeting, and stated that there were no open files.

Mr. Peck, Regulatory Operations Manager, introduced Tim Molloy, OHLA Enforcement Investigator. He provided to the Board his background which entailed being state trooper in New Hampshire for eight years and then a corporate investigator for Adidas for five years.

Licensing

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

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.

Comparison 2004 – 2005

Original Registrants Issued -2

Registrants Reviewed 10

Late Renewals -2

Total number of Registrants Issued 8

January – March 2006

Original Registrants Issued 4

Registrants Renewed 18

Late Renewals 1

Total Number of Registrants Issued 22

January – December 2005

Original Registrants Issued 29

Registrants Renewed 148

Late Renewals 23

Total Number of Registrants Issued 177

Mr. Iversen asked if there were statistics for the number of athletic trainers who relinquish their registration in a year. Ms. Murphy stated that there was an increase of 8 total number of registrations issued.

Outreach and Communication

Staff provided an overview of *OHLA Agency Overview & Service* brochure and a draft of the board member orientation handbook and script for a training video and announced both will be reviewed by the OHLA Customer Connection Committee.

Ms. Patnode demonstrated *Licensing Line* on the OHLA's Web site and the process for looking up practitioners who have an active license / inactive / expired licenses in the State of Oregon.

Board Interest File

Mr. Sherden addressed the board interest file. He summarized the Oregon Board of Nursing news article that was in the Portland Tribune. The Board asked what OHLA's process would be in responding to a similar type of complaint. Mr. Peck stated if allegations are made against an individual a suspension is not immediate and if the allegations are false then the complaint is withdrawn and no action is taken. He reminded the Board that individuals always have due process to dispute a charge and a registration would not be revoked or suspended until a final order was issued. At that time final action is public information and will be reported on the OHLA web site.

Public Comment

Ms. Murphy reported on information received from Erin Cramer regarding NATA BOC's continuing education requirements. Mr. Sherden clarified that NATA BOC is staggering the national certification period so all renewals don't occur at the same time each year. He stated the continuing hour requirements would be prorated accordingly and the overall hourly requirement is being reduced from 80 to 75 hours after 2009. He explained that holding an active CPR card will no longer be counted toward continuing education hours, although it will still be a certification requirement. The Board discussed amending Oregon's continuing education rule to coincide with NATA BOC requirements. Ms. Murphy clarified changes may need to be made to the registration renewal forms and the self attestation statement, but no revision to rules would be necessary.

The meeting adjourned at 12:00 p.m.

Susan K. Wilson, Director