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***OKLAHOMA ADMINISTRATIVE CODE
TITLE 435. STATE BOARD OF MEDICAL LICENSURE AND SUPERVISION
CHAPTER 25. ATHLETIC TRAINERS AND APPRENTICES**

SUBCHAPTER

1. General Provisions
3. Licensure of Athletic Trainers
5. Regulations of Athletic Trainer Practice
7. Licensure of Apprentice Athletic Trainers
9. Advisory Committee
11. Disciplinary Action

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CHAPTER 25. ATHLETIC TRAINERS AND APPRENTICES

Subchapter	Section
1. General Provisions.....	435:25-1-1
3. Licensure of Athletic Trainers.....	435:25-3-1
5. Regulation of Athletic Trainer Practice.....	435:25-5-1
7. Licensure of Apprentice Athletic Trainers.....	435:25-7-1
9. Advisory Committee.....	435:25-9-1
11. Disciplinary Action.....	435:25-11-1

[**Authority:** Title 59 O.S., Section 528]

[**Source:** Codified 12-30-91]

SUBCHAPTER 1. GENERAL PROVISIONS

Section

435:25-1-1. Purpose

435:25-1-1. Purpose

The rules in this chapter provide general requirements for applicants as athletic trainers/apprentice athletic trainers and regulation of practice.

435:25-1-2. Definitions

The following words and terms, when used in this Chapter, shall have the following meaning unless the context clearly indicates otherwise:

"Athlete" means a person who engages in physical activity or is physically active.

"Physical activity" means activity that consists of athletic, recreational or occupational activities that require physical skills and utilize strength, power, endurance, speed, flexibility, range of motion or agility.

"Physically active" means individuals that engage in athletic, recreational or occupational activities that require physical skills and utilize strength, power, endurance, speed, flexibility, range of motion or agility.

"Poses a reasonable threat" means the nature of criminal conduct for which the person was convicted involved an act or threat of harm against another and has a bearing on the fitness or ability to serve the public or work with others in the occupation.

"Substantially relates" means the nature of criminal conduct for which the person was convicted has a direct bearing on the fitness or ability to perform one or more of the duties or responsibilities necessarily related to the occupation

[*Source: Added at 19 Ok Reg 1195, eff 5-13-02*]

SUBCHAPTER 3. LICENSURE OF ATHLETIC TRAINERS

Section

435:25-3-1. Licensure by examination

435:25-3-2. Licensure by endorsement

435:25-3-3. Duplicate licenses

435:25-3-1. Licensure by examination

Requirements for Athletic Trainer licensure by examination are as follows:

- (1) **Statutory requirements.** All applicants for licensure by examination must meet the statutory requirements set forth in the Oklahoma Athletic Trainers Act, hereinafter referred to as Act.
- (2) **Required examination.** The State Board of Medical Licensure and Supervision, hereinafter referred to as Board, recognizes and adopts the National Athletic Trainer's Association Certification Examination (hereinafter referred to as NATA) as the examination required for licensure of an Athletic Trainer.
- (3) **Filing application.** Application for licensure by examination must be on file at the office of the Board at least 30 days prior to examination.
- (4) **Admittance.** No person shall be admitted to the examination until satisfactory evidence is submitted to the Board of her/his qualifications to be admitted to such examination.
- (5) **Proof of scores.** Submission of proof of scores of a passing grade, as determined by the National Athletic Trainer's Association, shall constitute satisfactory evidence of an applicant's educational qualifications for licensure. Applicants must have the scores submitted to this Board through the Interstate Reporting Service.
- (6) **Failure of written portion of examination.** In the event of failure to pass the written portion of the NATA examination, the applicant must re-take said part of the examination until such time as a passing score is obtained.
- (7) **Failure of oral/practical portion of examination.** In the event of failure to pass the oral/practical portion of the examination, the applicant must re-take said part of the examination until such time as a passing score is obtained.
- (8) **Administration of oral/practical examination.**
 - (A) The oral/practical portion of the examination will be administered by one licensed physician and two licensed Athletic Trainers.
 - (B) The Secretary of the State Board of Medical Licensure and Supervision is authorized to appoint the physician and licensed Athletic Trainers who are to administer the examination each time the examination is given.
- (9) **Fees.**
 - (A) The application for licensure by examination shall be accompanied with a fee to cover the actual cost of purchasing the examination and the cost of administering the examination which is to be determined on a per capita basis.
 - (B) The Secretary of the Board is hereby authorized to assess the actual cost of the examination and the administration costs of said examination and to notify the respective applicants of the cost for the examination or any respective parts thereof.
 - (C) The application for licensure by examination shall be accompanied with a fee of \$50.00 in addition to the examination fee.
- (10) **Team or consulting physician application and written protocol.** An Athletic Trainer's License shall only be issued by the Board upon application filed by both the Athletic Trainer-applicants and the team physician or consulting physician with a written protocol approved by said physician.

435:25-3-2. Licensure by endorsement

Requirements for Athletic Trainer licensure by endorsement are as follows:

- (1) **Statutory requirements.** Applicants for licensure by endorsement must meet all statutory requirements required of applicants for licensure by examination, as set forth in the Act.
- (2) **Examination standard; personal interview.** Any person who is currently licensed by examination as an athletic trainer in another state of the United States of America, the District of Columbia or Puerto Rico, is eligible for licensure by endorsement provided the written examination and grade standard were that of the NATA. Scores must be submitted through the Interstate Reporting Service or other recognized reporting service. If the applicant has not been employed as an athletic trainer during the year prior to application, such applicant may be requested to present herself/himself for a personal interview with the members of the Advisory Committee or the Board.
- (3) **Fees.** The application shall be accompanied by a fee as set in 435:1-1-7.

435:25-3-3. Duplicate licenses

Upon presentation of an affidavit and satisfactory proof that an Athletic Trainer's license has been lost, stolen or destroyed, the Secretary of the Board may issue a duplicate license upon the instruction of the Board. Such license shall carry the notation that it is a duplicate to replace the original license. A fee set by the Board will be collected.

SUBCHAPTER 5. REGULATION OF ATHLETIC TRAINER PRACTICE

Section

- 435:25-5-1. Supervision
- 435:25-5-2. Initial licensure; renewal; reinstatement
- 435:25-5-3. Renewal fee
- 435:25-5-4. Prescribing drugs
- 435:25-5-5. Disclosure of examination contents by licensee prohibited
- 435:25-5-6. Code of ethics

435:25-5-1. Supervision

The work of the Athletic Trainer shall be done under the supervision of the team physician or consulting physician, although the physician need not be physically present at each activity of the athletic trainer nor be specifically consulted before each delegated task performed.

435:25-5-2. Initial licensure; renewal; reinstatement

- (a) Initial licensure of an Athletic Trainer shall be for one year and shall be renewed annually.
- (b) Athletic Trainers with licenses lapsed twelve months or less wishing to apply for reinstatement of licensure will be required to file an application on forms provided by the Board. Athletic Trainers may be required to meet one or more of the following guidelines:
 - (1) Personal appearance before the Advisory Committee.
 - (2) Practice under the direct supervision of a licensed Athletic Trainer and/or licensed physician for up to ninety (90) days. The supervising Athletic Trainer and/or supervising

Physician will provide to the Committee a report on the applicant's performance prior to licensure.

(3) Provide proof of current National Athletic Trainers Association Board of Certification (NATABOC) certification.

(c) Athletic Trainers with licenses lapsed more than twelve months wishing to re-enter the practice of Athletic Trainer will be required to file a new application on forms provided by the Board. Athletic Trainers may be required to meet one or more of the following guidelines:

(1) Personal appearance before the Advisory Committee.

(2) Practice under the direct supervision of a licensed Athletic Trainer and/or licensed Physician for one month (at least 22 days) for each year the license was lapsed. The supervising Athletic Trainer and/or supervising Physician will provide to the Committee a report on the applicant's performance prior to licensure.

(3) Up to 25 continuing education units for each year the license was lapsed or proof of current NATABOC Certification.

(4) Retake and pass the National Athletic Trainers Association Board of Certification (NATABOC) examination.

[Source: Amended at 19 Ok Reg 1195, eff 5-13-02]

435:25-5-3. Renewal fee

The Athletic Trainer licensure renewal fee shall be as set in 435:1-1-7.

435:25-5-4. Prescribing drugs

The athletic trainer shall not prescribe, administer or dispense any scheduled or legend drug.

435:25-5-5. Disclosure of examination contents by licensee prohibited

An athletic trainer shall not reproduce in written form or reveal in any other manner, any part of the written or oral/ practical examination for the purpose of aiding licensure of candidates.

435:25-5-6. Code of ethics

(a) **Rights, welfare and dignity.** Licensees shall respect the rights, welfare and dignity of all individuals.

(1) Licensees shall not practice discrimination on the basis of race, creed, national origin, sex, age, handicap, disease entity, social status, financial status or religious affiliation.

(2) Licensees shall be committed to providing competent care consistent with both the requirements and the limitations of their profession.

(3) Licensees shall preserve the confidentiality of privileged information and shall not release such information to a third party not involved in the patient's care unless the person consents to such release or release is permitted or required by law.

(b) **Compliance with laws and regulations.** Licensees shall comply with the laws and regulations governing the practice of athletic training.

(1) Licensees shall comply with applicable local, state, and federal laws and institutional guidelines.

(2) Licensees shall not engage in the use of illegal drugs or other substances that impairs the ability to practice.

(c) **Sound judgment.** Licensees shall accept responsibility for the exercise of sound judgment.

- (1) Licensees shall not misrepresent in any manner, directly or indirectly, their skills, training, professional credentials, identity or services.
 - (2) Licensees shall provide only those services for which they are qualified via education and/or experience and by pertinent legal regulatory process.
 - (3) Licensees shall provide services, make referrals, and seek compensation only for those services that are necessary.
- (d) **High Standards.** Licensees shall maintain and promote high standards in the provision of services.
- (1) Licensees shall recognize the need for continuing education and participate in various types of educational activities that enhance their skills and knowledge.
 - (2) Licensees who have the responsibility for employing and evaluating the performance of other staff members shall fulfill such responsibility in a fair, considerate, and equitable manner, on the basis of clearly enunciated criteria.
- (e) **Conflict of interest.** Licensees shall not engage in any form of conduct that constitutes a conflict of interest or that adversely reflects on the profession.
- (1) The private conduct of the licensee is a personal matter to the same degree as is any other person's except when such conduct compromises the fulfillment of professional responsibilities.
 - (2) Licensees shall not place financial gain above the welfare of the patient being treated and shall not participate in any arrangement that exploits the patient.

[Source: Add at 13 Ok Reg 1709, eff 5-25-96]

SUBCHAPTER 7. LICENSURE OF APPRENTICE ATHLETIC TRAINERS

Section

- 435:25-7-1. Definitions
- 435:25-7-2. Supervision
- 435:25-7-3. Examination
- 435:25-7-4. Licensure fee
- 435:25-7-5. Renewal fee
- 435:25-7-6. Duplicate licenses

435:25-7-1. Definitions

The following words or terms, when used in this Subchapter, shall have the following meaning, unless the context clearly indicated otherwise:

"Apprentice Athletic Trainer" means a person who is putting in clock hours toward becoming a licensed Athletic Trainer.

"Direct supervision" means on-site, personal supervision. The supervisor will delineate specific tasks and duties to be performed. Supervisee will not perform duties or tasks for which

he/she is not trained.

"General supervision" means responsible supervision and control. The supervisor is regularly and routinely on site to provide supervision. When not on site, the supervisor is available physically or through direct telecommunication for consultation.

[Source: Amended at 17 Ok Reg 1357, eff 5-11-00]

435:25-7-2. Supervision

An Apprentice Athletic Trainer is a person who assists in the duties usually performed by an athletic trainer under the direct supervision of a licensed athletic trainer.

435:25-7-3. Examination

The Board hereby waives any examination for licensure as an apprentice athletic trainer.

435:25-7-4. Licensure fee

The fee for licensure as an apprentice athletic trainer upon initial application shall be as set in 435:1-1-7.

435:25-7-5. Renewal fee

The annual renewal fee for licensure as an apprentice athletic trainer shall be as set in 435:1-1-7.

435:25-7-6. Duplicate licenses

Upon presentation of an affidavit and satisfactory proof that an Athletic Trainer's license has been lost, stolen or destroyed, the Secretary of the Board may issue a duplicate license upon the instruction of the Board. Such license shall carry the notation that it is a duplicate to replace the original license. A fee of 15.00 shall be collected.

SUBCHAPTER 9. ADVISORY COMMITTEE

Section

435:25-9-1. Review of applications

435:25-9-2. Review of complaints

435:25-9-3. Compliance with Administrative Procedures Act

435:25-9-1. Review of applications

The Athletic Trainers Advisory Committee hereinafter referred to as Advisory Committee, will review all applications by individuals for licensure and submit recommendations to the Board for action.

435:25-9-2. Review of complaints

The Advisory Committee will review all complaints and/or investigations wherein there is a possible violation of the Act or the rules of the Board promulgated pursuant thereto and make recommendations to the Board for action.

435:25-9-3. Compliance with Administrative Procedures Act

The Advisory Committee shall follow all provisions of the Administrative Procedures act in conducting all official duties, including investigative hearings, licensure of applicants, etc.

SUBCHAPTER 11. DISCIPLINARY ACTION

Section

435:25-11-1. Grounds for disciplinary action

435:25-11-2. Investigatory hearings

435:25-11-1. Grounds for disciplinary action

The Board may reprimand or place on probation any holder of an Athletic Trainers License or Apprentice Athletic Trainers License or revoke or suspend any license issued to an Athletic Trainer or Apprentice Athletic Trainer who:

- (1) Has been convicted of a felony crime that substantially relates to the occupation of athletic trainers or poses a reasonable threat to the public safety or a misdemeanor involving moral turpitude;
- (2) Habitually uses intoxicating liquor or a habit-forming drug;
- (3) Secured the license by fraud or deceit;
- (4) Has been grossly negligent while in the practice as an athletic trainer or apprentice athletic trainer;
- (5) Has failed to timely make application for renewal;
- (6) Has conducted herself/himself in a manner considered improper by recognized acceptable standards of moral and ethical conduct;
- (7) Violated or conspired to violate the provisions of this Act or Rules and Regulations issued pursuant to the Act.
- (8) Aides or abets, directly or indirectly, the practice of Athletic Training by any person not duly authorized under the Laws of Oklahoma.

[Source: Amended at 16 Ok Reg 1331, eff 4-2-99 (emergency); Amended at 17 Ok Reg 1358, eff 5-11-00]

435:25-11-2. Investigatory hearings

Investigatory hearings may be conducted by the Advisory Committee to ascertain facts, make conclusions and recommendations to the Board.

- (1) **Notices.** All notices or other papers requiring service in an individual proceeding shall be served in the manner set forth in 435:1-1-4 (c).
- (2) **Time.** The time set for a hearing shall not be less than thirty days after the date the notice is completed.
- (3) **Discovery techniques.** All parties to said hearing are authorized to use discovery techniques available to parties in a civil action in the state courts of Oklahoma.

(4) **Hearing.** The hearing shall be conducted in an orderly manner by the Chairman of the Advisory Committee. The order of procedure will follow that which applies in civil proceedings of law.

(5) **Administrative Procedures Act.** All hearings shall be conducted in accordance with and be governed by the provisions of the Oklahoma Administrative Procedures Act, 75 O.S. 1971, Sections 301 through 327, as now or hereinafter may be amended.

(6) **Hearing recorded.** The hearing will be tape recorded and a record preserved by the Chairman of the Advisory Committee. If the respondent desires a certified court reporter to be present, that party shall be responsible for securing the attendance of the same. Neither the Advisory Committee nor the Board shall be responsible for the cost for the attendance of the reporter or a transcription of the hearing.

(7) **Transcript of hearing.** If a transcript of the hearing is desired, the requesting party must deposit sufficient funds to cover the transcription cost. The fees previously adopted by this Board for such transcription shall be applicable.

(8) **Continuances.** Requests for continuances received prior to the hearing date may be granted by the Chairman of the Advisory Committee for good cause shown.

(9) **Recommendations to the Board.** The Advisory Committee shall conduct the hearing, receive all evidence and shall thereafter make its recommendations to the Board for an appropriate order. Such recommendations shall be made within 15 days after the hearing.

(10) **Appeal to the Board.** An aggrieved party may appeal such finding to the Board within thirty (30) days of the issuance of the Advisory Committee's Recommendations. The appeal to the Board will be on the record; parties will be afforded an opportunity to make oral arguments to the Board.