



Ohio Occupational Therapy, Physical Therapy,
and Athletic Trainers Board

*Athletic Trainers Section
January 19, 2011
9:30 a.m.*

Members Present

Rebekah Bower, AT, Chairperson
Jason Dapore, DO (arrived @ 10:00 am)
Brian Hartz, AT, PhD, Secretary
Aaron Galpert, AT
Vincent O'Brien, AT

Staff

H. Jeffery Barker, Investigator
Diane Moore, Executive Assistant
Lisa Ratinaud, Enforcement Division Supervisor
Jeffrey Rosa, Executive Director
Andrew Snouffer, Investigator

Legal Counsel

Yvonne Tertel, AAG

Call to Order

The meeting was called to order by the Section Chairperson, Rebekah Bower, at 9:45 a.m.

Approval of Minutes

Action: Brian Hartz moved that the minutes from the November 10, 2010, meeting be approved as corrected. Vincent O'Brien seconded the motion. Jason Dapore was absent for the vote. The motion carried.

Executive Director's Report

- The Executive Director discussed the License Review Metrics addition to the formal Executive Director's report. The Executive Director compiled raw data to monitor the Board office operations and efficiencies as it relates the length of time it takes for the Board to review and process license applications.
- The Executive Director gave an overview of the OAKS Self-Service module and provided clarification on how to edit the personal data in OAKS.
- The Executive Director informed the Section that Jan Allen was appointed as the Board's public member.
- The Executive Director informed the Section that there may be potential changes to the disciplinary guidelines to comply with the spirit of Governor Kasich's Executive Order 2011-01K.

The formal Executive Director's report is attached to the minutes for reference.

Action: Vincent O'Brien moved to go into executive session to discuss personnel matters. Brian Hartz seconded the motion.

The Executive Director called the roll:

Roll Call

Rebekah Bower	Yes
Jason Dapore	Absent
Aaron Galpert	Yes
Brian Hartz	Yes
Vincent O'Brien	Yes

The section went into executive session at 9:57 am and came out at 10:01 am. There was no action taken.

Discussion of Law Changes

The Section reviewed the proposed rules that will be addressed at the public hearing today.

Administrative Reports

Continuing Education

Action: Brian Hartz moved that the Athletic Trainers Section ratify, as submitted, three continuing education applications approved by the Ohio Occupational Therapy, Physical Therapy, and Athletic Trainers Board from November 10, 2010, through January 19, 2011. Vincent O'Brien seconded the motion. The motion carried.

Licensure Applications

Action: Vincent O'Brien moved that the Athletic Trainers Section ratify, as submitted, the athletic training licenses issued by examination, endorsement, and reinstatement by the Ohio Occupational Therapy, Physical Therapy, and Athletic Trainers Board from November 10, 2010, through January 19, 2011, taking into account those licenses subject to discipline, surrender, or non-renewal. Brian Hartz seconded the motion. The motion carried.

Examination Applicants

Ackermann, Nicole	Antonelli, Nicholas	Aurand, Madeline
Barto, Kelli	Coleman, Jason	Cydrus, Melissa
Evans, Linzie	Fry, Derek	Grosser, Katrina
Haldeman, Ashley	Hines, Nathan	Jackson, Ruby
James, Jessica	Kissling, Kyle	Moneysmith, Kurt
Nard, Jillian	Shuster, Yekaterina	Wahl, David
Yocca, Jason		

Endorsement Applicants

Bailey, Tara	Ichiyonagi, Takeo	Myles, Abbey
Spiro, Stephen	Wicks, Eric	Womack, Anola

Reinstatement Applicants

Beacham, Avon	Difranco, Jeannine	Pauley, Tiffany
Rosselot, Faith	Stamper, Teresa	Von De Linde, Jeffrey
Wells, Todd	Yniguez, Stephanie	

Case Review Liaison Report

The Enforcement Division opened seven new cases and closed three cases since the November 10, 2010 meeting. There are currently eleven open cases.

Enforcement Division Actions

Aaron Galpert recommended that the Section issue a notice of opportunity for hearing for case number AT-FY11-011 for failure to respond to the 2010 continuing education audit. **Action:** Vincent O'Brien moved that the Section issue a notice of opportunity for hearing for case number AT-FY11-011 for failure to respond to the 2010 continuing education audit. Brian Hartz seconded the motion. Aaron Galpert abstained from voting. The motion carried.

Aaron Galpert recommended that the Section issue a notice of opportunity for hearing for case number AT-FY11-012 for failure to respond to the 2010 continuing education audit. **Action:** Vincent O'Brien moved that the Section issue a notice of opportunity for hearing for case number AT-FY11-012 for failure to respond to the 2010 continuing education audit. Brian Hartz seconded the motion. Aaron Galpert abstained from voting. The motion carried.

Aaron Galpert recommended that the Section issue a notice of opportunity for hearing for case number AT-FY11-014 for failure to complete the continuing education ethics requirement for the 2010 license renewal. **Action:** Vincent O'Brien moved that the Section issue a notice of opportunity for hearing for case number AT-FY11-014 for failure to complete the continuing education ethics requirement for the 2010 license renewal. Brian Hartz seconded the motion. Aaron Galpert abstained from voting. The motion carried.

Aaron Galpert recommended that the Section issue a notice of opportunity for hearing for case number AT-FY11-013 for failure to respond to the 2010 continuing education audit. **Action:** Vincent O'Brien moved that the Section issue a notice of opportunity for hearing for case number AT-FY11-013 for failure to respond to the 2010 continuing education audit. Brian Hartz seconded the motion. Aaron Galpert abstained from voting. The motion carried.

Aaron Galpert recommended that the Section accept the consent agreement for case AT-FY11-003 in lieu of going to a hearing. **Action:** Vincent O'Brien moved to accept the consent agreement for case AT-FY11-003 in lieu of going to a hearing. Brian Hertz seconded the motion. Aaron Galpert and Rebekah Bower abstained from voting. The motion carried. The Section accepted the consent agreement for Julie Blowers, AT.

Aaron Galpert recommended that the Section accept the consent agreement for case AT-FY11-004 in lieu of going to a hearing. **Action:** Vincent O'Brien moved to accept the consent agreement for case AT-FY11-004 in lieu of going to a hearing. Brian Hertz seconded the motion. Aaron Galpert abstained from voting. The motion carried. The Section accepted the consent agreement for Tiffany Pauley, AT.

Assistant Attorney General Report

Yvonne Tertel, AAG, had no formal report.

Correspondence

1. **Andy Holtzapfel:** Mr. Holtzapfel asked the Section for clarification on whether an athletic trainer can take a photo of an athletic injury and share the photo with others without compromising ethical standards. **Reply:** The Code of Ethical Conduct for athletic trainers, established in rule 4755-41-01(A)(4)(b) of the Ohio Administrative Code, states that information relating to the athletic trainer-patient relationship is confidential and may not be communicated to a third party not involved in that patient's care without the prior written consent of the patient or the patient's representative, or unless otherwise allowed by law. Information must be disclosed when required by law for the protection of the patient or the public. This provision applies whether or not the photo includes the face or other identifying physical characteristics of the patient. Whether the photo is considered a form of medical documentation or records would depend on the purpose of the photo. For example, if the photo is being taken for use in an educational setting, such as a classroom, it would not be considered to be a medical record. The Section recommends that you refer to the institution and facility policies as they may be more restrictive than the Ohio Athletic Training Practice Act.
2. **Jennifer Colleen Dix:** Ms. Dix asked the Section if an athletic trainer can make a return to play decision for a visiting team athlete with a suspected concussion. **Reply:** The Athletic Trainers Section reviewed the OHSAA Guidelines related to concussion and concussed athletes and return to play decisions at the January 19, 2011 Section meeting. Athletic trainers may provide visiting teams, traveling without an athletic trainer or team physician, first aid/emergency care and routine care. They should not provide restorative treatments or return an injured athlete or an athlete with a suspected injury to participation. The information contained in this response would also apply to the visiting team athletic trainer if the home team did not have an athletic trainer. The Athletic Trainers Section is working to educate athletic trainers in the correct credentials to use in professional signatures. Licensed athletic trainers in Ohio should use the credential "AT" following their name to indicate licensure. The credential "ATC" is a credential trademarked by Board of Certification to be used by individuals holding current BOC certification. Licensed athletic trainers should sign their name as Jane Smith, AT. The BOC prohibits individuals from adding "/L" after the "ATC" to indicate licensure.

Old Business

Return to Practice Requirements for Athletic Trainers

The Section reviewed the Board of Certification requirements for retaking the BOC certification examination. The Section discussed taking a self-assessment as a potential remedial activity for reentry the practice of athletic training. The Section will examine the tools developed by Board of Certification for continuing competence at the March Section meeting.

New Business

Public Rules Hearing

The Section held a public rules hearing from 10:35 am to 10:41 am for the following rules: 4755-41-03, 4755-43-01, 4755-43-06, 4755-44-02, 4755-48-01, and 4755-48-02.

Foreign Educated Application Requirements

Based on the information received from the Board of Certification, internally educated applicants are not currently eligible to sit for the BOC certification examination. The Section discussed some potential requirements for foreign educated applicants, including taking an English equivalency examination such as TOEFL-ibt. The Section will continue discussions on this topic at the March Section meeting.

OATA Presentation Preparation

The Section will present at the OATA on May 6, 2011. The Section will include case scenarios as part of the presentation. The scenarios will include the use of inhalers; concussion management and return to play decisions; patient privacy; AT to AT referral; requirement for licensure prior to practicing; PT vs. AT referrals; student supervision; and personal behavior/impaired practitioner. Rebekah Bower will coordinate the presentation contents. Board members were requested to forward scenarios to Ms. Bower by mid-February. The Section will review the scenarios at the March Section meeting.

Discussion on Newsletter Articles

The Section discussed the contents for the Section newsletter, which includes rule changes since the last newsletter; the Athletic Trainers Jurisprudence Examination deadline clarification and rationale; online renewal system and timeliness completing the renewal; elimination of pocket identification cards and how verify licensure status; utilizing the Board website to find answers to frequently asked questions, consumer information, and disciplinary actions.

Online Renewal Practice Settings

The Executive Director informed the Section that the Board was requested to add "long term acute care" as new practice setting to the online renewal practice settings. This setting is mostly used in occupational and physical therapy practice. The Executive Director will make revisions based on the recommendations from the Occupational and Physical Therapy Sections.

Ohio Athletic Trainers Association (OATA)

There was no formal report.

Items for the Next Meeting

- Return to Practice Requirements for Athletic Trainers
- Foreign Educated Application Requirements
- OATA Presentation Preparation
- Newsletter Update
- Review Five Year Rules

Next Meeting Date

The next meeting date of the Athletic Trainers Section will be Thursday, March 10, 2011.

Adjournment

Brian Hartz moved that the meeting be adjourned. Vincent O'Brien seconded the motion. The motion carried. The meeting adjourned at 11:40 a.m.

Respectfully submitted,
Diane Moore

Rebekah Bower, AT, Chairperson
Ohio Occupational Therapy, Physical Therapy, and
Athletic Trainers Board, Athletic Trainers Section

Brian Hartz, AT, Secretary
Ohio Occupational Therapy, Physical Therapy, and
Athletic Trainers Board, Athletic Trainers Section

Jeffrey M. Rosa, Executive Director
Ohio Occupational Therapy, Physical Therapy, and
Athletic Trainers Board

BH:jmr:dm