

As Introduced

134th General Assembly

Regular Session

2021-2022

H. B. No. 176

Representatives Carfagna, Hall

**Cosponsors: Representatives Abrams, Riedel, Miller, J., Seitz, Gross, Troy, Young,
T., White, Bird, LaRe, Stephens, Swearingen, Fraizer, Lipps**

A BILL

To amend sections 4755.60 and 4755.62 and to enact 1
section 4755.621 of the Revised Code to revise 2
the law governing the practice of athletic 3
training and to amend the version of section 4
4755.62 of the Revised Code that is scheduled to 5
take effect on October 9, 2021, to continue the 6
changes to that section on and after that date. 7

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That sections 4755.60 and 4755.62 be amended 8
and section 4755.621 of the Revised Code be enacted to read as 9
follows: 10

Sec. 4755.60. As used in sections 4755.60 to 4755.65 and 11
4755.99 of the Revised Code: 12

(A) "Athletic training" means the practice of all of the 13
following: 14

(1) The prevention, recognition, and assessment of an 15
athletic injury and the examination, and athletic training 16
diagnosis of injuries or conditions resulting from physical 17

activities that require physical skill and utilize strength, 18
power, endurance, speed, flexibility, range of motion, or 19
agility; 20

(2) The complete management, treatment, disposition, and 21
reconditioning of acute athletic injuries upon the referral of 22
an individual authorized under Chapter 4731. of the Revised Code 23
to practice medicine and surgery, osteopathic medicine and 24
surgery, or podiatry, a dentist licensed under Chapter 4715. of 25
the Revised Code, a physical therapist licensed under this 26
chapter, or a chiropractor licensed under Chapter 4734. of the 27
Revised Code. Athletic training includes the or conditions 28
resulting from physical activities; 29

(3) The provision of emergent care, therapeutic 30
interventions, and rehabilitation for injuries or conditions 31
resulting from physical activities; 32

(4) The promotion of and education about wellness; 33

(5) The administration of topical drugs that have been 34
prescribed by a licensed health professional authorized to 35
prescribe drugs, as defined in section 4729.01 of the Revised 36
Code. Athletic training also includes the, and are administered 37
under the direction of the prescriber; 38

(5) The organization and administration of educational 39
programs and athletic training facilities, ~~and the;~~ 40

(6) The performance of athletic training research; 41

(7) The education of and consulting with the public as it 42
pertains to athletic training. 43

(B) "Athletic trainer" means a person who meets the 44
qualifications of this chapter for licensure and who ~~is employed~~ 45

~~by an educational institution, professional or amateur~~ 46
~~organization, athletic facility, or health care facility to~~ 47
practice engages in the practice of athletic training consistent 48
with the person's education and training. 49

~~(C) "The national athletic trainers association, inc."~~ 50
~~means the national professional organization of athletic~~ 51
~~trainers that provides direction and leadership for quality~~ 52
~~athletic training practice, education, and research~~ 53
athletic training diagnosis" means the judgment made after examining, 54
evaluating, assessing, or interpreting symptoms presented by a 55
patient to establish the cause and nature of the patient's 56
injury, condition, or functional impairment and the plan of care 57
for that injury, condition, or impairment within the scope of 58
athletic training. "Athletic training diagnosis" does not 59
include a medical diagnosis. 60

~~(D) "Athletic injury" means any injury sustained by an~~ 61
~~individual that affects the individual's participation or~~ 62
~~performance in sports, games, recreation, exercise, or other~~ 63
~~activity that requires physical strength, agility, flexibility,~~ 64
~~speed, stamina, or range of motion~~ 65
Collaboration agreement" is an 66
agreement that satisfies the requirements of section 4755.621 of 67
the Revised Code.

Sec. 4755.62. (A) No person shall claim to the public to 68
be an athletic trainer or imply by words, actions, or letters 69
that the person is an athletic trainer, or otherwise engage in 70
the practice of athletic training, unless the person is licensed 71
as an athletic trainer pursuant to this chapter. 72

(B) Except as otherwise provided in division (B) of 73
section 4755.65 of the Revised Code, no educational institution, 74
partnership, association, or corporation shall advertise or 75

otherwise offer to provide or convey the impression that it is 76
providing athletic training unless an individual licensed as an 77
athletic trainer pursuant to this chapter is employed by, or 78
under contract to, the educational institution, partnership, 79
association, or corporation and will be performing the athletic 80
training services to which reference is made. 81

(C) To qualify for an athletic trainers license, a person 82
shall: 83

(1) Have satisfactorily completed an application for 84
licensure in accordance with rules adopted by the athletic 85
trainers section of the Ohio occupational therapy, physical 86
therapy, and athletic trainers board under section 4755.61 of 87
the Revised Code; 88

(2) Have paid the examination fee required under this 89
section; 90

(3) Be of good moral character; 91

(4) Have shown, to the satisfaction of the athletic 92
trainers section, that the applicant has received a 93
baccalaureate or higher degree from an institution of higher 94
education, approved by the athletic trainers section of the 95
board and the federal regional accreditation agency and 96
recognized by the council on postsecondary accreditation, and 97
has satisfactorily completed the educational course work 98
requirements established by rule of the athletic trainers 99
section under section 4755.61 of the Revised Code. 100

(5) In addition to educational course work requirements, 101
have obtained supervised clinical experience that meets the 102
requirements established in rules adopted by the athletic 103
trainers section under section 4755.61 of the Revised Code; 104

(6) Have passed an examination adopted by the athletic trainers section under division (A) (8) of section 4755.61 of the Revised Code. Each applicant for licensure shall pay, at the time of application, the nonrefundable examination fee set by the athletic trainers section.

(D) The section may waive the requirements of division (C) of this section for any applicant who presents proof of current licensure in another state whose standards for licensure, as determined by the section, are equal to or greater than those in effect in this state on the date of application.

(E) The section shall issue a license to every applicant who complies with the requirements of division (C) of this section, files the required application form, and pays the fees required by section 4755.61 of the Revised Code. ~~A Each licensee shall display the licensee's license in a conspicuous place at the licensee's principal place of employment.~~

A license issued under this section entitles the holder to engage in the practice of athletic training, claim to the public to be an athletic trainer, or to imply by words or letters that the licensee is an athletic trainer. ~~Each licensee shall display the licensee's license in a conspicuous place at the licensee's principal place of employment.~~ A license issued under this section does not entitle the holder to provide, offer to provide, or represent that the holder is qualified to provide any care or services for which the holder lacks the education, training, or experience to provide or is prohibited by law from providing.

Sec. 4755.621. (A) As used in this section, "physician" means an individual authorized under Chapter 4731. of the Revised Code to practice medicine and surgery, osteopathic medicine and surgery, or podiatric medicine and surgery.

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| <u>(B) (1) A person licensed as an athletic trainer pursuant</u> | 135 |
| <u>to this chapter shall engage in the practice of athletic</u> | 136 |
| <u>training only if the person acts as follows:</u> | 137 |
| <u>(a) Upon the referral of one or more of the following:</u> | 138 |
| <u>(i) A physician;</u> | 139 |
| <u>(ii) A dentist licensed under Chapter 4715. of the Revised</u> | 140 |
| <u>Code;</u> | 141 |
| <u>(iii) A physical therapist licensed under this chapter;</u> | 142 |
| <u>(iv) A chiropractor licensed under Chapter 4734. of the</u> | 143 |
| <u>Revised Code;</u> | 144 |
| <u>(v) Subject to division (B) (2) of this section, an</u> | 145 |
| <u>athletic trainer licensed under this chapter;</u> | 146 |
| <u>(vi) A physician assistant licensed under Chapter 4730. of</u> | 147 |
| <u>the Revised Code;</u> | 148 |
| <u>(vii) A certified nurse practitioner licensed under</u> | 149 |
| <u>Chapter 4723. of the Revised Code.</u> | 150 |
| <u>(b) Pursuant to a collaboration agreement that satisfies</u> | 151 |
| <u>the requirements of division (C) of this section.</u> | 152 |
| <u>(2) A person licensed as an athletic trainer may practice</u> | 153 |
| <u>athletic training upon the referral of an athletic trainer</u> | 154 |
| <u>described in division (B) (1) (a) (v) of this section only if the</u> | 155 |
| <u>athletic training has already been recommended and referred by a</u> | 156 |
| <u>health care provider described in division (B) (1) (a) of this</u> | 157 |
| <u>section who is not an athletic trainer.</u> | 158 |
| <u>(C) A person licensed as an athletic trainer pursuant to</u> | 159 |
| <u>this chapter shall enter into a collaboration agreement with one</u> | 160 |
| <u>or more physicians. The agreement shall be in writing and signed</u> | 161 |

by the athletic trainer and each physician with whom the 162
athletic trainer collaborates. A copy of the agreement shall be 163
maintained in the records of the athletic trainer and each 164
collaborating physician. The agreement shall address all of the 165
following: 166

(1) The duties and responsibilities to be fulfilled by the 167
athletic trainer when engaging in the practice of athletic 168
training; 169

(2) Any limitations on the athletic trainer's practice of 170
athletic training; 171

(3) A plan of care for patients treated by the athletic 172
trainer. 173

Section 2. That existing sections 4755.60 and 4755.62 of 174
the Revised Code are hereby repealed. 175

Section 3. That the version of section 4755.62 of the 176
Revised Code that is scheduled to take effect October 9, 2021, 177
be amended to read as follows: 178

Sec. 4755.62. (A) No person shall claim to the public to 179
be an athletic trainer or imply by words, actions, or letters 180
that the person is an athletic trainer, or otherwise engage in 181
the practice of athletic training, unless the person is licensed 182
as an athletic trainer pursuant to this chapter. 183

(B) Except as otherwise provided in division (B) of 184
section 4755.65 of the Revised Code, no educational institution, 185
partnership, association, or corporation shall advertise or 186
otherwise offer to provide or convey the impression that it is 187
providing athletic training unless an individual licensed as an 188
athletic trainer pursuant to this chapter is employed by, or 189
under contract to, the educational institution, partnership, 190

association, or corporation and will be performing the athletic 191
training services to which reference is made. 192

(C) To qualify for an athletic trainers license, a person 193
shall: 194

(1) Have satisfactorily completed an application for 195
licensure in accordance with rules adopted by the athletic 196
trainers section of the Ohio occupational therapy, physical 197
therapy, and athletic trainers board under section 4755.61 of 198
the Revised Code; 199

(2) Have paid the examination fee required under this 200
section; 201

(3) Have shown, to the satisfaction of the athletic 202
trainers section, that the applicant has received a 203
baccalaureate or higher degree from an institution of higher 204
education, approved by the athletic trainers section of the 205
board and the federal regional accreditation agency and 206
recognized by the council on postsecondary accreditation, and 207
has satisfactorily completed the educational course work 208
requirements established by rule of the athletic trainers 209
section under section 4755.61 of the Revised Code. 210

(4) In addition to educational course work requirements, 211
have obtained supervised clinical experience that meets the 212
requirements established in rules adopted by the athletic 213
trainers section under section 4755.61 of the Revised Code; 214

(5) Have passed an examination adopted by the athletic 215
trainers section under division (A) (8) of section 4755.61 of the 216
Revised Code. Each applicant for licensure shall pay, at the 217
time of application, the nonrefundable examination fee set by 218
the athletic trainers section. 219

(D) The section may waive the requirements of division (C) 220
of this section for any applicant who presents proof of current 221
licensure in another state whose standards for licensure, as 222
determined by the section, are equal to or greater than those in 223
effect in this state on the date of application. 224

(E) The section shall issue a license to every applicant 225
who complies with the requirements of division (C) of this 226
section, files the required application form, and pays the fees 227
required by section 4755.61 of the Revised Code. ~~A Each licensee~~ 228
shall display the licensee's license in a conspicuous place at 229
the licensee's principal place of employment. 230

A license issued under this section entitles the holder to 231
engage in the practice of athletic training, claim to the public 232
to be an athletic trainer, or to imply by words or letters that 233
the licensee is an athletic trainer. ~~Each licensee shall display~~ 234
~~the licensee's license in a conspicuous place at the licensee's~~ 235
~~principal place of employment~~A license issued under this section 236
does not entitle the holder to provide, offer to provide, or 237
represent that the holder is qualified to provide any care or 238
services for which the holder lacks the education, training, or 239
experience to provide or is prohibited by law from providing. 240

Section 4. That the existing version of section 4755.62 of 241
the Revised Code that is scheduled to take effect October 9, 242
2021, is hereby repealed. 243

Section 5. Sections 3 and 4 of this act take effect 244
October 9, 2021. 245