Ohio Occupational Therapy, Physical Therapy, and Athletic Trainers Board

Athletic Trainers Section
July 15, 2015
9:00 a.m.

Members Present
Jason Dapore, DO
Brian Hortz, AT, PhD, Chair
Kimberly Peer, AT
Susan Stevens, AT, EdD
Trevor Vessels, Public Member

Legal Counsel
Melissa Wilburn, AAG

Staff
Diane Moore, Executive Assistant
Jeffrey Rosa, Executive Director

Members Absent
Aaron Galpert, AT

Guest
John Smith
Vincent O’Brien

Call to Order
Brian Hortz, Chair, called the meeting to order at 10:00 a.m.

Approval of Minutes
Action: Jason Dapore moved that the minutes from the May 6, 2015, meeting be approved as submitted. Susan Stevens seconded the motion. The motion carried.

Executive Director’s Report
- The Executive Director informed the Section that this will be his last report.
- The Executive Director informed the Section that occupational therapist renewal just ended.
- The Executive Director and Executive Assistant have participated in user acceptance testing for the new e-licensing system.
- The Executive Director informed that Section that he provided proponent testimony on HB169 on behalf of the Physical Therapy Section.
- The Executive Director informed the Section that HB200 is related to the epi-pen and inhaler bill.

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

Action: Brian Hortz moved that the Section go into executive session pursuant to section 121.22 (G)(1) of the Ohio Revised Code to discuss personnel matters related to appointment, employment; dismissal; discipline, promotion; demotion; compensation of a public employee. Kimberly Peer seconded the motion.

The Executive Director called roll

Jason Dapore    Yes
Aaron Galpert   Absent
Kimberly Peer   Yes
Brian Hortz     Yes
Susan Stevens   Yes

The Section went into executive session at 10:08 am and came out at 10:30 am. There was no action taken.
Discussion of Law and Rule Changes
The Executive Director informed the Section draft rule language on concussion management and the BIA are ready to be filed. The Section will need to do an emergency rule filing. The Section reviewed the draft rules and made corrections to part c of the rule.

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 May 6, 2015, through July 15, 2015, taking into account those licenses subject to discipline, surrender, or non-renewal. Jason Dapore seconded the motion. The motion carried.

Examination Applicants
Atchinson, Kelcey        Aulick, Lauren        Avramut, Bethany
Bennett, Joel           Boggs, Spencer        Castle, Chandler
Cicciaro, John          Conner, Allison        Corsemeier, Katlyn
Cox, Christian          Estock, Patricia       Faso, Nicole
Fitch, Caroline         Fraser, Brad           Frendt, Taylor
Goldstein, Kenneth      Griswold, Emily        Gruenberg, Kurt
Henderson, Nichole      Holt, Isak              Hubbard, Joseph
Hurdish, Sarah          James, Taylor           Johnson, Ashley
Keith, Chad             Kessler, Ashley         Koenig, Nicole
Leonard, Kelly          Magnacca, Anthony       Majoy, Deidre
McFadden, Nathan        McKenzie-Floyd, Sarah    Medina, Stephanie
Mendel, Joseph          Millikan, Nathan        Moore, Chandler
Moore, Jamie            Natter, Nicole          North, Bryson
Platek, Kyle            Porter, Stephanie        Rausch, Matthew
Rogers, Kyle            Rosencrans, Mikayla     Rowe, Allison
Rush, Jared             Ryan, Jessica            Sabol, Todd
Schnittjer, Amber       Schroeder, Kristen      Schwieger, Whitney
Shuss, Zane             Sindlinger, Hali         Skilton, Andrew
Smith, Kristen          Snyder, Todd

Endorsement Applicants
Benedict, Kathryn       Best, James             Bodziony, Andrew
Brook, Mary             Brown, Erik              Brubaker, Andrew
Clair, Katie            Deane, Ryan              Eck, Molly
Everts, Amanda          Fox, Courtney            Frank, Sharon
Graham, Rachel          Lewton, Brian            Liles, Trayla
Lipinski, Cassandra     Martinez, Austin         McKay, Mitchell
Michaels, Caitlin       Montano, Philip          Myers, Megan
Nagel, Logan            Regelski, Chyrsen        Schiavo, Jacquelyn
Tackett, Ellis          Tavoian, Dallin          Underhill, Devin
Warnes, Kaaron          Wojnarwsky, Christina

Reinstatement Applicants
Ablaugh, Sarah          Anderson, Erica

Continuing Education Approval
Brian Hortz reported that two continuing education applications were approved since the July 15, 2015, meeting.

Event Approval
There were two event approval requests reviewed since the July 15, 2015, meeting.
Assistant Attorney General Report
Melissa Wilburn, AAG, informed the Section of the impact of the appeals process based on a new 10TH District case.

Case Review Liaison Report
Brian Hortz reported that the Enforcement Division opened zero new cases and closed zero cases since the May 6, 2015. There is currently one case open.

Enforcement Actions
None

Old Business
None

New Business
Executive Director Evaluation
The Section discussed the evaluation process for the Board and discussed modification of the initial evaluation for the future executive director.

BOC Conference
The State of Ohio was well presented at the BOC Conference and the presentations were well received.

Correspondence
1. Melissa Noble, AT: Ms. Noble asked the Section questions regarding storage and use of epi-pens based on new guidelines. Reply: According to section 4729.51 of the Ohio Revised Code, which went into effect in April 2014, public and nonpublic K-12 schools may legally obtain and use epi-pens in emergency situations with a prescriber issued protocol. Please reference the guidance document from the Ohio State Board of Pharmacy, which can be found at the following link, to guide your policy development related to obtaining, storing, and using an epi-pen in an emergency situation. http://pharmacy.ohio.gov/Documents/Pubs/Special/GuidanceDocs/Guidance%20Document%20HB%20296%20-%20Procurement%20of%20epinephrine%20autoinjectors%20by%20schools%20and%20camps%20-%202014.pdf.

2. Dave Coburn, AT: Mr. Coburn asked the Section if athletic trainers can perform ergonomic assessments. Reply: The Ohio Revised Code pertaining to athletic training does not specifically prohibit ergonomic assessments, therefore the following questions should be asked to determine whether this skill is within the athletic training scope of practice: A. Is the task represented in entry level education and practice? B. Has the practitioner had continuing education to adequately prepare them to perform the task? C. Does this task provide for safety and welfare of the client? This foundation should provide the framework for analyzing and determining if a task in within one’s “personal” scope of athletic training practice. If the professional can provide supporting evidence that adequately addresses these areas, then the task is considered within that athletic trainer’s scope of athletic training practice. We would also refer you to two documents which will assist you in determining entry-level education and athletic training practice. These documents include the Role Delineation Study/Practice Analysis, Sixth Edition which identifies the essential knowledge and skills for an entry-level athletic trainer, published by the Board of Certification, Inc. and can be found at http://bocate.org/resources/role-delineation-study-practice-analysis and Athletic Training Education Competencies (5th Edition) which is published by the National Athletic Trainers Association and recognized by the Commission on Accreditation of Athletic Training Education as the knowledge, skills an clinical abilities to be mastered by professional program students. It can be found at http://www.nata.org/education/education-resources.

3. Jeffrey Bright, AT: Mr. Bright asked the Section questions regarding what is being done to get athletic trainers recognized as qualified health professionals by insurance companies. Reply: Nothing in the Ohio Athletic Training Practice Act prevents athletic trainers from billing for services. However, employers may restrict your practice due to billing or other protocol issues. The Athletic Trainers Section suggests you contact the Ohio Athletic Trainers Association or the National Athletic Trainers Association for additional information about their efforts related to insurance reimbursement of athletic training services.
4. **Amy Will, AT:** Ms. Will asked the Section questions regarding whether a physician must be on-site when athletic trainers are treating clients. **Reply:** There is nothing in the Ohio Athletic Training Practice Act which requires on-site physician supervision under an athletic training referral. Pursuant to section 4755.60 (A) of the Revised Code and rule 4755-42-02 of the Administrative Code, athletic trainers must practice upon the referral of an individual licensed in Ohio to practice medicine and surgery, osteopathic medicine and surgery, pediatric 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 injuries. 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. As the large majority of your referrals are related to Bureau of Workers’ Compensation claims, it would be prudent to ensure there are no such restrictions to practice within their regulations.

**Joint Correspondence**

**JB1. Jeffrey Angeline, PT, AT:** Mr. Garrett asked the Athletic Trainers and Physical Therapy Sections questions regarding advertising and offering incentives physical therapy and athletic training practice. **Reply:** The following statement is in the code of ethical conduct for both physical therapy (OAC 4755-27-05) and athletic training (OAC 4755-41-01) licensees. A licensee shall not intentionally or knowingly offer to pay or agree to accept any compensation, directly or indirectly, overtly or covertly, in cash or in kind, to or from any person or entity for receiving or soliciting patients or patronage, regardless of the source of the compensation. On another topic, the Physical Therapy Section is working to educate physical therapists and physical therapist assistants in the correct credentials to use in professional signatures. Since PT or PTA is the regulatory designation allowing practice, rule 4755-27-07 of the Administrative Code requires that only those letters should immediately follow the person’s name. Academic degrees may then follow the regulatory credential. For example, a nametag or signature might read Pat Doe, PT, MS, OCS.

**Ohio Athletic Trainers Association (OATA)**

There was no formal report for the Section.

**Open Forum**

The Section recognized Jeffrey Rosa for his work and organization of all three Sections of the Board.

**Section Retreat**

The Section Retreat was held at the McDonnell Heart and Health Center, in the located at 3773 Olentangy River Road, Classroom C, Columbus, Ohio.

**Strategic Plan**

The Section reviewed the strategic plan for 2015-2016. The Section outlined tasks for the 2016 calendar year.

January: outreach/education/presentations; May: OATA Presentation; Sept/October: Foreign Trained Requirements/jurisprudence examination; and November: Standard responses.

The Section discussed breaking the rules numbering project into smaller segments. The Section will consider reviewing rules at each Section meeting.

**Publication Update Epi-Pen and Inhalers**

The Section will revise the Section’s publication on Epi-pens and Inhalers to reflect the guidelines. Brian Hortz will work on the draft for review at the September 2015 Section meeting. The Section discussed the need to educate athletic trainers on the new guidelines.

**Draft Language for Concussion Management**

The Section reviewed the recommended changes to the draft concussion rule language. The Executive Director
informed the Section that three Boards (OTPTAT Board, Chiropractic Board, and the Psychology Board will petition for an emergency rule filing, which will give us 120 days extension to get it through the BIA process. They will go to the Governor’s office with the draft before July 31, 2015.

*Review Disciplinary Guidelines*
The Section discussed potential changes to the disciplinary guidelines. The Section will review the drafted changes at the September 2015 Section meeting.

*Review Standard Responses*
The Section revised the standard responses. The Section will review the draft revisions at the September 2015 Section meeting.

*Review AT Frequently Asked Questions*
The Section revised the frequently asked questions. The Section will review the draft revisions at the September 2015 Section meeting.

**Items for the Next Meeting**
- Elections

**Next Meeting Date**
The next regular meeting date of the Athletic Trainers Section is scheduled for Thursday, September 10, 2015.

**Adjournment**
There being no further business and no objections, Brian Hortz adjourned the meeting at 2:25 pm.

Respectfully submitted,
Diane Moore

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Brian Hortz, 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