

# STATEMENT OF SCOPE

## Athletic Trainers Affiliated Credentialing Board

Rule No.: Chapters AT 1 to 4

Relating to: Practice of athletic trainers

Rule Type: Permanent

### 1. Finding/nature of emergency (Emergency Rule only):

N/A

### 2. Detailed description of the objective of the proposed rule:

The objective of the proposed rule is to reflect the provisions of 2009 Wisconsin Act 162, which made the following changes to the practice of athletic trainers:

- Removed provisions authorizing the Athletic Trainers Affiliated Credentialing Board to grant temporary licenses.
- Changed the definition of athletic training by replacing the term “athletic injuries” with “injuries or illnesses sustained while participating in physical activity” in the activities that constitute athletic training.
- Expanded the definition of athletic training to include the following activities:
  - Rehabilitating and physically reconditioning injuries or illnesses that impede or prevent an individual from returning to participation in physical activity, if the individual recently participated in, and intends to return to participation in, physical activity.
  - Establishing or administering risk management, conditioning, and injury prevention programs.
- Changed the name of the entity that may certify an athletic trainer to the National Athletic Trainers’ Association Board of Certification, Inc. (NATABOC), or its successor agency.
- Removed the requirement that an evaluation and treatment protocol established by an athletic trainer and approved by the consulting physician contain a requirement that the athletic trainer notify the consulting physician as soon as possible if a person being treated by the athletic trainer sustains a new injury.
- Revised practice requirements to allow an athletic trainer to provide athletic training to an individual without a referral, except that a licensee may not provide certain rehabilitation and reconditioning services in an outpatient rehabilitation setting unless the licensee has obtained a written referral for the individual from a practitioner licensed or certified under subch. II, III, IV, V, or VII of ch. 448, Stats.; ch. 446, Stats.; or s. 441.16 (2), Stats.

### 3. Description of the existing policies relevant to the rule, new policies proposed to be included in the rule, and an analysis of policy alternatives:

Chapters AT 1 to 5 contain all of the rules of the Athletic Trainers Affiliated Credentialing Board relating to the practice of athletic trainers. The following changes are proposed to reflect the provisions of 2009 Wisconsin Act 162:

- Chapter AT 1: Revise the definition of “NATABOC” and create a definition of “physical activity” based on the respective statutory definitions.

- Chapter AT 2: Remove references to temporary licenses by repealing ss. AT 2.03, 2.04, and 2.05.
- Chapter AT 3: Specify in ss. AT 3.01 and 3.03 that a successor agency of NATABOC may provide required approvals and certifications.
- Chapter AT 4: Replace the term “athletic injury” with “injury or illness sustained while participating in physical activity” in s. AT 4.01 (1) (intro.), (2) (intro.), (3) (intro.), and (4) (intro.). Repeal s. AT 4.02 (1), which provides a protocol must require an athletic trainer to notify the consulting physician as soon as possible if a person being treated by the athletic trainer sustains new injuries.

If the rules are not updated, they will not reflect the provisions of 2009 Wisconsin Act 162.

**4. Detailed explanation of statutory authority for the rule (including the statutory citation and language):**

Section 15.085 (5) (b), Stats., provides affiliated credentialing boards “[s]hall promulgate rules for its own guidance and for the guidance of the trade or profession to which it pertains. . .”

Section 448.9525 (2), Stats., provides that, subject to s. 448.956 (1), (4), and (5), Stats., the Athletic Trainers Affiliated Credentialing Board and the Medical Examining Board shall jointly promulgate rules relating to the minimum requirements of a protocol required under s. 448.956 (1), Stats.

**5. Estimate of amount of time that state employees will spend developing the rule and of other resources necessary to develop the rule:**

80 hours

**6. List with description of all entities that may be affected by the proposed rule:**

Individuals seeking Wisconsin licensure as an athletic trainer, individuals licensed in Wisconsin as athletic trainers, and consulting physicians for Wisconsin licensed athletic trainers.

**7. Summary and preliminary comparison with any existing or proposed federal regulation that is intended to address the activities to be regulated by the proposed rule:**

None.

**8. Anticipated economic impact of implementing the rule (note if the rule is likely to have a significant economic impact on small businesses):**

The proposed rule will have minimal to no economic impact on small businesses and the state’s economy as a whole.

**Contact Person:** Dale Kleven, (608) 261-4472, DSPSAdminRules@wisconsin.gov