



Ohio Occupational Therapy, Physical Therapy,
and Athletic Trainers Board

Athletic Trainers Section
January 9, 2013
9:30 a.m.

Members Present

Aaron Galpert, AT, Chair
Brian Hartz, AT, PhD
Kimberly Peer, AT, EdD

Members Absent

Jason Dapone, DO

Legal Counsel

Yvonne Tertel, AAG

Staff

H. Jeff Barker, Investigator
Diane Moore, Executive Assistant
Adam Pennell, Investigator Assistant
Lisa Ratinaud, Enforcement Division Supervisor
Jeffrey Rosa, Executive Director

Guests

Amy Bernard
Karli Dill
Amy Wheeler

Call to Order

Aaron Galpert, Section Chair, called the meeting to order at 9:30 a.m.

The Section welcomed the new board member, Kimberly Peer.

Approval of Minutes

Action: Brian Hartz moved that the minutes from the November 7, 2012, meeting be approved as submitted. Kimberly Peer seconded the motion. The motion carried.

Executive Director's Report

- The Executive Director informed that Section that the Governor's Office appointed Kimberly Peer to replace Vincent O'Brien.
- The Executive Director informed the Section that the Board's spending is in line with projections. The Governor's FY 14-15 Budget will be released at the beginning of February.
- The Executive Director informed the Section that since the last meeting the 129th General Assembly adjourned. The youth sports concussion bill passed at the end of the General Assembly.
- The Executive Director informed the Section that the State of Ohio selected the new licensing system. The Board is one of the pilot boards that will migrate to the new licensing system in February or March of 2013. The goal is to have all agencies on the new licensing system by the end of FY 2014.

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

Special Orders

Election of Officers

Action: Brian Hartz nominated Kimberly Peer to be Section Secretary for the period beginning January 9, 2013 and ending immediately following the September 2013 Section meeting. Aaron Galpert seconded the nomination. All members present voted to elect Kimberly Peer as Section Secretary.

Discussion of Law and Rule Changes

The Section is waiting on from the recommendations from the Common Sense Initiative Office prior to filing the proposed 2013 rules changes. Assuming the recommendations are received in a timely manner, the rules hearing will occur at the March meeting.

Administrative Reports

Licensure Applications

Action: Kimberly Peer 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 7, 2012, through January 9, 2013, taking into account those licenses subject to discipline, surrender, or non-renewal. Brian Hartz seconded the motion. The motion carried.

Examination Applicants

| | | |
|--------------------|------------------|-------------------|
| Acksel, Cara | Frey, Alyssa | Giles, Brandon |
| Hermanns, Lauren | Jacob, Erik | League, Gabrielle |
| Leonhard, Samantha | Warner, Michelle | |

Endorsement Applicants

| | | |
|------------------|---------------------|-----------------|
| Bono, Samantha | Harris, Christopher | Lewis, Caroline |
| Rigdon, Brittney | | |

Reinstatement Applicants

| | | |
|-------------------|---------------|---------------------|
| Angeline, Jeffrey | Durbin, Megan | Potter, Christopher |
| Wheeler, Laura | | |

Action: Brian Hartz moved that pursuant to rule 4755-43-04(C) of the Administrative Code, the Section approve the athletic training education for examination applicant #5230784 based on the documentation provided. Kimberly Peer seconded the motion. The motion carried. The Section accepted the education for Kristen Anne Wells.

Continuing Education Approval

There were eight continuing education applications were approved since the November 7, 2012 meeting.

Action: Kimberly Peer moved that the Section deny one continuing education application. Brian Hartz seconded the motion. The motion carried.

Event Approval

There was one event approved since the November 7, 2012 meeting.

Assistant Attorney General Report

Yvonne Tertel, AAG, had no formal report for the Section.

Case Review Liaison Report

Brian Hartz reported that the Enforcement Division opened six cases and closed three cases since the November 7, 2012 meeting. There are eight cases currently open. There are zero consent agreements being monitored.

Old Business

None

New Business

Equivalency of Canadian Educated Athletic Trainers

The Section discussed whether the Canadian athletic therapy educational curriculum meets the educational requirements to be licensed as an athletic trainer in the State of Ohio. The Section noted that the Board of Certification has a mutual recognition agreement with the Canadian Athletic Therapists Association. This agreement allows certified individuals take each other's certification examinations. This however, does not mean that the individual meets the educational requirements for state licensure. In conclusion, the Section determined that the education of a Canadian educated applicant will be reviewed by the Section on a case-by-case basis.

Physician Assistant Referrals

The Section discussed adding physician assistants and nurse practitioners to the referral source for athletic trainers. This addition would require a statute change. The Section will get feedback from OATA and physicians on this topic and how the potential changes would impact non-traditional athletic training practice settings.

Correspondence

1. **Dan Schultz, AT:** Mr. Schultz asked the Section if athletic trainers can perform dry needling. **Reply:** There is nothing in the Ohio Athletic Trainers Practice Act that prohibits an athletic trainer from performing dry needling as part of the athletic training plan of care. However, the athletic trainer must produce evidence of appropriate training and demonstrate knowledge and competency in administering the dry needling prior to treating a client.
2. **Kristen Bretz:** Ms. Bretz asked the Section if it is in the scope of practice for athletic trainers to administer vaccinations and if so, what training/certification is required. **Reply:** Section 4755.60 of the Ohio Revised Code states that “athletic training includes the administration of topical drugs that have been prescribed by a licensed health care professional authorized to prescribe drugs, as defined in section 4729.01 of the Revised Code.” Ohio law prohibits athletic trainers from administering injections.
3. **Chris Severns, AT:** Mr. Severns asked the Section for resources on how athletic trainers can bill for services while working under a physician. **Reply:** Your question about billing relates to payer policies and not to the Ohio Athletic Training Practice Act. The Athletic Trainers Section recommends that you contact the appropriate third party payer to address your specific question. You may also contact the Ohio Athletic Trainers Association for additional information on billing.
4. **Mark Stefanik, AT:** Mr. Stefanik asked the Section for clarification regarding making return to play decisions based on the new AT Section/OATA guidelines document posted on the Board’s website. **Reply:** As noted in the document, an athletic trainer can only practice pursuant to a referral from one of the health care practitioners listed in the Ohio Athletic Training Practice Act. The Board has interpreted standard operating procedures (SOP) to meet the referral requirement. Since referrals and/or SOPs must be made for individual athletes, an athletic trainer providing coverage at a district tournament would be required to follow the restrictions that apply to visiting team athletes. As the guidelines clarify, under the Ohio Athletic Training Practice Act, an athletic trainer may legally provide first aid and routine services to all of the athletes participating at the district tournament. The athletic trainer, however, may not provide restorative services, which are defined as patient specific instructions for use with a diagnosed injury or as prescribed by the referral source, to the participating athletes. They may also not return an injured athlete to play.
5. **Amy Bernard, AT:** Ms. Bernard asked the Section for clarification regarding making return to play decisions based on the new AT Section/OATA guidelines document posted on the Board’s website. **Reply:** Under the Ohio Athletic Training Practice Act, all athletic trainers must obtain a referral for treatment in a timely manner. How the referral system between the athletic trainer and the team physician works should be outlined in the standard operating procedure (SOP). For example, some physicians will specify in the SOP that the physician will want to physically see the athlete in certain circumstances. In other cases, the SOP will not require the physician to see the athlete. In either case, the law requires the athletic trainer to obtain the physician referral to continue treatment. This process should be clearly defined and followed in the SOP. In response to your second question, an athletic trainer would need a direct referral from a physician to provide restorative treatments to a visiting team athlete. For your athletes, you may have a direct referral from the team physician or provide the restorative services pursuant to your SOP. Whether you obtain the direct referral or provide the services pursuant to the SOP is a decision that should be made collaboratively with the team physician. The SOP should outline procedures to be followed with injuries and how referrals are to be made and secured in a timely manner.
6. **Christina Thompson, AT:** Ms. Thompson asked the Section if athletic trainers can store or administer over the counter medications like Tylenol or Advil in an industrial setting. **Reply:** The Section recommends that you review the NATA’s *Consensus Statement: Managing Prescriptions and Non-Prescription Medication in the Athletic Training Facility (January 2009)*, <http://www.nata.org/sites/default/files/ManagingMedication.pdf>). The Section also recommends that you refer to the pharmacy laws governed by the Ohio State Board of Pharmacy for clarification on the

appropriate use and storage of non-prescription medications and how those provisions apply to the practice of athletic training.

Ohio Athletic Trainers Association (OATA)

Jeff Sczpanski submitted a written report that contained the following information:

- OATA thanked the Section for working on the joint document regarding athletic training scope of practice.
- OATA is working on educational pieces regarding the new legislation on concussion management and OHSAA requirements.

Open Forum

The Section welcomed the guests in attendance. The guests asked the Section for clarification regarding making return to play decisions based on the new AT Section/OATA guidelines document. Brian Hertz provided clarification for the guests.

Items for the Next Meeting

- Synopsis of Proposed Law Changes
- Public Rules Hearing

Next Meeting Date

The next meeting date of the Athletic Trainers Section will be Thursday, March 7, 2013, at 9:30 am.

Adjournment

Action: Brian Hertz moved that the meeting be adjourned. Kimberly Peer seconded the motion. The motion carried. The meeting adjourned at 10:30 a.m.

Respectfully submitted,
Diane Moore

Aaron Galpert, AT, Chair
Ohio Occupational Therapy, Physical Therapy, and
Athletic Trainers Board, Athletic Trainers Section

Kimberly Peer, 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

KP:jmr:dm