



Ohio Occupational Therapy, Physical Therapy,  
and Athletic Trainers Board

*Athletic Trainers Section*  
*March 7, 2013*  
*9:00 a.m.*

**Members Present**

Jason Dapore, DO  
Aaron Galpert, AT, Chair  
Brian Hertz, AT, PhD  
Kimberly Peer, AT, EdD, Secretary

**Staff**

H. Jeff Barker, Investigator  
Jeffrey Rosa, Executive Director

**Legal Counsel**

Yvonne Tertel, AAG

**Guests**

William Behrendt (JCARR)  
Shakeba DuBose

**Call to Order**

Aaron Galpert, Section Chair, called the meeting to order at 9:08 a.m.

**Approval of Minutes**

**Action:** Kimberly Peer moved that the minutes from the January 9, 2013, meeting be approved as submitted. Brian Hertz seconded the motion. The motion carried.

**Action:** Brian Hertz moved that the Section go into Executive Session to discuss personnel matters related to the employment of a state employee pursuant to ORC 121.22(G)(1). Jason Dapore seconded the motion.

The Executive Director called the roll:

Aaron Galpert	Yes
Jason Dapore	Yes
Brian Hertz	Yes
Kimberly Peer	Yes

The Section went into Executive Session at 9:28 am and came out at 9:33 am. There was no action taken.

**Administrative Reports**

**Licensure Applications**

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

**Examination Applicants**

Bearsby, Kelly	Caskey, Laura	Cleves, Andrew
Dryhurst, Rachael	Elswick, Valerie	Evans, Kiana
Filip, Bree	Legan, Jacob	Long, Chelsey
Manns, James	Maurer, Lee	Palmer, Lauren
Rentschler, Christopher	Roemer, Erika	Roush, Gabriel
Shinkle, Brooke	Wells, Kristen	Zoulek, Samantha

**Endorsement Applicants**

Barbone, Scott	Chinn, Lisa	Elliott, Marah
Herbst, Krista	Houston, Kara	Lowe, Chelsea
Palmer, Thomas	Poletta, Esther	Ripperger, Jennifer

Sutton, Kristen

Varchetto, Gina

Reinstatement Applicants

Connolly, Mary

Dowler, Misty

Durbin, Stephanie

**Continuing Education Approval**

There were nine continuing education applications were approved since the January 9, 2013 meeting.

**Event Approval**

None

**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 zero cases and closed two cases since the January 9, 2013 meeting. There are six cases currently open. There are zero consent agreements being monitored.

**Enforcement Actions**

Brian Hartz recommended that the Section issue a notice of opportunity for hearing for case number AT-FY13-006 for failure to complete continuing education required for licensure renewal. **Action:** Jason Dapore moved that the Section issue a notice of opportunity for hearing for case number AT-FY13-006 for failure to complete continuing education required for licensure renewal. Kimberly Peer seconded the motion. Brian Hartz abstained from voting. The motion carried.

Brian Hartz recommended that the Section issue a notice of opportunity for hearing for case number AT-FY13-007 for failure to complete continuing education required for licensure renewal. **Action:** Jason Dapore moved that the Section issue a notice of opportunity for hearing for case number AT-FY13-007 for failure to complete continuing education required for licensure renewal. Kimberly Peer seconded the motion. Brian Hartz abstained from voting. The motion carried.

Brian Hartz recommended that the Section issue a notice of opportunity for hearing for case number AT-FY13-008 for failure to complete continuing education required for licensure renewal. **Action:** Jason Dapore moved that the Section issue a notice of opportunity for hearing for case number AT-FY13-008 for failure to complete continuing education required for licensure renewal. Kimberly Peer seconded the motion. Brian Hartz abstained from voting. The motion carried.

**Old Business**

Potential Statute Changes

The Section discussed the potential changes to the Athletic Trainers Practice Act developed by the Executive Director. The Section will obtain more information on the terminology used by physicians/athletic trainers such as consult vs. collaborate when dealing with referrals.

Presentation – OATA

The Ohio Athletic Trainers Association will be able to accommodate the Section requests to have breakout sessions as a part of Section's presentation at the Annual Meeting in May 2013. The Section discussed the format of the Section's presentation, with the first half covering discussions on unlicensed aides, referrals, providing services to visiting team athletes, OTC drug information (NATA position statement), concussion guidelines developed by the Ohio Department of Health pursuant to H.B. 413, and social media/communications. The second component of the presentation will include roundtable discussions that will be moderated by current and some former Board members.

**New Business**

Public Rules Hearing

The Section held a public rules hearing from 9:15 am to 9:24 am.

### Unlicensed Aides

The Section discussed the use of unlicensed aides in athletic training practice. The perception is that if an individual holds BOC certification and not licensed, that the individual can be supervised by a licensed personnel. The Section will review potential rules changes that would more explicitly delineate the role of unlicensed aides (i.e.: getting towels). Brian Hertz will draft language for review the May Section meeting. The Section will review the Occupational and Physical Therapy Sections' rule language on the use of unlicensed personnel.

### Correspondence

#### Joint Correspondence

**JB1. Valerie Elswick:** Ms. Elswick asked the Physical Therapy and Athletic Trainers Sections for clarification on referrals for athletic trainers working in clinics and whether athletic trainers can treat without a physical therapy practitioner present. **Reply:** Under the Ohio Athletic Training Practice Act, athletic trainers must practice upon the referral of an individual licensed in Ohio to practice medicine and surgery, osteopathic medicine and surgery, podiatric medicine and surgery, chiropractic, dentistry, or physical therapy. Athletic trainers may not accept direct referrals from physician assistants or practitioners of the limited branches of medicine. A referral relationship between a team physician and an athletic trainer should be one consisting of a protocol of care communicated between a team physician and the athletic trainer. This agreement should include procedures for prevention, recognition, assessment, management and treatment of athletic injuries. Clinic-based athletic trainers may provide athletic training services upon physician referral for athletic training evaluation and treatment. The prescription by the referring medical practitioner must state the referral is for athletic training. Under an athletic training referral, the athletic trainer functions independently and is responsible for documentation. Pursuant to rule 4755-46-01 of the Administrative Code, unlicensed individuals functioning under the supervision of a licensed athletic trainer may perform designated routine tasks related to the operation of athletic training provided that the supervising athletic trainer is on-site to supervise the delegated tasks. If the patient receives a prescription for physical therapy and during care the physical therapist determines he/she may benefit from athletic training services, i.e. a patient's condition is an athletic injury, then the physical therapist may refer that particular patient to an athletic trainer. This transfer of care from a physical therapist must be documented in the patient's medical record. In addition, the athletic trainer must now obtain physician approval and prescription for an athletic training evaluation and treatment as described above. If this procedure is followed, the athletic trainer must perform an injury assessment and determine the athletic training plan of care. The patient is no longer under the care of the physical therapist. The physical therapist may also refer the patient to the care of the athletic trainer but have the patient still remain under the care of the physical therapist. In this non-transfer scenario, a physician prescription for athletic training is not required. *In response to your first question*, yes, athletic trainers can perform the evaluation to discharge without a physical therapist present. *In response to your second question*, rule 4755-27-01 (C) of the Ohio Administrative Code defines "other licensed personnel" as "any person holding an Ohio license to practice as a health care practitioner in a profession other than physical therapy . . . who is working under the direct supervision of a physical therapist or physical therapist assistant, as delegated by the physical therapist, and is performing tasks and duties related to the delivery of physical therapy." When acting under the direction of a physical therapist, licensed athletic trainers are considered other licensed personnel. In accordance with rule 4755-27-04 of the Administrative Code, the supervising physical therapist or physical therapist assistant is accountable and responsible at all times for the direction of the actions of the persons supervised, including other licensed personnel. A physical therapist assistant can provide direct supervision of other licensed personnel even if the physical therapist is not on-site but is available by telecommunication at all times and able to respond appropriately to the needs of the patient. However, only a physical therapist can determine that a patient may be delegated to other licensed personnel. Other licensed personnel cannot be assigned their own physical therapy caseload without the supervising physical therapist or physical therapist assistant having direct contact with each patient during each visit. It is the responsibility of the physical therapist to determine and document the extent of contact necessary to assure safe patient care. Pursuant to rule 4755-27-03 (F) of the Ohio Administrative Code, "Delegation of tasks related to the operation and delivery of physical therapy to other licensed personnel must be done in accordance with the scope of practice of the other licensed personnel's professional license, education and training, the level of competence as determined by the supervising physical therapist, and in consideration of the patient's overall needs and medical status." The patient contact by the delegating physical therapist or supervising physical therapist assistant may be to provide portions of treatment or to assess the patient's progress within the existing plan

of care. When needed, only the physical therapist may make adjustments to the plan of care. Please refer to Medicare rules or other payer policies about reimbursement for treatment by other licensed personnel since some insurers do not cover services other than those provided by a physical therapist or physical therapist assistant. You may also get information from the Reimbursement Department or Ohio chapter of the APTA. It is the position of the Physical Therapy Section that when a patient presents with a prescription or referral for both physical therapy and athletic training, each professional shall complete their own evaluation. In addition, each professional should make every reasonable attempt to consult with the other and thereby coordinate the treatment program for the benefit of the patient. In accordance with rule 4755-27-03 (D) of the Ohio Administrative Code, a physical therapist may choose to refer a patient to another discipline, including physicians, for services. This referral shall be documented by the physical therapist in the medical record to clearly demonstrate a referral for that service. Such referral will not be a delegation of tasks or duties of physical therapy.

#### **Ohio Athletic Trainers Association (OATA)**

There was no formal report.

#### **Open Forum**

None

#### **Items for the Next Meeting**

- Unlicensed Personnel draft language
- Board Presentation - OATA

#### **Next Meeting Date**

The next meeting date of the Athletic Trainers Section will be Thursday, May 8, 2013, at 9:30 am.

#### **Adjournment**

**Action:** Kimberly Peer moved that the meeting be adjourned. Jason Dapore seconded the motion. The motion carried. The meeting adjourned at 11:24 a.m.

Respectfully submitted,  
Diane Moore

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

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Kimberly Peer, AT, Secretary  
Ohio Occupational Therapy, Physical Therapy, and  
Athletic Trainers Board, Athletic Trainers Section

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

KP:jmr:dm