1. Administrative Matters
   1.1 Agenda Review
   1.2 Approval of Minutes
   **Action Required**
   1.3 Executive Director Report
   1.4 Executive Session:
      1.4.1 To discuss pending and imminent court action (ORC 121.22 (G)(3))
      1.4.2 To discuss personnel matters related to:
         • Appointment; Employment; Dismissal; Discipline; Promotion; Demotion; Compensation (ORC 121.22 (G)(1))
         • Investigation of charges/complaints against a public employee, licensee, or regulated individual in lieu of a public hearing (ORC 121.22 (G)(1))
      1.4.3 To discuss matters required to be kept confidential by federal law, federal rules, or state statutes (ORC 121.22 (G)(5))
   1.5 Discussion of Law and Rule Changes
      1.5.1 Military licensure changes
      1.5.2 2020 Five-year rule review
      1.5.3 Education rule

2. Administrative Reports
   2.1 Continuing Education
      2.1.1 Application for Waiver of Continuing Education
      2.1.2 CE Denial Appeal
      2.1.3 CE Requests for Approval
      2.1.4 CE Audit Update
   2.2 Event Approvals
      **Action Required**
   2.3 Licenses
      2.3.1 Athletic Training Licensure Applications
      **Action Required**
      2.3.2 Licensure Renewal Report
      2.3.3 Athletic Training Application Withdrawals
      **Action Required**
   2.4 Adjudication
<p>| | |</p>
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<tr>
<td>2.4.1</td>
<td>Enforcement Report</td>
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<td>2.4.2</td>
<td>Notice(s) of Opportunity for Hearing</td>
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<tr>
<td>2.4.3</td>
<td>Consent Agreement(s)</td>
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<td>2.4.5</td>
<td>Affidavit Consideration(s)</td>
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<td>2.4.6</td>
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<td>2.4.7</td>
<td>Summary Suspension(s)</td>
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<td>2.4.8</td>
<td>To discuss proposed disciplinary action against a licensee pursuant to ORC 121.22 (G)(1) and pursuant to 121.22 (G)(5) that involve matters required to be kept confidential under ORC sections 149.43 (A)(2) and 4755.02 (E)(1)</td>
</tr>
</tbody>
</table>

3. **Assistant Attorney General Report**

4. **OATA Report**

5. **Open Forum**

6. **Old Business**

7. **New Business**

8. **Correspondence**

9. **Next Meeting Preparation**
   9.1 **Agenda Items**
   9.2 **Executive Director Assignments**

10. **Adjournment**
Call to Order
Trevor Bates, Chair, called the meeting to order at 9:01 AM.

Approval of Minutes
Action: Gary Lake moved that the minutes from the September 12, 2019 meeting be approved as submitted. Jeffrey Sczpanski seconded the motion. The motion carried.

Executive Director Report
- The Executive Director reported an eLicense change of adding county of residence data to licensure form.
- The Executive Director reported on the Governor’s Working Group on the Medical Boards.
- Enforcement staff will go through trauma informed care training via CLEAR.
- Waiting on conclusion of biennial audit by Auditor of State.
- Executive Director reported that OTPTAT board was finishing up OTA and PT audits. PTA audits will begin in early February.
- The Executive Director gave the fiscal report for the July-October period.
- The Executive Director provided a brief legislative report.
- All board members must take Ethics by end of year 2019. Sexual Harassment and Disability training by April 2020.
- Discussion of need to clarify reporting of CEUs for BOC and OTPTAT. To mitigate confusion in CEU reporting for both places a reminder of CEU’s will be included in OATA’s communications.

Discussion of Laws and Rules
2020 five-year review
TOEFL requirement. The section decided not to institute a Test of English as a Foreign Language requirement at this time.

Jeff Sczpanski made a motion to file the 3D printing of prosthetics rule with the Common Sense Initiative. Gary Lake seconded the motion. Motion passed.

Administrative Reports
Jeffrey Sczpanski 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 September 13, 2019, through November 22, 2019, taking into account those licenses subject to discipline, surrender, or non-renewal.
Licensure Applications

Athletic Trainer by Examination
Alex Arnold          Cadey JoyceAnn Cole         Gregory Chester Gawel
Makayla Marie Black Isaac Cosculluela       Karlyn M Morell
Nicolette Tezzi Campbell- Megan Faith Devol        Alexander David Shetler
Murriente           Kaitlin Eileen Evans      Kaitlyn Elizabeth Tirpak

Athletic Trainer by Endorsement
Sarah Marie Abelseth Jameel Mikal Moksa Battle       Tyler Shumake
Brandy Crouse       Timothy M Murray          Victoria Stupecki
Anna Mary Duffrin    Sally Ann Paulson        Bradley Michael Watson
Erica Franz          Levi Ronald Roberts

Jeff Sczpanski made a motion to recommend the Section grant the application withdrawal request for AT examination/endorsement/reinstatement applications on file with the Board on November 22, 2019, based on the documentation provided. Gary Lake seconded the motion. Motion passed.

Adjudication

Enforcement Report
Jeffrey Sczpanski reported the enforcement review panel had:
  • New” cases opened since the last meeting: 1
  • Cases “closed” at the last meeting: 0
  • Cases “currently open”: 1
  • Active consent agreements: 1
  • Adjudication orders being monitored: 1

Consent Agreement
Jeffrey Sczpanski reported that Bobbi Brkovic was being released from her consent agreement.

Assistant Attorney General Report
Emily Pelphrey, AAG had no formal report for the Section.

Old Business
Documentation - Proper documentation procedures for scope of practice- FYI refresher for professionals and posting on OTPTAT website.

Telehealth – The section had a discussion on telehealth.

New Business
California licensure act
The section had a discussion on the California licensure act and took no action.

Correspondence
The Section discussed the correspondence.

Ohio Athletic Trainers Association (OATA)
Bridget McAuliffe with OATA made a formal report to the section.

Next Meeting Date
The next regular meeting date of the Athletic Trainers Section is scheduled for Thursday, January 16, 2020.
Adjournment
There being no further business and no objections, Trevor Bates adjourned the meeting at 10:58 AM.

Respectfully submitted,
Jan Hills

______________________________
Trevor Bates, AT, Chair
Ohio Occupational Therapy, Physical Therapy, and Athletic Trainers Board, Athletic Trainers Section

______________________________
VACANT
Vacant, Secretary
Ohio Occupational Therapy, Physical Therapy, and Athletic Trainers Board, Athletic Trainers Section

______________________________
Melissa Anthony, Executive Director
Ohio Occupational Therapy, Physical Therapy, and Athletic Trainers Board
As Reported by the Committee of Conference

133rd General Assembly
Regular Session
2019-2020
Am. Sub. S. B. No. 7

Senators Lehner, Hackett
Cosponsors: Senators McColley, Hoagland, Huffman, S., Roegner, Fedor, Maharath, Craig, Uecker, Hottinger, Kunze, Antonio, Brenner, Burke, Coley, Dolan, Eklund, Gavarone, Hill, Huffman, M., Manning, Obhof, O'Brien, Peterson, Rulli, Sykes, Terhar, Thomas, Williams, Wilson, Yuko


A BILL

To amend sections 4743.04 and 5903.04 and to enact section 4743.041 of the Revised Code to require state occupational licensing agencies, under certain circumstances, to issue temporary licenses or certificates to members of the military and spouses who are licensed in another jurisdiction and have moved to Ohio for military duty.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That sections 4743.04 and 5903.04 be amended...
and section 4743.041 of the Revised Code be enacted to read as follows:

**Sec. 4743.04.** (A) The renewal of a license or other authorization to practice a trade or profession issued under Title XLVII of the Revised Code is subject to the provisions of section 5903.10 of the Revised Code relating to service in the armed forces.

(B) Continuing education requirements applicable to the licensees under Title XLVII of the Revised Code are subject to the provisions of section 5903.12 of the Revised Code relating to active duty military service.

(C) A department, agency, or office of this state or of any political subdivision of this state that issues a license or certificate to practice a trade or profession may, pursuant to rules adopted by the department, agency, or office, issue a temporary license or certificate to practice the trade or profession to a person whose spouse is on active military duty in this state.

(D) A department, agency, or office of this state that issues a license or certificate to practice a trade or profession shall issue a temporary license or certificate to practice the trade or profession as provided in section 4743.041 of the Revised Code.

(E) The issuance of a license or other authorization to practice a trade or profession issued under Title XLVII of the Revised Code is subject to the provisions of section 5903.03 of the Revised Code relating to service in the armed forces.

**Sec. 4743.041.** (A) As used in this section:

"Active guard and reserve" has the meaning defined in 10

"Military duty" includes service in the uniformed services on active duty, in the active guard and reserve, and as a military technician dual status under 10 U.S.C. 10216.

"Uniformed services" has the meaning defined in 10 U.S.C. 101.

(B) Pursuant to division (D) of section 4743.04 of the Revised Code, a department, agency, or office of this state shall issue a temporary license or certificate to practice a trade or profession to an individual, provided that all of the following qualifications are met:

(1) The individual holds a valid license or certificate to practice the trade or profession issued by any other state or jurisdiction;

(2) The individual is in good standing in the state or jurisdiction of licensure or certification;

(3) The individual presents adequate proof to the department, agency, or office of this state that the individual or the individual's spouse is on military duty in this state; and

(4) The individual complies with sections 4776.01 to 4776.04 of the Revised Code if a department, agency, or office of this state requires an applicant under the law governing the applicable trade or profession to submit to a criminal records check to receive a license or certificate.

(C) A department, agency, or office of this state may, under this section, issue a regular license or certificate in lieu of issuing a temporary license or certificate, provided
that the applicant meets the requirements of this section, and
provided that the regular license is issued by the deadline
specified in division (D) of this section.

(D) If the department, agency, or office of this state
requires an individual under the law governing the applicable
trade or profession to submit to a criminal records check to
receive a license or certificate, and the individual applies for
a license or certificate under this section, the department,
agency, or office of this state shall, within twenty-four hours
after receiving the report under division (A) of section 4776.04
of the Revised Code, notify the applicant that the department,
agency, or office of this state has received the results of a
criminal records check. A department, agency, or office of this
state shall issue a temporary license or certificate or a
regular license under this section, provided that the applicant
meets the requirements of this section, within thirty days of
having received an application, or, if the applicant is subject
to a criminal records check, within fourteen days of having
received the results of a criminal records check. If the
department, agency, or office of this state finds that the
individual is under investigation by the licensing agency of any
other state or jurisdiction, the department, agency, or office
of this state may postpone issuing the license or certificate
until the investigation is complete and the licensing agency of
the other state or jurisdiction confirms that the individual is
in good standing. The department, agency, or office of this
state shall verify the standing of the license or certificate
issued by another state or jurisdiction when the temporary
license is up for renewal. No temporary license shall be valid
for a period of more than six years.

(E) A department, agency, or office of this state shall,
in accordance with Chapter 119. of the Revised Code, deny an individual a temporary license or certificate issued under this section or revoke an individual's temporary license or certificate issued under this section if any of the following circumstances occur:

(1) The individual's license or certificate issued by another state or jurisdiction expires or is revoked, or the individual is not in good standing;

(2) With respect to an individual who was eligible for a temporary license under this section as the spouse of an individual on military duty, six months have elapsed since the divorce, dissolution, or annulment of the marriage;

(3) The individual is disqualified from obtaining a license in the trade or profession because of a conviction, judicial finding of guilt, or plea of guilty to a disqualifying criminal offense specified on the list the department, agency, or office of this state makes available pursuant to division (C) of section 9.78 of the Revised Code.

(F) An individual with a temporary license or certificate or a regular license issued under this section may practice the trade or profession in this state only within the scope and practice that is permitted under Ohio law and that does not exceed the individual's training.

(G) Notwithstanding any other provision of the Revised Code, a department, agency, or office of this state shall waive all fees associated with the issuance of a temporary license or certificate issued under this section.

(H) Each department, agency, or office of this state that issues a license or certificate to practice a trade or
profession shall adopt rules under Chapter 119. of the Revised Code as necessary to implement this section.

(I) Each department, agency, or office of this state that issues a license or certificate to practice a trade or profession, shall, upon the conclusion of the state fiscal year, prepare a report on the number and type of temporary licenses or certificates that were issued during the fiscal year under this section. The report shall be provided to the director of veterans services not later than thirty days after the end of the fiscal year. The director shall compile the reports and make them available to the public.

(J) A license or certificate issued under this section shall be considered a license issued under the laws regulating the practice of the applicable occupation or profession in this state. Provisions of law applicable to a license issued to an applicant who does not obtain a license under this section apply in the same manner to licenses issued under this section.

Sec. 5903.04. Each licensing agency shall adopt rules under Chapter 119. of the Revised Code to establish and implement all of the following:

(A) A process to obtain from each applicant documentation and additional information necessary to determine if the applicant is a service member or veteran, or the spouse or surviving spouse of a service member or veteran;

(B) A process to record, track, and monitor applications that have been received from a service member, veteran, or the spouse or surviving spouse of a service member or veteran; and

(C) A process to prioritize and expedite certification or licensing for each applicant who is a service member, veteran,
or the spouse or a surviving spouse of a service member or veteran.

In establishing these processes, the licensing agency shall include any special accommodations that may be appropriate for applicants facing imminent deployment, and for applicants for a temporary license or certificate under division (D) of section 4743.04 of the Revised Code.

Section 2. That existing sections 4743.04 and 5903.04 of the Revised Code are hereby repealed.
Comments received from early stakeholder release on 4755-43-04, 4755-45-02, 4755-46-02:

- Yes. I would agree with the proposed changes. Anne Aguist
- Yes, “entry level” is an appropriate description to associate with “professional” education programs. It is the most commonly understood way to describe it, although sometimes people describe professional education as education that leads to eligibility for a professional credential. Mark Merrick
Waivers for continuing education.

(A) In individual cases involving disability, illness, or undue hardship, the athletic trainers section may grant waivers of continuing education requirements, or extensions of time within which to fulfill these requirements, not to exceed two calendar years.

(1) To apply for a waiver or extension due to undue hardship, the licensee must submit a written application on forms established by the section and signed by the licensee no later than July first of the renewal year.

(2) To apply for a waiver due to disability or illness, the licensee must obtain, complete, and submit the waiver or extension form to the athletic trainers section no later than July first of the renewal year. This form must also be signed by a licensed physician in good standing verifying that the licensee suffers from a disability or illness.

(B) The athletic trainers section may, as a condition of any waiver granted, require the applicant to make up a certain portion of the minimum continuing education requirements being waived for the renewal cycle.

(C) The deadlines in paragraphs (A)(1) and (A)(2) of this rule may be waived at the discretion of the athletic trainers section.
A student is an unlicensed person. However, for purposes of the exemption from licensure contained in division (A)(3) of section 4755.65 of the Revised Code, a student need not be licensed if all of the following requirements are met:

(1) The student is enrolled in:

(a) A professional (entry-level) education program accredited by the commission on accreditation of athletic training education (CAATE); or

(b) An international professional (entry-level) education program located in a country that has entered into a mutual recognition agreement with the board of certification (BOC) and enrolled as a student at a program identified in paragraph (A)(1)(a) of this rule.

(2) The student has not met the requirements to sit for the examination;

(3) The activities and services performed by the student constitute a part of an approved course of study in accordance with paragraphs (B) and (C) of this rule;

(4) Students are designated by titles which clearly indicate their status as a student.

A student shall be supervised by an Ohio licensed athletic trainer. The supervising athletic trainer is responsible for planning, directing, and evaluating the student's athletic training experience. Supervision requires daily visual and audible contact at all the sites at which the student provides services.

Any documentation written by a student must be countersigned by the supervising athletic trainer. Documentation shall include the student's handwritten signature or unique electronic identifier. The student shall identify as "athletic training student" or the abbreviation "ATS," and must be followed by a title which indicates student status.

High school students are not "students" for the purpose of the exemption from licensure provided by section 4755.65 of the Revised Code and this rule. High school students should be referred to as "student aides." High school student aides are unlicensed persons as defined in rule 4755-46-01 of the Administrative Code.
(A) The educational requirements described in divisions (C)(4) and (C)(5) of section 4755.62 of the Revised Code shall be satisfied by completion of:

1. A professional (entry-level) education program accredited by the commission on accreditation of athletic training education or its successor,

2. A program of education, training and experience with which the national athletic trainers' association board of certification, inc. (BOC) or its successor has a mutual recognition agreement at the time of the applicant's graduation from the program.

(B) The section may waive the educational requirements specified in paragraph (A) of this rule on the basis of job experience if all of the following conditions are met:

1. The applicant passed the examination specified in paragraph (A)(1) of rule 4755-43-02 of the Administrative Code.

2. The applicant for licensure engaged in the active practice of athletic training as a licensed athletic trainer in another state, or if the experience occurred in a state not requiring licensure, as an athletic trainer certified by the national athletic trainers' association board of certification, inc. (BOC)BOC, for a period of no less than five years immediately proceeding the date the application is submitted.

3. The applicant's licensure and/or certification are active and without restriction.
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<tr>
<th>Applicant Full Name</th>
<th>Type</th>
<th>Licensed By</th>
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<td>Sarah Marie Abelseth</td>
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AT Withdrawal List Jan 2020 Mtg.

Jason Schwartzman  APP-000307720
Kaitlyn Tirpak       APP-000309410
Katherine Burkhart  APP-000274468
Paige Carter        APP-000309820
Michael Witmer      APP-000324371
ENFORCEMENT STATISTICS FOR ATHLETIC TRAINERS SECTION MEETING

Date: 01/16/2020

Statistics:

“New” cases opened since the last meeting: 0

Cases “closed” at the last meeting: 1

Cases “currently open”: 0

Active consent agreements: 0

Adjudication orders being monitored: 1

*Statistics as of 01/07/2020
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<th>Meeting No.</th>
<th>Name</th>
<th>Question</th>
<th>Response</th>
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<tr>
<td>JANUARY 2020</td>
<td>David Anon, PT <a href="mailto:Dvdjann@hotmail.com">Dvdjann@hotmail.com</a></td>
<td>I have a question regarding the most appropriate, meaning the most legal and ethical process, to using athletic trainers in a walk-in injury clinic. My question is, at what point is it legal for the athletic trainer to give an order for an x-ray within a Standard Operating Procedure (SOP)? Does the physician have to see the patient first and then the athletic trainer give the patient the order for the x-ray or based on the injury can the athletic trainer give the order for the x-ray and then the patient see the physician? Are there any implications for patients with Medicaid products if the second scenario is true? Lastly, even if the physician is the medical director for the sports medicine department but has an independent office that he works from is it legal to intake the patient in one facilities clinic be evaluated by the ATC potentially be given an order for an x-ray and then see the physician the same day in his office? I would also like to know the specific law to refer to given your responses. Thank you</td>
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