

Title 46
PROFESSIONAL AND
OCCUPATIONAL STANDARDS
Part XLV. Medical Professions

Subpart 1. General

Subchapter F. Athletic Trainers Fees

§159. Scope of Subchapter

A. The rules of this Subchapter prescribe the fees and costs applicable to the ~~certification~~ licensure of athletic trainers.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1270, 37:1281 and 37:3301-3313.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Board of Medical Examiners, LR 10:907 (November 1984), amended by the Department of Health and Hospitals, Board of Medical Examiners, LR 30:234 (February 2004), amended, LR

§161. ~~Certification, Permits and Examination Licenses~~

A. For processing applications for ~~certification~~ licensure as an athletic trainer, a fee of \$125 shall be payable to the board.

~~B. For issuing a temporary permit a fee of \$50 shall be payable to the board.~~

~~C. For registration for and taking of the certification examination administered by the board, an applicant shall pay the fee that is charged by the entity developing the examination.~~

~~D. When an applicant is required by these rules to take the examination administered by the board, the fee prescribed by §161.C shall be added to the applicable application processing fee~~

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1270, 37:1281 and 37:3301-3313.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Board of Medical Examiners, LR 10:907 (November 1984), amended by the Department of Health and Hospitals, Board of Medical Examiners, LR 30:234 (February 2004), amended, LR

§163. Annual Renewal

A. For processing an application for annual renewal of an athletic trainer's ~~certification~~ license, a fee of \$100 shall be payable to the board.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1270, 37:1281 and 37:3301-3313.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Board of Medical Examiners, LR 10:907 (November 1984), amended by the Department of Health and Hospitals, Board of Medical Examiners, LR 30:235 (February 2004), amended, LR

Subpart 2. Licensure and Certification

Chapter 31. Athletic Trainers

Subchapter A. General Provisions

§3101. Scope of Chapter

A. The rules of this Chapter govern the ~~certification~~ licensure of athletic trainers in the state of Louisiana.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3301-3313.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, LR 12:522 (August 1986), amended by the Department of Health and Hospitals, Board of Medical Examiners, LR

§3103. Definitions

A. As used in this Chapter, the following terms and phrases shall have the meanings specified.

~~Actively Engaged~~—the phrase ~~actively engaged as an athletic trainer, as applied to any person, means that~~

~~a. such person is employed by an educational institution, professional athletic organization, or other board-approved athletic organization for the duration of the institution's academic year or the length of the organization's season;~~

~~b. such person performs the duties of athletic trainer as the principal responsibility of such employment; and~~

~~c. such employment is such person's primary employment, or the primary reason for such person's employment.~~

~~Advisory Committee~~—the Athletic Training Advisory Committee to the Board, constituted under and pursuant to §3104.

~~Applicant~~—a person who has applied to the board for ~~certification~~ licensure as an ~~certified~~ athletic trainer.

~~Application~~—a written request directed to and received by the board, upon forms supplied in a manner prescribed by the board, for ~~certification~~ licensure as an athletic trainer in the state of Louisiana.

~~Approved~~—as applied to a school, college, university, organization, program, curriculum, or course of study, shall mean affirmatively recognized and sanctioned by the board in accordance with §§3111-3117 of this Chapter.

~~Athlete~~—an individual designated as such by the board, an educational institution, a professional athletic organization, or other board-approved organization who participates in an athletic activity sponsored by such institution or organization.

~~Athletic trainer~~—an individual licensed by the board as an athletic trainer with the specific qualifications set forth in R.S. 37:3306.1 who, under the general supervision of a physician, carries out the practice of prevention, emergency management, and physical rehabilitation of injuries and sports-related conditions incurred by athletes. In carrying out

these functions, the athletic trainer shall use whatever physical modalities are prescribed by a team physician or consulting physician, or both.

Board—the Louisiana State Board of Medical Examiners.

Board-approved organization—one of the following:

a. Approved organization, including but not limited to the Amateur Athletic Union, the International Olympic Committee and its affiliates including but not limited to the U.S. Olympic Committee, the Pan American Sports Organization, the National Collegiate Athletic Association, the National Association of Intercollegiate Athletics, college and university intramural sports, and sports events of the National Federation of State High School Associations.

b. An organization, whose athletic activity meets one or more of the following:

(i) Has an officially-designated coach or individual who has the responsibility for athletic activities of the organization.

(ii) Has a regular schedule of practices or workouts that are supervised by an officially-designated coach or individual.

(iii) Is an activity generally recognized as having an established schedule of competitive events or exhibitions.

(iv) Has a policy that requires documentation of having a signed medical clearance by a licensed physician or other board authorized health care provider as a condition for participation for the athletic activities of the organization.

BOC—Board of Certification for the Athletic Trainer or its successor.

CAATE—the Commission on Accreditation of Athletic Training Education or its successor.

Certification—the board's official recognition of a person's lawful authority to act and serve as an *athletic trainer* as such term is defined by the law, R.S. 37:3302.

Certified Athletic Trainer—a person possessing a current certificate license duly issued by the board, evidencing the board's certification licensure of such person under the law.

Educational institution—a university, college, junior college, high school, junior high school, or grammar school, whether public or private.

LATA—the Louisiana Athletic Trainer's Association.

Licensure or license—the board's official recognition of a person's lawful authority to act and serve as an *athletic trainer* as such term is defined by the law, R.S. 37:3302.

Louisiana Athletic Trainers Law or the Law—Acts 1985, Number 288, as amended, R.S. 37:3301-33123.

NATA—the National Athletic Trainers Association, or its successor.

Physician—a person holding a current unrestricted license to engage in the practice of medicine in the state of Louisiana, duly issued by the board.

State—any state of the United States, the District of Columbia, and Puerto Rico.

B. Masculine terms wherever used in this Chapter shall also be deemed to include the feminine.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3301-33123313 and 37:1270(B)(6).

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, LR 12:522 (August 1986), amended by the Department of Health and Hospitals, Board of Medical Examiners, LR 24:937 (May 1998), amended, LR

§3104. Athletic Training Advisory Committee

A. Constitution. An Athletic Training Advisory Committee ("the advisory committee") to the board is hereby constituted, to be composed and appointed, to have such functions, and to discharge such responsibilities as hereinafter provided.

B. Composition and Qualifications. The advisory committee shall comprise seven members, including five athletic trainers and two physicians, each of whom shall, to be eligible for and prior to appointment to the committee, be certified licensed as an athletic trainer or licensed as a physician by and in good standing with the board, have maintained residency and practice in the state of Louisiana for not less than one year and have not less than three years of experience in their respective fields. In addition to such general qualifications, the athletic trainer and physician members of the advisory committee shall satisfy the following qualifications.

1. Athletic Trainer Members. The athletic trainer members of the committee shall be appointed and apportioned as follows:

a. one of such members shall be employed or appointed as an athletic trainer by and for a high school;

b. one of such members shall be employed or appointed as an athletic trainer by and for a college or university;

c. insofar as practical or possible, in its appointment of members to the advisory committee, the board shall maintain geographic diversity so as to provide membership on the advisory committee by certified licensed athletic trainers residing and practicing throughout Louisiana, with at least one member from the Alexandria, Louisiana area or north, and at least one member from south of such area.

2. Physician Members. The physician members of the committee shall each:

a. hold the title of team physician or its equivalent, employed or appointed by a Louisiana high school, college, university, or professional athletic team; and

b. have responsibility for and an active role in the direct supervision of athletic trainers.

C. Appointment; Term of Service. Each member of the advisory committee shall be appointed by the board. ~~from among a list of not fewer than two qualified nominees for each committee position submitted to the board by the Louisiana Athletic Trainers Association (LATA), or its successor. Each nomination so submitted shall be accompanied by a personal résumé or curriculum vitae for the nominee.~~ Each member of the advisory committee shall serve on the committee for a term of three years, or until his or her successor is appointed, and shall be eligible for reappointment.

D. Functions and Responsibilities of the Committee. The advisory committee is responsible and authorized by the board to:

1. assist the board in examining the qualifications and credentials of applicants for athletic trainer ~~certification~~ licensure and make recommendations thereon to the board;

2. advise and assist the board, as the board may request, with respect to investigative and disciplinary proceedings affecting ~~certified licensed~~ athletic trainers;

3. provide advice and recommendations to the board respecting the modification, amendment, and supplementation of rules and regulations, standards, policies, and procedures respecting athletic trainer ~~certification~~ licensure and practice; and

4. establish and appoint a continuing education subcommittee, comprising no fewer than three athletic trainer members of the advisory committee, to discharge the responsibilities prescribed by §3169.

E. Committee Meetings, Officers. The advisory committee shall meet at least ~~once twice~~ each calendar year, or more frequently as may be deemed necessary by a quorum of the committee or as requested by the board. The presence of ~~five~~ four members including at least one physician member, shall ~~be requisite to~~ constitute a quorum of the advisory committee. The advisory committee shall elect, from among its members, a chairman, a vice-chair, and a secretary. The chairman, or in his absence or unavailability, the vice-chair, shall call, designate the date, time, and place of, and preside at all meetings of the committee. The secretary shall record, or cause to be recorded, accurate and complete written minutes of all meetings of the advisory committee and shall cause copies of the same to be provided to the board.

F. Confidentiality. In discharging the functions authorized by the board under §3104, the advisory committee and the individual members thereof shall, when acting within the scope of such authority, be deemed agents of the board. All information obtained by the committee members pursuant to §3104.D, or pursuant to Subchapter H of this Chapter, shall be considered confidential. As such, advisory committee members are prohibited from communicating, disclosing, or in any way releasing to anyone, other than the board, any information or documents obtained when acting as agents of the board without first obtaining written authorization of the board.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3301-~~3312~~3313 and 37:1270(B)(6).

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Medical Examiners, LR 24:937 (May 1998), amended, LR

Subchapter B. Requirements and Qualifications for Certification

Licensure

§3105. Scope of Subchapter

A. The rules of this Subchapter govern and prescribe the requirements, qualifications, and conditions requisite to eligibility for certification licensure as an certified athletic trainer in the state of Louisiana.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3301-~~3312~~3313.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, LR 12:522 (August 1986), amended by the Department of Health and Hospitals, Board of Medical Examiners, LR

§3107. Requirements for Certification Licensure

A. To be eligible and qualified for certification licensure, an applicant shall:

1. be at least 18 years of age;

2. be a citizen of the United States or possess valid and current legal authority to reside and work in the United States ~~duly recognized and issued by the United States Citizenship and Commissioner of the Immigration and Naturalizations Services (USCIS) of the United States, Department of Homeland Security,~~ under and pursuant to the Immigration and Nationality Act (66 Stat. 163) and the commissioner's regulations thereunder (8 CFR);

3. ~~possess at least one of the following educational qualifications: possess a degree in athletic training from a CAATE accredited program, or a comparable degree accepted by the BOC and approved by the board:~~

a. an athletic training program accredited by CAATE on the date the applicant's degree was awarded or the program or curriculum was completed shall be considered a CAATE accredited program;

b. a degree that is accepted by the BOC as a comparable degree to a CAATE accredited athletic training program, shall be concurrently considered approved by the board for purposes of this Section;

a. ~~have successfully completed and graduated from an athletic training program of curriculum at a college or university approved by the board;~~

b. ~~possess a degree in physical therapy issued by a school, college, or university approved by the board; have successfully completed a basic athletic training course; a first aid course approved by the American Red Cross, a cardiopulmonary resuscitation course approved by the American Heart Association or the American Red Cross, and a nutrition course; have been associated for not less than two~~

years with an athletic team; demonstrate proficiency in athletic care; and possess letters of recommendation from a physician and a certified athletic trainer; or

~~e. possess a college or university diploma; have successfully completed not less than three consecutive (military duty excepted) and four total years employment or service as an apprentice athletic trainer at a college or university under the direct supervision of a state certified or licensed athletic trainer; and have successfully completed courses in athletic training, first aid, cardiopulmonary resuscitation, and nutrition at an accredited college or university;~~

4. ~~a certificate issued by the~~ possess BOC certification evidencing the take and successful passage of the written and/or oral certification examination administered by the NATA BOC or its successor;

5. satisfy the applicable fees as prescribed by Chapter 1 of these rules;

6. satisfy the procedures and requirements for application and examination provided by this Chapter; and

7. not be otherwise disqualified for certification licensure by virtue of the existence of any grounds for denial of certification licensure as provided by the law or in these rules.

B. The burden of satisfying the board as to the qualifications and eligibility of the applicant for certification licensure shall be upon the applicant. An applicant shall not be deemed to possess such qualifications unless the applicant demonstrates and evidences such qualifications in the manner prescribed by, and to the satisfaction of, the board.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1270, 37:1281 and 37:3301-3313.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Board of Medical Examiners, LR 12:522 (August 1986), amended by the Department of Health and Hospitals, Board of Medical Examiners, LR 30:235 (February 2004), LR 35:1886 (September 2009), amended, LR

§3109. License by Reciprocity

A. An individual who possesses a current, unrestricted license to practice as an athletic trainer issued by the medical licensing authority of another state, the District of Columbia, or a territory of the United States, shall be eligible for licensure in this state if the applicant meets all of the qualifications for licensure specified in §3107 of this Subchapter, and satisfies the procedural and other requirements specified in this Chapter.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1270(B)(6) and 37:3301-3313.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Medical Examiners, LR

Subchapter C. Board Approval [Reserved]

§§3111. Scope of Subchapter [Reserved]

Repealed.

~~A. The rules of this Subchapter prescribe the requirements for board approval of schools, colleges, universities, athletic trainers, and athletic organizations where such approval is required for the purpose of assessing qualifications for certification.~~

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3301-3312.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, LR 12:523 (August 1986), repealed, LR

§3113. Applicability of Approval [Reserved]

Repealed.

~~A. Successful completion of an athletic training curriculum and graduation from a board approved college or university is among the alternative educational qualifications requisite to certification licensure, as provided by §3107.A.3.a.~~

~~B. Possessing a degree in physical therapy from a school approved by the board is among the alternative educational qualifications requisite to certification, as provided by §3107.A.3.b.~~

~~C. Apprenticeship under the supervision of an athletic trainer approved by the board is among the alternative qualifications requisite to certification, as provided by §3107.A.3.c.~~

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3301-3312.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, LR 12:523 (August 1986), amended by the Department of Health and Hospitals, Board of Medical Examiners, LR 35:1887 (September 2009), repealed, LR

§3115. Approval of Schools and Colleges [Reserved]

Repealed.

~~A. A college or university which is currently accredited and approved by the NATA, or its successor, shall be concurrently considered approved by the board for purposes of qualification under §3107.A.3.a.~~

~~B. Board approval of a college or university hereunder shall be deemed to be effective as to an applicant if such college or university was approved as of the date on which the applicant's degree was awarded or the applicant successfully completed the athletic trainer program or curriculum at such college or university.~~

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3301-3312.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, LR 12:523 (August 1986), repealed, LR

§3117. Approval of Physical Therapy Schools [Reserved]

Repealed.

~~A. A physical therapy school located in any state which is currently accredited by an accrediting agency recognized by the Council on Post-Secondary Accreditation or the United States Commission on Education, or their successors, shall be concurrently considered approved by the board for purposes of qualification for certification under §3107.A.3.b.~~

~~B. Board approval of a physical therapy school shall be deemed to be effective as to an applicant if such school was approved by the board as of the date on which the applicant's degree in physical therapy was awarded.~~

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3301-3312.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, LR 12:523 (August 1986), repealed, LR

§3119. Approval of Athletic Trainers [Reserved]

Repealed.

~~A. A person shall be deemed to be an athletic trainer approved by the board, as contemplated by §3107.A.3.c hereof, if such person is a certified athletic trainer, duly certified by the board.~~

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3301-3312.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, LR 12:523 (August 1986), repealed, LR

§3121. Approval of Athletic Organizations [Reserved]

Repealed.

~~A. "Board approved athletic organization," as used in §3103.A, shall be deemed to include the Amateur Athletic Union, the International Olympic Committee and its affiliates, the Pan American Committee, the National Collegiate Athletic Association, the National Association of Interscholastic Athletics, the National High School Athletic Association, institution sponsored and supported college and university intramural programs, and such other organizations, associations, institutions, programs, and events as the board may determine, upon individual application, to possess and apply characteristics and standards substantially equivalent to those possessed and applied by the institutions, organizations, and associations enumerated herein.~~

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3301-3312.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, LR 12:523 (August 1986), repealed, LR

§3123. Withdrawal of Approval [Reserved]

Repealed.

~~A. Notwithstanding current or prior approval by the board pursuant to the provisions of this Subchapter or by individual determination, the board's approval of any school, college, university, athletic trainer, or athletic organization may be withdrawn at any time upon the board's affirmative finding that such school, college, university, athletic trainer, or athletic~~

~~organizations does not possess the qualifications for approval specified by this Subchapter or by the law.~~

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3301-3312.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, LR 12:523 (August 1986), repealed, LR

§3125. List of Approved Schools, Colleges, and Universities [Reserved]

Repealed.

~~A. A listing of approved colleges and universities having athletic trainer courses, curricula or degree programs and shall from time to time be amended and supplemented by the board consistently with the provisions of this Subchapter.~~

~~B. A listing of approved physical therapy schools shall from time to time be amended and supplemented by the board consistently with the provisions of this Subchapter.~~

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3301-3312.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, LR 12:524 (August 1986), repealed, LR

Subchapter D. Application

§3127. Purpose and Scope

A. The rules of this Subchapter govern the procedures and requirements applicable to application to the board for certification licensure as an certified athletic trainer in the state of Louisiana.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3301-33123313.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, LR 12:524 (August 1986), amended by the Department of Health and Hospitals, Board of Medical Examiners, LR

§3129. Application Procedure

A. Application for certification licensure shall be made upon forms in a manner prescribed and supplied by the board.

B. Application forms and instructions pertaining thereto may be obtained from the board's website.

C. An application for certification licensure under this Chapter shall include:

1. proof, documented in a form satisfactory to the board, that the applicant possesses the qualifications for certification licensure set forth in this Chapter; and

2. such other information and documentation as are referred to or specified in this Chapter, or as the board may require, to evidence qualification for certification licensure.

D. The board may refuse to consider any application which is not complete in every detail, including submission of every document required by the application form. The board may, in its discretion, require a more detailed or complete response to any request for information set forth in the application form as a condition to consideration of an application.

E. Each application submitted to the board shall be accompanied by the applicable fee, as provided in Chapter 1 of these rules.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1270, 37:1281 and 37:3301-~~3312~~3313.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Board of Medical Examiners, LR 12:524 (August 1986), amended by the Department of Health and Hospitals, Board of Medical Examiners, LR 24:938 (May 1998), LR 30:235 (February 2004), LR 35:1887 (September 2009), amended, LR

§3131. Effect of Application

A. The submission of an application for certification licensure to the board shall constitute and operate as an authorization by the applicant to each educational institution at which the applicant has matriculated, each governmental agency to which the applicant has applied for any license, permit, certificate, or registration, each person, firm, corporation, organization, or association by whom or with whom the applicant has been employed as an athletic trainer or ~~apprentice athletic trainer~~, each physician whom the applicant has consulted or seen for diagnosis or treatment, and each professional or trade organization to which the applicant has applied for membership, to disclose and release to the board any and all information and documentation concerning the applicant which the board deems material to consideration of the application. With respect to any such information or documentation, the submission of an application for certification licensure to the board shall equally constitute and operate as a consent by the applicant to disclosure and release of such information and documentation as a waiver by the applicant of any privileges or right of confidentiality which the applicant would otherwise possess with respect thereto.

B. By submission of an application for certification licensure to the board, an applicant shall be deemed to have given his consent to submit to physical or mental examinations if, when, and in the manner so directed by the board if the board has reasonable grounds to believe that the applicant's capability to act as an athletic trainer with reasonable skill or safety to ~~student-athletes~~ may be compromised by physical or mental condition, disease or infirmity, and the applicant shall be deemed to have waived all objections as to the admissibility or disclosure of findings, reports, or recommendations pertaining thereto on the grounds of privileges provided by law.

C. The submission of an application for certification licensure to the board shall constitute and operate as an authorization and consent¹ by the applicant to the board to disclose any information or documentation, set forth in or submitted with the applicant's application or obtained by the board from other persons, firms, corporations, associations, or governmental entities pursuant to §3131, to any person, firm, corporation, association, or governmental entity having a lawful, legitimate, and reasonable need therefor, including, without limitation, the athletic trainer certification licensure or licensing authority of any state, the National Athletic Trainer's Association, the Louisiana Athletic Trainer's Association, the Board of Certification, the Louisiana Department of Health

and Hospitals, state, county or parish, and municipal health and law enforcement agencies and the armed services.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3301-~~3312~~3313 and 37:1270(B)(6).

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, LR 12:524 (August 1986), amended by the Department of Health and Hospitals, Board of Medical Examiners, LR 24:938 (May 1998), amended, LR

Subchapter F. Examination

§3133. Designation of Examination

A. The examination administered and accepted by the board pursuant to R.S. 37:~~3303-B~~ 3306.1A is the National Athletic Trainers Association Certification Board of Certification developed by the NATA and the Professional Examination Service, its predecessor or their its successor(s).

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3301-~~3312~~3313.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, LR 12:524 (August 1986), amended by the Department of Health and Hospitals, Board of Medical Examiners, LR 35:1887 (September 2009), amended, LR

§3147. Passing Score

A. An applicant will be deemed to have successfully passed the examination if he attains a score equivalent to that required by the NATA or ~~its Professional Examination Service~~ BOC as a passing score; ~~provided, however, that with respect to any given administration of the examination, the board may determine to accept a lower score as passing. Applicants for certification shall be required to authorize the NATA and the Professional Examination Service to release their testing scores to the board each time the applicant examinee attempts the examination according to the procedures for such notification established by the NATA.~~

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3301-~~3312~~3313.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, LR 12:525 (August 1986), amended by the Department of Health and Hospitals, Board of Medical Examiners, LR 35:1887 (September 2009), amended, LR

§3149. Reexamination

A. An applicant having failed to attain a passing score upon taking the certification licensure examination may take a subsequent examination ~~upon payment of the applicable fee as prescribed by Chapter 1 of these rules.~~

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3301-~~3312~~3313.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, LR 12:525 (August 1986), amended by House Concurrent Resolution 69 of the 2012 Regular Legislative Session, LR 38:1460 (June 2012), amended, LR

**Subchapter G. Certificate License
Issuance, Termination Expiration,
Renewal, Reinstatement, Temporary
Permit**

§3153. Issuance of Certificate License

A. If the qualifications, requirements, and procedures prescribed or incorporated by §3107 and §3129 are met to the satisfaction of the board, the board shall issue to the applicant a certificate license to practice athletic training evidencing the applicant's certification as a certified athletic trainer in the state of Louisiana.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3301-33123313.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, LR 12:526 (August 1986), amended by the Department of Health and Hospitals, Board of Medical Examiners, LR 35:1888 (September 2009), amended, LR

§3155. Expiration of Certificates Licenses

A. Every certificate license issued by the board under this Chapter shall expire, and thereby become null, void, and to no effect, on the 30th day of June next following the date on which certificate license was issued.

~~B. The timely submission of an application for renewal of a certificate, as provided by §3157 hereof, shall operate to continue the expiring certificate in force and effect pending the board's issuance, or denial of issuance, of the renewal certificate.~~

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3301-33123313.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, LR 12:526 (August 1986), amended by the Department of Health and Hospitals, Board of Medical Examiners, LR

§3157. Renewal of Certificate License

A. Every certificate license issued by the board under this Subchapter shall be renewed annually on or before its date of expiration by submitting to the board an application for renewal, upon forms supplied in a format prescribed by the board, together with evidence of the qualifications requisite to renewal as specified in §3159 and the applicable renewal fee prescribed in Chapter 1 of these rules.

B. An application notice for renewal of certificate license shall be mailed sent by the board to each person holding a certificate license issued under this Chapter on or before the first day of June of each year. Such form notice shall be mailed sent to the most recent address of each certified licensed athletic trainer as reflected in the official records of the board.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1270, 37:1281 and 37:3301-33123313.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Board of Medical Examiners, LR 12:526 (August 1986), amended by the Department of Health and Hospitals,

Board of Medical Examiners, LR 30:235 (February 2004), amended, LR

§3159. Qualifications for Renewal; Continuing Education

~~A. To be eligible for annual renewal, of certification a certified licensed athletic trainer shall, within each two-year period during which he holds certification, successfully complete 24 12 credits/hours of continuing education recognized by the NATA BOC and shall biannually evidence such continuing education upon forms as prescribed by the board. to be submitted by an applicant for certificate renewal together with the renewal application.~~

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3301-33123313.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, LR 12:526 (August 1986), amended by the Department of Health and Hospitals, Board of Medical Examiners, LR

§3161. Reinstatement of Certification License

A. A certificate license which has expired without renewal may be reinstated by the board if application for reinstatement is made not more than two years from the date of expiration and subject to the conditions and procedures hereinafter provided.

B. An application for reinstatement shall be made upon forms supplied in a manner prescribed by the board and accompanied by two letters of recommendation from responsible officers of the applicant's last employment as an athletic trainer, together with the applicable renewal fee plus a penalty equal to twice the renewal fee.

C. With respect to an application for reinstatement made more than one year from the date on which the certificate license expired, as a condition of reinstatement the board may require that the applicant complete a statistical affidavit upon a form provided in a manner prescribed by the board, provide the board with a recent photograph, and/or possess current, unrestricted certification or licensure issued by another state.

D. A license issued by the board pursuant to R.S. 37:3306.1B is subject to reinstatement provided the application is made within the two year time limit specified in §3161A of these rules and in accordance with all other requirements specified by this Section.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3301-33123313.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, LR 12:526 (August 1986), amended by the Department of Health and Hospitals, Board of Medical Examiners, LR

§3162. Restricted Certificates-Temporary Permit

A. General. With respect to applicants who do not meet or possess all of the qualifications and requirements for certification licensure required by this Chapter (The board may, in its discretion, issue such temporary restricted certificates licenses as are in its judgment necessary or appropriate to its responsibilities under law. A T-temporary

~~restricted license certificates shall be designated and known as a permits.~~

~~B. Effect of Permit. A permit entitles the holder to engage in the practice of athletic training in the state of Louisiana only for the period of time specified by such permit and creates no right or entitlement to certification licensure or renewal of the permit after its expiration.~~

~~C. Types of Permits. The types of permits that the board may consider issuing are enumerated in the following paragraphs of this Section. Other permits may be issued by the board upon such terms, conditions, limitations, or restrictions as to time, place, nature, and scope of practice as deemed, in its judgment, necessary or appropriate to the particular circumstances of individual applicants.~~

~~D. Limitations. Athletic trainers holding any permit issued under this Section may practice athletic training only under the supervision and direction of certified athletic trainer who holds certification issued by the board, who shall provide such on-premises supervision and direction to the permit holder as is adequate to ensure the safety and welfare of athletes. Such supervision and direction shall be deemed to be satisfied by on-premises direction and supervision for not less than one hour each week.~~

~~E. Permit Pending Application for Visa. The board may issue a permit to practice athletic training to an applicant who is otherwise completely qualified for certification as an athletic trainer, save for possessing an H-1 or equivalent visa, provided that the applicant has completed all applicable requirements and procedures for issuance of certification or a permit and is eligible for an H-1 or equivalent visa under the rules and regulations promulgated by the United States Immigration Services and Naturalization Service (INS).~~

~~1. A permit issued under §3162.E shall expire and become null and void on the earlier of:~~

~~a. 90 days from the date of issuance of such permit;~~

~~b. 10 days following the date on which the applicant receives notice of INS USCIS action granting or denying the applicant's petition for an H-1 or equivalent visa; or~~

~~c. the date on which the board gives notice to the applicant of its final action granting or denying issuance of certification to practice athletic training.~~

~~2. The board may in its discretion extend or renew, for one or more additional 90 day periods, a permit that has expired pursuant to §3162.E.1.a in favor of an applicant who holds such a permit and who has filed a petition for an H-1 or equivalent visa with the INS, but whose pending petition has not yet been acted on by the INS within 90 days from issuance of such permit.~~

~~F. Permit Pending Examination/Results. The board may issue a permit to practice athletic training to an applicant who has taken the examination required by §3107.A.4 but whose scores have not yet been reported or to an applicant scheduled to take the examination at its next administration who has not previously failed such examination, to be effective pending the~~

~~reporting of such scores to the board, provided that the applicant possesses and meets all of the qualifications and requirements for certification required under this Chapter, save for having taken, passed, or received the results of the examination specified in §3107.A.4.~~

~~1. A permit issued under §3162.F shall expire, and thereby become null, void and to no effect on the earlier of any date that:~~

~~a. the board gives written notice to the permit holder that he has failed to achieve a passing score on the certification examination;~~

~~b. the permit holder is issued a certificate to practice athletic training pursuant to §3153 of this Chapter;~~

~~c. the holder of a permit issued under §3162.F fails to appear for and take the certification examination for which he has registered.~~

~~2. The board may, in its discretion, extend or renew a permit which has expired pursuant to §3162.F.1 in favor of an applicant who makes written request to the board and evidences to its satisfaction a life-threatening or other significant medical condition, financial hardship or other extenuating circumstance.~~

~~G.C. Permit Pending Application. The board may issue a permit to practice athletic training, effective for a period of 3060 days, to an applicant who has made application to the board for certification licensure as an athletic trainer, who provides satisfactory evidence of current BOC certification having successfully completed the examination required by §3107.A.4 and who is not otherwise demonstrably ineligible for certification under R.S. 37:3307.~~

~~AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1261-1292, 37:1270, 37:3301-33123313 and 37:3303.A(4).~~

~~HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Medical Examiners, LR 28:830 (April 2002), amended by the Department of Health and Hospitals, Board of Medical Examiners, LR 35:1888 (September 2009), amended, LR~~

Subchapter H. Continuing Education

§3163. Scope of Subchapter

~~A. The rules of this Subchapter provide standards for the continuing education requisite to renewal of certification licensure as an athletic trainer, as required by §§3159 and 3165 of these rules and prescribe the procedures applicable to documentation of continuing education in connection with application for renewal of certification.~~

~~AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1270(B) and 37:3303.~~

~~HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Medical Examiners, LR 16:510 (June 1990), amended, LR~~

§3165. Continuing Education Requirement

~~A. To be eligible for annual renewal of certification, an certified athletic trainer shall within each two year period during which he holds certification, evidence and document,~~

upon forms supplied in a manner prescribed by the board, the successful completion of not less than 12 hours of BOC approved continuing education. ~~2.4 continuing education units. A continuing education unit (CEU) constitutes 10 hours of participation in an organized continuing education experience under responsible sponsorship, capable direction, and qualified instruction, as approved by the board; one hour is equal to one-tenth of a continuing education unit.~~

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1270(B) and 37:3303.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Medical Examiners, LR 16:510 (June 1990), amended, LR

§3167. Qualifying Programs and Activities

A. To be acceptable as qualified continuing education under these rules, an activity or program must have significant intellectual or practical content, dealing primarily with matters related to athletic training, and its primary objective must be to maintain or increase the participant's competence as an athletic trainer.

B. The following programs and activities shall be deemed approved by the board for the number of continuing education units indicated.

~~1. A certified athletic trainer who is certified by and a member of the NATA shall receive credit for that number of continuing education units awarded or recognized by the NATA for attendance at or participation in any meeting, conference, workshop, seminar, course, or other activity held or conducted during the two-year period preceding renewal of certification.~~

~~2. One-tenth of a CEU shall be recognized for each hour of attendance at a course, seminar, or workshop sponsored by an organization or entity approved by the board and otherwise meeting the standards prescribed by §3167.A.~~

~~3. Six-tenths of a CEU shall be recognized for each instructional hour of presentation in the initial teaching, presentation, or conduct of a course, seminar, or workshop sponsored by an organization or entity approved by the board and otherwise meeting the standards prescribed by §3167.A, provided that such presentation is accompanied by thorough written materials or a comprehensive outline relating to the course, seminar, or workshop. Three-tenths of a CEU shall be recognized for each instructional hour of presentation for any subsequent teaching, presentation, or conduct of the same course, seminar, or workshop.~~

~~4. For the teaching of a course in or directly related to athletic training at an accredited educational institution, eight-tenths of a CEU shall be recognized for each hour of academic credit awarded by the institution to students for attendance at the course, provided that such teaching is not performed in the ordinary course of the certified athletic trainer's usual and ordinary employment.~~

~~5. One and one-half CEUs shall be recognized for publication, in a national, regional, or statewide scientific journal or other publication of a related profession, of an~~

~~original written work, related to the maintenance or improvement of athletic training knowledge or skills, and otherwise meeting the standards prescribed by §3167.A.~~

~~6. One-half of a CEU shall be recognized for each credit hour obtained in a course of postgraduate study beyond the bachelors degree level undertaken and completed at an accredited educational institution, provided that such course of study meets the standards prescribed by §3167.A.~~

~~7. Three-tenths of a CEU shall be recognized for the completion of a correspondence course sponsored and offered by an organization or entity approved by the board and meeting the standards prescribed by §3167.A.~~

~~8. One-half of a CEU shall be recognized for each year during which a certified athletic trainer, individually or jointly with one or more other certified athletic trainers, assumes responsibility for and discharges supervision of an apprentice or student athletic trainer for a full calendar year.~~

~~9. One-tenth of a CEU shall be recognized for each contact hour spent, by members in attendance at the annual meeting of the Louisiana Athletic Trainers' Association (LATA).~~

~~10. One-half of a CEU shall be recognized for each full year during which a certified athletic trainer serves as an elected or appointed officer or committee chairman of the LATA.~~

~~11. Two CEUs shall be recognized for each two weeks of volunteer service provided by a certified athletic trainer to any United State Olympic Committee sponsored training center.~~

~~C.B. In addition to the programs and activities approved pursuant to §3167.B, uUpon application to the board pursuant to §3171 of these rules, the board may approve additional programs and activities as qualifying for continuing education unit credit and specify the CEUs hours which shall be recognized with respect to such program or activity.~~

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1270(B) and 37:3303.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Medical Examiners, LR 16:510 (June 1990), amended, LR

§3169. Continuing Education Subcommittee

A. The continuing education subcommittee of the advisory committee ("the CE subcommittee"), constituted under authority of §3104, shall have the authority and responsibility to:

1. evaluate organizations and entities providing or offering to provide continuing education programs for athletic trainers and provide recommendations to the board with respect to the board's recognition and approval of such organizations and entities as sponsors of qualifying continuing education programs and activities pursuant to §§3171 and 3173;

2. review documentation of continuing education by certified licensed athletic trainers, verify the accuracy of such information, and evaluate and make recommendations to the

board with respect to whether programs and activities evidenced by applicants for renewal of ~~certification licensure~~ certification licensure comply with and satisfy the standards for such programs and activities prescribed by these rules;

3. request and obtain from applicants for renewal of ~~certification licensure~~ certification licensure such additional information as the committee may deem necessary or appropriate to enable it to make the evaluations and provide the recommendations for which the CE subcommittee is responsible.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1270(B) and 37:3303.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Medical Examiners, LR 16:511 (June 1990), amended LR 24:938 (May 1998), amended, LR

§3171. Approval of Program Sponsors

A. Any program, course, seminar, workshop, or other activity meeting the standards prescribed by §3167.A sponsored or offered by the NATA BOC or LATA shall be presumptively be deemed approved by the board for purposes of qualifying as an approved continuing education activity. ~~under (§3167.B.2, 3, and 7.)~~

B. Upon the recommendation of the CE subcommittee, the board may designate additional organizations and entities whose programs, courses, seminars, workshops, or other activities shall be deemed approved by the board for purposes of qualifying as an approved continuing education activity. ~~under §3167.B.2, 3, and 7~~

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1270(B) and 37:3303.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Medical Examiners, LR 16:511 (June 1990), amended LR 24:939 (May 1998), amended, LR

§3173. Approval of Activities

A. A continuing education activity of any type defined by ~~§3167.B.2, 3, or 7~~ sponsored by an organization or entity not deemed approved by the board pursuant to §3171 or an activity of a type specified by ~~§3167.B.4, 5, or 6~~ may be pre-approved by the board prior to participation in such activity or application for renewal of ~~certification licensure~~ certification licensure upon written request to the board therefor accompanied by a complete description of the nature, location, date, content, and purpose of such activity and such other information as the board may request to establish compliance of such activity with the standards prescribed by §3167.A.

B. Any such written request shall be referred by the board to the CE subcommittee or its recommendation. If the CE subcommittee's recommendation is against approval, the board shall give notice of such recommendation to the person requesting approval and the person requesting approval may appeal the CE subcommittee's recommendation to the board by written request delivered to the board within 10 days of such notice. The board's decision with respect to approval of any such activity shall be final. Persons requesting board preapproval of continuing education activities should allow not less than 90 days for such requests to be processed.

C. Prior approval of a continuing education activity by the board is not necessary for recognition of such activity by the board for purposes of meeting the continuing education requirements requisite to renewal of ~~certification licensure~~ certification licensure.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1270(B) and 37:3303.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Medical Examiners, LR 16:512 (June 1990); amended LR 24:939 (May 1998), amended, LR

§3175. Documentation Procedure

~~A. A form for documenting and certifying the completion of continuing education as required by these rules shall be mailed by the board to each certified athletic trainer subject to continuing education requirements with the application for renewal of certification form mailed by the board pursuant to §3157 of these rules. Such forms shall be completed and delivered to the board with certified athletic trainer's renewal application. Licensed athletic trainers shall maintain a record or certificate of attendance for at least four years from the date of completion of the acceptable continuing education activity.~~

~~B. In lieu of or in addition to submission of the continuing education certification form supplied by the board, completion of all or part of the continuing education required by these rules may be satisfactorily evidenced, in whole or in part, by delivering or causing to be delivered to the board the original or a certified copy of a certification by the NATA as to CEU credits awarded or recognized by the NATA for continuing education activities undertaken and completed within the prior two-year period.~~

BC. Any certification of continuing education activities not presumptively approved or preapproved in writing by the board pursuant to these rules shall be referred to the CE subcommittee for its evaluation and recommendations pursuant to §3169.A.2. If the CE subcommittee determines that an activity certified by an applicant for renewal in satisfaction of continuing education requirements does not qualify for recognition by the board or does not qualify for the number of continuing education ~~units-hours~~ claimed by the applicant, the board shall give notice of such determination to the applicant for renewal and the applicant may appeal the CE subcommittee's recommendation to the board by written request delivered to the board within 10 days of such notice. The board's decision with respect to approval and recognition of any such activity shall be final.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1270(B) and 37:3303.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Medical Examiners, LR 16:512 (June 1990); amended LR 24:939 (May 1998), amended, LR

§3177. Failure to Satisfy Continuing Education Requirements

A. An applicant for renewal of ~~certification licensure~~ certification licensure who fails to evidence satisfaction of the continuing education requirements prescribed by the rules shall be given written notice of such failure by the board. The ~~certification~~ license of the applicant shall remain in full force and effect for a period

of 60 days following the mailing of such notice, following which it shall be deemed expired, un-renewed, and subject to revocation without further notice, unless the applicant shall have, within such 60 days, furnished the board satisfactory evidence, by affidavit, that:

1. applicant has satisfied the applicable continuing education requirements;

~~2. applicant is exempt from such requirements pursuant to these rules; or~~

3.2. applicant's failure to satisfy the continuing education requirements was occasioned by disability, illness, acts of God, fire, or other good cause as may be determined by the board.

B. The ~~certification license~~ of an athletic trainer whose ~~certification~~ which has expired by nonrenewal or been revoked for failure to satisfy the continuing education requirements of these rules may be reinstated by the board upon ~~written~~ application to the board filed within two years of the effective date of expiration, nonrenewal, or revocation accompanied by satisfactory documentation of the completion of not less than ~~three~~ 30 continuing education ~~units~~ hours within the prior two years and payment of a reinstatement fee, in addition to all other applicable fees and costs, of \$50. Any continuing education activities recognized for purposes of reinstatement shall not be recognized for purposes of any subsequent renewal of ~~certification license~~ licensure.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1270(B) and 37:3303.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Medical Examiners, LR 16:512 (June 1990), amended LR 24:939 (May 1998), amended, LR

§3179. Waiver of Requirements

A. The board may, in its discretion and upon the recommendation of the CE subcommittee, waive all or part of the continuing education required by these rules in favor of an certified athletic trainer who makes written request for such waiver to the board and evidences to the satisfaction of the board a permanent physical disability, illness, financial hardship, or other similar extenuating circumstances precluding the athletic trainer's satisfaction of the continuing education requirements.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1270(B) and 37:3303.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Medical Examiners, LR 16:513 (June 1990), amended LR 24:939 (May 1998), amended, LR

Subpart 3. Practice

Chapter 57. Athletic Trainers

Subchapter A. General Provisions

§5701. Scope of Chapter

A. The rules of this Chapter govern the employment and practice of certified licensed athletic trainers in the state of Louisiana.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3301-33123313.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, LR 12:526 (August 1986), amended by the Department of Health and Hospitals, Board of Medical Examiners, LR

§5703. General Definitions

A. The definitions set forth in Chapter 31 of these rules shall equally apply to this Chapter, unless the context clearly states otherwise. As used in this Chapter, the following terms shall have the meanings specified.

~~Board—the Louisiana State Board of Medical Examiners.~~

~~Certification Licensure—the board's official recognition of a person's lawful authority to act and serve as an athletic trainer as such term is defined by the Law, R.S. 48:3302, and by §5705 hereof. Add to 3103???~~

~~Certified Athletic Trainer—a person possessing a current certificate, duly issued by the board, evidencing the board's certification of such person under the law.~~

~~Louisiana Athletic Trainers Law or the Law—Acts 1985, Number 288, as amended, R.S. 48:3301-3312.~~

~~NATA—the National Athletic Trainers Association, or its successor.~~

~~Physician—a person holding a current unrestricted license to engage in the practice of medicine in the state of Louisiana, duly issued by the board.~~

~~B. Masculine terms wheresoever used in this Chapter shall also be deemed to include the feminine.~~

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3301-33123313.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, LR 12:526 (August 1986), amended by the Department of Health and Hospitals, Board of Medical Examiners, LR

§5705. Special Definitions

A. ~~The term~~ The activities of an athletic trainer means and includes the practice of prevention, emergency management, and physical rehabilitation of injuries and sports-related conditions incurred by athletes. In carrying out these functions, the athletic trainer shall use whatever physical modalities are prescribed by a team physician or consulting physician, or both, at an educational institution, professional athletic organization, and by any athletes participating in athletic competition or events sponsored by those organizations or other board sanctioned organizations, all under the direction and supervision of a physician. The results of these activities should be recorded.

B. ~~The term Practice of prevention,~~ shall include but is not limited to the following: as used in §5705.A, means and includes:

1. ~~establishing and implementing a program of physical conditioning for athletes in cooperation with physicians, supervisors, and coaches; working cooperatively with~~

supervisors and coaches in establishing and implementing a program of physical conditioning for athletes;

2. application of applying protective or injury-preventive devices such as taping, padding, bandaging, strapping, wrapping, or bracing;

3. selecting and fitting protective athletic equipment for individual athletes and monitoring of such equipment for safety, in cooperation with physicians, supervisors, and coaches; working cooperatively with supervisors, coaches, and a team physician or consulting physician in the selection and fitting of protective athletic equipment for each athlete and constantly monitoring that equipment for safety; and

4. counseling and advising supervisors, coaches, and athletes on physical conditioning and training, such as diet, flexibility, rest, and reconditioning.

C. The term *Emergency management* means the care given to an injured athlete under the general supervision of the team or consulting physician. To accomplish this care, an athletic trainer may use such methods as application and use of accepted first aid procedures approved as established by the American Red Cross, and the American Heart Association, or pursuant to written protocols for emergency previously established by the athletic trainer and the a-team or consulting consultant physicians, to render conservative care to an injured athlete until such athlete may be attended by a physician.

D. The term *Physical rehabilitation of injuries* means the care given to athletes following injury and during recovery, including reconditioning procedures; application of therapeutic devices and equipment; fitting of braces, guards, and other protective devices; and referral to physicians, auxiliary health services and institutions, all pursuant to and in accordance with These treatments and rehabilitation programs may consist of pre-established methods of physical modality use and exercise as prescribed by a team or consultant physician, consulting physician, or both. Physical rehabilitation also includes working cooperatively with and under the general supervision of a physician with respect to the following:

1. reconditioning procedures;

2. operation of therapeutic devices and equipment;

3. fitting of braces, guards, and other protective devices;

4. referrals to other physicians, auxiliary health services, and institutions. Referrals will be made with the agreement of the athlete or, in the case of a minor, with agreement of a parent or guardian except when circumstances require emergency transfer and the parent or guardian is unavailable.

E. General supervision means the service is furnished under a physician's overall direction and control, but the physician's presence shall not be required during the provision of service.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3301-33123313.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, LR 12:526 (August 1986), amended by the Department of Health and Hospitals, Board of Medical Examiners, LR

Subchapter B. Prohibitions

§5709. Unauthorized Practices

A. No person shall hold himself out to the public, any public educational institution, any athletic organization, or any individual student, amateur, or professional athlete as an "athletic trainer" or certified licensed athletic trainer in the state of Louisiana, nor identify or designate himself as such, nor use in connection with his name the letters, "AT," "GLAT" or "ATC," or any other words, letters, abbreviations, insignia, or signs tending to indicate or imply that the person is a certified licensed athletic trainer, unless he is currently certified licensed by the board as a certified licensed athletic trainer.

B. No person shall undertake to perform or actually perform, for compensation or other remuneration, the activities of an athletic trainer, as defined in this Chapter (§5705) unless he is currently certified licensed by the board as an certified athletic trainer, as evidenced by a certificate duly issued by the board.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3301-33123313.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, LR 12:527 (August 1986), amended by the Department of Health and Hospitals, Board of Medical Examiners, LR

§5711. Exemptions

A. The prohibitions of §5709.B of this Chapter shall not apply to:

1. a person who undertakes to perform or actually performs the activities of an athletic trainer at an educational institution which is not operated by the state of Louisiana, or a parish or municipal school board, district, or subdistrict;

2. an athletic coach assigned or employed by an educational institution or athletic organization, in the performance of his usual and customary duties as such; an assigned athletic coach administering and supervising his normal sports activities;

3. a person who undertakes to perform or actually performs the activities of an athletic trainer in the employment of an educational institution or athletic organization domiciled in another state, while accompanying and attending athletes of an educational institution or athletic organization domiciled in another state during or in connection with an athletic contest conducted in Louisiana; or

4. a person acting under and within the scope of professional licensure or certification issued by another licensing agency of the state of Louisiana; or

5. any person enrolled in a CAATE accredited athletic training education program and who is designated by a title which clearly indicates his status as a student.

~~B. The prohibitions of §5709.B shall not apply to any person who performs the functions of an athletic trainer as a student trainer, assistant trainer, teacher trainer, or any similar position under the direction and supervision of a certified athletic trainer.~~

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3301-33123313.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, LR 12:527 (August 1986), amended by the Department of Health and Hospitals, Board of Medical Examiners, LR

§5713. Prohibitions: Certified Licensed Athletic Trainers

A. A certified licensed athletic trainer shall not:

1. undertake to perform or actually perform any activities, preventive measures, emergency management, physical rehabilitation of injury, or any other functions, treatments, modalities, procedures, or regimes, except under the direction and general supervision of a physician, employed or engaged as a team or consulting physician by the educational institution or athletic institution organization by which the certified licensed athletic trainer is employed or engaged;

2. prescribe, dispense, or administer any controlled substances; or

3. dispense or administer any medications for ingestion, subcutaneous, transdermal, intramuscular, or intravenous injection or topical application, except upon the prescription and direction, or pursuant to the written protocol of a physician; or

4. ~~undertake to concurrently supervise more than three uncertified student, assistant, or teacher trainers.~~

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3301-33123313.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, LR 12:527 (August 1986), amended by the Department of Health and Hospitals, Board of Medical Examiners, LR

Subchapter C. Ethical Guidelines and Standards of Practice

§5715. Ethical Guidelines

A. A certified licensed athletic trainer shall, in performance of the activities of an athletic trainer, observe and abide by the code of ethics of the National Athletic Trainers' Association Board of Certification.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3301-33123313.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, LR 12:527 (August 1986), amended by the Department of Health and Hospitals, Board of Medical Examiners, LR

§5717. Standards of Practice

A. A certified licensed athletic trainer shall, in performance of the activities of an athletic trainer, observe and

abide by the standards of practice announced and promulgated from time to time by the board pursuant to rules and regulations, advisory opinions, and interpretations and statements of position.

B. It shall be deemed a violation of minimum standards of practice applicable to certified licensed athletic trainers for a certified licensed athletic trainer to violate of the code of ethics of the National Athletic Trainers' Association Board of Certification.

~~1. be convicted of or enter a plea of guilty or nolo contendere to a criminal charge constituting a felony under the laws of the United States or of any state;~~

~~2. to be convicted of or enter a plea of guilty or nolo contendere to a criminal charge arising out of or in connection with the performance of the activities of an athletic trainer;~~

~~3. fail to maintain any qualification requisite to initial certification licensure under the law;~~

~~4. have his certification or licensure as an athletic trainer suspended, revoked, or placed on probation by any state or to have voluntarily surrendered any such certification or licensure while administrative proceedings were pending against such certification or licensure;~~

~~5. be incapable of performing the activities of an athletic trainer with reasonable skill and safety to athletes by virtue of physiological or mental condition, illness, deficit, deformity, or injury, or the abuse or excessive use of drugs, including alcohol;~~

~~6. give or suborn false testimony before the board;~~

~~7. incompetency in performing the activities of an athletic trainer.~~

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3301-33123313.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, LR 12:527 (August 1986), amended by the Department of Health and Hospitals, Board of Medical Examiners, LR

Subchapter D. Grounds for Administrative Action

§5719. Causes for Administrative Action

A. The board may refuse to issue certification a license to, or suspend, revoke, or impose probationary conditions and restrictions on the certification license of an applicant for certification licensure or a certified licensed athletic trainer upon a finding of for any of the causes provided by §R.S. 37:3308.A.1 of the Louisiana Athletic Trainers Law (R.S. 37:3301-33132), if the licensee or applicant as such causes are further defined in §5723 hereof.

1. Has been convicted of or entered a plea of guilty or nolo contendere to a criminal charge constituting a felony under the laws of Louisiana, of the United States, or of the state in which such conviction or plea was entered.

2. Has been convicted of or entered a plea of guilty or nolo contendere to any criminal charge arising out of or in connection with the practice of an athletic trainer.

3. Commits perjury, fraud, deceit, misrepresentation, or concealment of material facts in obtaining a license to practice as an athletic trainer.

4. Provides false testimony before the board or provides false sworn information to the board.

5. Engages in habitual or recurring abuse of drugs, including alcohol, which affect the central nervous system and which are capable of inducing physiological or psychological dependence.

6. Solicits patients or self-promotion through advertising or communication, public or private, which is fraudulent, false, deceptive, or misleading.

7. Makes or submits false, deceptive, or unfounded claims, reports, or opinions to any patient, insurance company, indemnity association, company, individual, or governmental authority for the purpose of obtaining anything of economic value.

8. Demonstrates cognitive or clinical incompetency.

9. Engages in unprofessional conduct.

10. Engages in continuing or recurring practice which fails to satisfy the prevailing and usually accepted standards of practice as an athletic trainer in this state.

11. Knowingly performs any act which in any way assists an unlicensed person to practice as an athletic trainer, or having professional connection with or lending one's name to an illegal practitioner.

12. Pays or gives anything of economic value to another person, firm, or corporation to induce the referral of injured athletes to an athletic trainer.

13. Has been interdicted by due process of law.

14. Is unable to practice as an athletic trainer with reasonable competence, skill, or safety to patients because of mental or physical illness, condition, or deficiency, including but not limited to deterioration through the aging process or excessive use or abuse of drugs, including alcohol.

15. Refuses to submit to an examination and inquiry by an examining committee of physicians appointed by the board to inquire into the applicant's or licensee's physical or mental fitness and ability to practice as an athletic trainer with reasonable skill or safety.

16. Practices or otherwise engages in any conduct or functions beyond the scope of practice of an athletic trainer as defined by this Chapter or the board's rules.

17. Has been subjected to the refusal of the licensing authority or another state to issue or renew a license, permit, or certificate to practice as an athletic trainer in that state, or the revocation, suspension, or other restriction imposed on a license, permit, or certificate issued by such licensing

authority which prevents, restricts, or conditions practice, or the surrender of a license, permit, or certificate issued by another state when criminal or administrative charges are pending or threatened against the holder of such license, permit, or certificate.

18. Has been subjected to denial, revocation, suspension, probation, or other disciplinary sanction from the BOC or its successor for violation of the standards of professional practice.

19. Has violated any rules and regulations of the board, or any provisions of this Chapter.

B. The board may reinstate any ~~certification~~ license suspended or revoked hereunder, or restore to unrestricted status any ~~certification~~ license subjected to probationary conditions or restrictions by the board upon payment of the reinstatement fee and satisfaction of such terms and conditions as may be prescribed by the board; provided, however, that an application for reinstatement of ~~certification~~ a license revoked by the board shall not be made or considered by the board prior to the expiration of one year following the date on which the board's order of revocation became final.

C. The board may, as part of a decision, consent order, or other agreed order, require the applicant or license holder to pay all costs of the board's proceedings and a fine not to exceed one thousand dollars.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3301-33423313.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, LR 12:527 (August 1986), amended by the Department of Health and Hospitals, Board of Medical Examiners, LR

§5723. Causes for Action; Definitions [

A. As used in §R.S. 37:3308.A1 of the law, a person who has "~~secured the certificate a license~~ by fraud or deceit" means and includes a person who:

1. makes any representation to the board, knowingly or unknowingly, which is in fact false or misleading as to a material fact or omits to state any fact or matter that is material to an application for ~~certification~~ licensure under Chapter 31 of these rules; or

2. makes any representation, or fails to make a representation, or engages in any act or omission which is false, deceptive, fraudulent, or misleading in achieving or obtaining any of the questions for ~~certification~~ licensure required by Chapter 31 of these rules.

B. As used in §57197.AB of this Chapter, the term *convicted*, as applied to a ~~certified~~ licensed athletic trainer or applicant for ~~certification~~ licensure as an athletic trainer, means that a judgment has been entered against such person by a court of competent jurisdiction on the basis of a finding or verdict of guilt or a plea of guilty or nolo contendere. Such a judgment provides cause for administrative action by the board so long as it has not been reversed by an appellate court of competent jurisdiction and notwithstanding the fact that an

appeal or other application for relief from such judgment is pending.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3301-~~3312~~3313.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, LR 12:527 (August 1986), amended by the Department of Health and Hospitals, Board of Medical Examiners, LR

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