



LEGISLATION

Questions and Answers

As a reminder to all athletic trainers, currently all athletic trainers in the state of Pennsylvania must apply and receive their license, from the Board of Medicine / Osteopathic Board of Medicine PRIOR to practicing athletic training services in the state of Pennsylvania.

1. Q. – Where do I apply for my license?

A. –ATs applying for their initial credential or renewing their license will need to apply with the State Board of Medicine or the State Board of Osteopathic Medicine at the Pennsylvania Department of State website <http://www.dos.state.pa.us> The application can also be found at <https://www.mylicense.state.pa.us/>

2. Q. – Do I need to apply for both the Board of Medicine AND Osteopathic Board of Medicine?

A. – No. When an athletic trainer applies for their state license they will be asked to choose which medical board they prefer to practice under. The athletic trainer would generally select the Board of Medicine if they are primarily overseen by a Doctor of Medicine (MD). If the athletic trainer works primarily with a Doctor of Osteopathic Medicine (DO) they would generally select the Osteopathic Board of Medicine. If the athletic trainer does not yet have a directing physician they can choose either medical board. The requirement is that all athletic trainers need to practice underneath one of these medical boards. The athletic trainer is not required to work under both boards and it is acceptable for an athletic trainer to be licensed in one board although their directing physician is licensed in the other board.

3. Q. – How long is this license duration?

A. – All licenses expire on December 31st of every even-numbered year. Licenses issued within 6 months of the end of a renewal period, expires the next renewal period

4. Q. - "Management Strategies in Athletic Training" states that "Athletic Trainers who wish to carry inhaled asthma medications or EpiPens in their kits must seek permission from the state board of pharmacy." What is the process that must be followed in order to stay within the legal guidelines?

A. - Athletic Training facilities need to develop a *Policy and Procedure of Medication Use* document which should address recommendations for managing medications as noted in the NATA consensus statement "Managing Prescriptions and Non-prescription Medication in the Athletic Training Facility". The consensus statement can be accessed by clicking on the link below:

<http://www.nata.org/sites/default/files/ManagingMedication.pdf>

The consensus statement specifies the following for use of Epi-pens and Short-Acting Beta-Agonist Inhalers by Athletic trainers:

"These (Epi-Pens and Inhalers) should be prescribed and dispensed by a licensed physician directly to the patient. Appropriate education on use occurs at the time of dispensation from physician and or pharmacist. Athletic training facilities that have established protocols for use of such emergency medication under the direct supervision of a physician may allow for administration by an athletic trainer when conditions require. In addition, a DEA certificate is recommended".

Thus in addition to the Policy and procedure of Medication Use document, the athletic trainer must also have a standard written protocols and an Emergency Action Plan. These documents must describe the conditions under which administration is indicated and approved by the supervising physician.

If the athletic training facility is located in a public school please refer to the "Guidelines for Pennsylvania Schools for the Administration of Medications and Emergency Care" document. This document was developed by the Pennsylvania Department of Health and it contains further recommendations.

5. Q. – If someone is practicing athletic training skills and is not a licensed athletic trainer, what can I do?

A. – As an AT it is your duty and responsibility to bring this up to the board of which you are currently licensed. It is best to have documented times and places as to where they are practicing. You may find the complaint form on the DOS website under "File a complaint".

<http://www.dos.state.pa.us/portal/server.pt/community/complaints/18170>

6. Q- What penalties will be incurred if these people are found guilty of practicing without a license?

A. – ATs may not practice in Pennsylvania if they do not have a Pennsylvania license or they will be subject to fines through the PA Department of State. The Medical Board is authorized to impose civil penalties up to \$10,000 for practicing without a license.

7. Q. - What do I do if I think there is a person who is acting as an AT but may not be?

A. -. We have protection for the "Practice of Athletic Training Services". We have a legal definition of: athletic training services. Physicians practice medicine, PT's practice physical therapy. Licensed Athletic Trainers practice Athletic Training. Therefore, anyone, in any shape or form, that practices athletic training without state credentials (LAT) is in violation of the law....no matter what they conveniently call themselves.

If you have any questions about the licensure of a professional in the Commonwealth of Pennsylvania, there are some steps you can take to check their credentials. To check on their status as an LAT , you can go to:

<https://i7lp.integral7.com/durango/fo/pr/prSearch?ownername=boc&channel=boc>.

In order to practice as a licensed Athletic Trainer in PA, persons must also have a PA license which can be verified through this website. <http://www.licensepa.state.pa.us/>

8. Q. - What if the person is not on BOTH of these lists?

A. – When an athletic trainer (AT) applies for their state license they will be asked to choose which board of medicine they practice under. The AT would generally select the Board of Medicine if they are primarily overseen by a Doctor of Medicine (MD). If the AT works primarily with a Doctor of Osteopathic Medicine (DO) they would generally select the Osteopathic Board of Medicine. If the AT does not yet have a directing physician they can choose either board. The requirement is for all AT to practice under one of these boards. The AT is not required to work under both boards, and it is ok for an athletic trainer to practice under one board even if their directing physician is in the other board.

9. Q. – What penalties may occur to an AT and/or their employer who is not on both of these lists?

A. Athletic Trainers licensed are required to maintain current credentialing from the Board of Certification. Licensees who fail to maintain current credentials from the Board of Certification are subject to license revocation, suspension, probation or the imposition of a civil penalty up to \$10,000.

10.Q. – What is my ethical responsibility to bring to light someone who is practicing illegally?

A. – Obtaining the regulatory status of Licensure for Athletic Trainers in the state of Pennsylvania required extensive lobbying and legislative efforts. This widespread, successful effort legally ensures the quality of Athletic Trainers for consumers, and prevents illegal behavior on the part of individuals without professional training and certification in Athletic training who call themselves Athletic Trainers, thus aiding in the preservation of the integrity of the profession. Athletic Training practitioners are legally bound by state requirements and are ethically responsible for compliance with them. Practicing illegally can have many meanings as stated by the Pennsylvania Department of State “If you believe the practice or the service provided by a licensee or registrant...to be unethical, immoral, below an acceptable standard of practice or out of the scope of the profession, you are urged to file a Statement of Complaint Form with the Department of State.”

Every athletic training professional has an obligation to report those who practice illegally to the governing body which represent their profession. In the case of AT's in PA individuals that practice illegally should be reported to the Board of Medicine or Board of Osteopathic Medicine. Complaints against ones license can be made online at <http://www.doscomplaintform.state.pa.us/>

11. Q. – What are the fines associated with practicing illegal?

A. –. All athletic Trainers are subject to discipline on the grounds set out in paragraph 15 of The Osteopathic Medical Practice Act. There are penalties for not following those specific standards. These may include, but are not limited to, revoking privileges, suspension of license, put on probation, civil penalties, etc. Please see paragraph 42 of the Medical Practice Act and paragraph 15 of the Osteopathic Medical Practice Act.

12. Q. – Is there a grandfather clause for those practicing athletic training?

A. – Yes and no.

Yes – There are athletic Trainers in the Commonwealth who are currently practicing and did not attend an Athletic Training Education Program or may not have taken the Board of Certification exam. This is a very small group of individuals who were practicing the profession of athletic training before there were laws in Pennsylvania to govern athletic training. These individuals hence were grandfathered a certification when athletic trainers were governed by the Physical Therapy Board. As the Athletic trainers left the Physical Therapy Board and moved to the Medical board and Osteopathic Medical Board, these same grandfathered individuals were grandfathered a license to practice athletic training in the Commonwealth. These grandfathered individuals must maintain ALL the same continuing education and licensing requirements as athletic trainers.

No – one can NO longer use this route to licensure in the Commonwealth of Pennsylvania. The law is clear now as to requirements to become a licensed athletic trainer in Pennsylvania

13. Q. – Can athletic trainers practice their services in work settings other than the traditional secondary schools and colleges?

A. – Yes, athletic trainers may practice athletic training services, under the direct supervision of a physician, providing services to the physically active individual. The setting in which they work is irrelevant.

14. Q. – Can students in an athletic training program take care of athletes without direct supervision?

A. No students must be under direct supervision with their mentor. This is established by the Commission on Accreditation of Athletic Training Education (CAATE).

15. Q. – If a high school in PA, uses a contracted therapy clinic outside of the Commonwealth for Athletic Training Services, can the clinic place an AT in that school? If so, does the AT need a PA license?

A. Yes, that contract may take place, however, the athletic trainer providing services for the school in PA must have a valid Pennsylvania license to practice.

16. Q – What is the duration for a temporary license?

A. A temporary license expires one (1) year from the date of issuance or certification as an Athletic Trainer from the BOC. Temporary license expires immediately if the candidate fails the BOC exam.