

45:9-37.35 to 45:9-37.50

LEGISLATIVE HISTORY CHECKLIST

NJSA: 45:9-37.35 to 45:9-37.50

("Athletic Training
Practice Act"--
licensing and regulation)

LAWS OF: 1984

CHAPTER: 203

Bill No: S1295

Sponsor(s): Lynch

Date Introduced: February 23, 1984

Committee: Assembly: Higher Education and Regulated Professions

Senate: Labor, Industry and Professions

Amended during passage: Yes Substituted for A1438 (not attached since identical to S1295)

Date of Passage: Assembly: October 18, 1984

Senate: June 18, 1984

Date of Approval: December 4, 1984

Following statements are attached if available:

Sponsor statement: Yes (Below) Also attached: Senate amendments, adopted 5-21-84 (with statement)

Committee statement: Assembly Yes

Senate Yes

Fiscal Note: No

Veto Message: No

Message on Signing: Yes

Following were printed:

Reports: No

Hearings: No

Sponsor's statement:

This bill regulates and licenses athletic trainers. It creates an Athletic Training Advisory Committee under the supervision of the State Board of Medical Examiners to consult with and advise the board.

[SECOND OFFICIAL COPY REPRINT]

SENATE, No. 1295

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 23, 1984

By Senator LYNCH

Referred to Committee on Labor, Industry and Professions

AN ACT providing for the registration and regulation of athletic trainers and supplementing chapter 9 of Title 45 of the Revised Statutes.

1 BE IT ENACTED *by the Senate and General Assembly of the State*
2 *of New Jersey:*

1 1. This act shall be known and may be cited as the "Athletic
2 Training Practice Act."

1 2. As used in this act:

2 a. "Advisory committee" means the Athletic Training Advisory
3 Committee established in section 5 of this act;

4 b. "Athlete" means an individual who participates in an inter-
5 scholastic, intercollegiate, or intramural athletic activity being
6 conducted by an educational institution licensed in this State or a
7 professional athletic activity;

8 c. "Athletic trainer" means a person who practices athletic train-
9 ing as an employee of a school, college, university or professional
10 team;

11 d. "Athletic training" means and includes the practice of physical
12 conditioning and reconditioning of athletes and the prevention of
13 injuries incurred by athletes. Athletic training shall also include,
14 at the direction of a physician licensed in this State, the application
15 of physical treatment modalities, as recommended by the advisory
16 committee and defined in regulation by the board, to athletes;

17 e. "Board" means the State Board of Medical Examiners.

1 3. No person shall practice or hold himself out as being able to
2 practice athletic training in this State unless registered in accor-
3 dance with the provisions of this act.

**EXPLANATION—Matter enclosed in bold-faced brackets [thus] in the above bill
is not enacted and is intended to be omitted in the law.**

Matter printed in italics *thus* is new matter.

Matter enclosed in asterisks or stars has been adopted as follows:

***—Senate committee amendments adopted April 30, 1984.**

****—Senate amendment adopted May 21, 1984.**

1 4. The board, after consultation with the Athletic Training
2 Advisory Committee, shall establish rules and regulations for the
3 administration and enforcement of this act.

1 5. There is created in the Division of Consumer Affairs of the
2 Department of Law and Public Safety, under the State Board of
3 Medical Examiners, an Athletic Training Advisory Committee.
4 The committee shall consist of six members, ***[four]*** **three** of
5 whom shall be registered athletic trainers of this State having at
6 least five years experience in the practice of athletic training in
7 this State immediately prior to appointment **and one of whom*
8 *shall be a registered athletic trainer of this State having at least*
9 *five years experience in the practice of athletic training in a second-*
10 *ary school in this State immediately prior to appointment**. One
11 member of the advisory committee shall be a representative of the
12 Department of Higher Education and one member shall be a
13 physician licensed in this State. The first four athletic trainers
14 appointed to the committee shall demonstrate eligibility for regis-
15 tration and shall apply for or receive registration within six months
16 of their appointment. The members of the committee shall be
17 appointed by the Governor**, *with the advice and consent of the*
18 *Senate,*** for terms of three years, except in making the initial
19 appointments the Governor shall designate two members to serve
20 three years, two members to serve two years, and two members to
21 serve one year. In the event of death, incapacity, resignation or
22 removal of any member, the vacancy shall be filled for the un-
23 expired portion of the term in the same manner as the original
24 appointment. Each member shall hold office after the expiration of
25 the term until a successor shall be appointed and qualified. The
26 committee shall meet at least twice a year and shall also meet upon
27 the call of the board or Attorney General. The committee shall
28 carry out the responsibilities assigned to it under this act and any
29 other matter the board may require. The Attorney General shall
30 provide the committee with facilities and personnel required for
31 the proper conduct of its business. The board, with the approval of
32 the Attorney General, may authorize reimbursement of the mem-
33 bers of the committee for their actual expenses incurred in connec-
34 tion with the performance of their duties as members of the com-
35 mittee.

1 6. a. Ninety days from the effective date of this act, it shall be
2 unlawful for any person to practice athletic training in this State
3 unless registered in accordance with the provisions of this act.
4 Nothing in this act, however, shall prohibit any person licensed
5 to practice in this State ~~under any other law from engaging in the~~
5A practice for which he is licensed.

6 b. This act shall not prohibit: a candidate for registration as
 7 an athletic trainer from accumulating the mandated number of
 8 hours of supervised clinical experience under the direction of a
 9 registered athletic trainer; a student enrolled in a school or educa-
 10 tional program of athletic training approved by the board from
 11 performing acts of athletic training incidental to the course of
 12 study, if the performance is under the direction of a registered
 13 athletic trainer; a student in any educational program in the heal-
 14 ing arts approved or accredited under the laws of this State from
 15 carrying out prescribed courses of study; a person employed by any
 16 agency, bureau or division of the federal government from dis-
 17 charging his official duties; or a person in connection with employ-
 18 ment as an athletic trainer by a nonresident athlete, educational
 19 institution or recognized athletic organization temporarily visiting
 20 in this State, from practicing athletic training provided he is
 21 lawfully permitted to work as an athletic trainer in the state of
 22 residence of his employer.

23 c. The provisions of this act are not intended to limit the activities
 24 of persons legitimately engaged in the administration of non-
 25 therapeutic baths, massage and normal exercise.

1 7. An athletic trainer may not practice or be employed by any
 2 individual or entity in order to do physical therapy procedures
 3 for reimbursement.

1 8. An applicant for registration as an athletic trainer shall submit
 2 evidence to the board, in the form the board may prescribe, ***[**that
 3 the applicant meets the standards adopted by the National Athletic
 4 Trainer Association in effect at the time of registration with the
 5 board and**]*** that the applicant:

6 a. Is 18 years of age or older;

7 b. Is of good moral character and does not engage in the habitual
 8 use of alcohol, narcotics or other habit forming drugs;

9 c. Is a graduate of a high school approved by the Department
 10 of Education or has obtained equivalent education acceptable to the
 11 board; and

12 d. Has met the athletic training curriculum requirements of a
 13 college or university approved by the board and provides proof of
 14 graduation. The board, in establishing, altering or amending the
 15 standards for approving programs that grant degrees in instruction
 16 of athletic training, shall consult with the Board of Higher Educa-
 17 tion and the advisory committee and shall establish standards
 18 which are equal to or exceed the standards of the National Athletic
 19 Trainer Association for certification and which shall include courses
 20 of study in the biophysical sciences for the use of physical agents
 21 and medical-surgical techniques as related to athletics.

1 9. The board shall give an examination to applicants who comply
2 with the qualifications for registration. The examination shall in-
3 clude a written and oral-practical examination which shall test the
4 applicant's knowledge of the basic and clinical sciences that are
5 pertinent to athletic training, emergency care of the injured athlete
6 and principles of injury evaluation and conditioning, including the
7 use of various physical modalities and exercise techniques. The
8 examination shall be administered within the State no less than
9 once each year at a time and place the board shall designate. The
10 deadline for making application shall be 60 days prior to the date
11 of the administration of the test. The applicant shall be notified
12 of the board's decision regarding the applicant's eligibility for
13 examination 30 days prior to the administration of the examination.
14 An applicant who fails the first examination may, after the expira-
15 tion of six months but within two years, apply for a second exami-
16 nation. An applicant failing the second examination may, at the
17 discretion of the board, apply for further examination provided
18 the person qualifies for examination under the conditions in effect
19 at the time of reapplication.

1 10. On payment to the board of the application fee as provided
2 in section 14 of this act, and upon approval of an applicant's appli-
3 cation, the board shall issue a registration to any person who
4 successfully passes the written and oral-practical examination pro-
5 vided in section 9 of this act.

1 11. On payment to the board of the application fee as provided
2 in section 14 of this act, and upon approval of a written application
3 on forms provided by the board, the board shall issue, without
4 examination, a registration to any person who:

5 a. Applies for registration within 90 days of the effective date
6 of this act and who meets the qualifications set forth in sub-
7 sections a., b., and c. of section 8 of this act and presents to the
8 board evidence of having provided comprehensive, satisfactory
9 athletic training services for five years or more as a major respon-
10 sibility of employment in this State prior to the effective date of
11 the act; or is a resident of this State and presents evidence of being
12 certified by the National Athletic Trainers Association; or

13 b. Is licensed or registered as an athletic trainer in any other
14 state or territory of the United States or the District of Columbia,
15 if the requirements for licensure or registration are equivalent to
16 the requirements of this act at the date of application for the regis-
17 tration as shall be determined by the board in consultation with the
18 committee.

1 12. No person shall use the words "athletic trainer" or "registered
2 athletic trainer" or the letters "AT" unless registered pursuant to
3 this act.

1 13. Upon submission of a written application on forms provided
2 by it, the board shall issue a temporary registration to a person
3 who has applied for registration under the provisions of section 8
4 of this act and who is, in the judgment of the board, eligible to
5 take the examination provided for in section 9 of this act. The
6 temporary registration shall be available to an applicant only with
7 respect to the first application for registration under section 8.
8 The temporary registrant shall take the next available examina-
9 tion. The temporary registration will expire on either the date of
10 the next examination or the date of the final determination, which-
11 ever is later.

1 14. Each initial application under this act shall be accompanied
2 by a fee as prescribed by the board. Registration shall expire
3 biennially on January 31 and shall be renewed upon application
4 and payment of a fee as prescribed by the board. If the fee is not
5 paid by that date the registration shall automatically expire. A
6 registration which has expired may, within three years of its ex-
7 piration date, be renewed on payment to the board of the prescribed
8 reinstatement fee for each year or part thereof during which the
9 registration was ineffective and a restoration fee as prescribed by
10 the board. After the three year period, the registration may be
11 renewed only by complying with the provisions of this act regarding
12 initial registration.

1 15. The board may refuse to issue, or may suspend or revoke
2 the registration of any person, or may impose any other disci-
3 plinary sanction pursuant to the provisions of P. L. 1978, c. 73
4 (C. 45:1-14 et seq.).

1 16. All laws and parts thereof dealing with athletic training
2 inconsistent with this act are superseded to the extent of their
3 inconsistency.

1 17. This act shall take effect immediately.

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STATEMENT

This bill regulates and licenses athletic trainers. It creates an Athletic Training Advisory Committee under the supervision of the State Board of Medical Examiners to consult with and advise the board.

ASSEMBLY HIGHER EDUCATION AND REGULATED
PROFESSIONS COMMITTEE

STATEMENT TO
SENATE, No. 1295

[SECOND OFFICIAL COPY REPRINT]

STATE OF NEW JERSEY

DATED: JUNE 25, 1984

The Assembly Higher Education and Regulated Professions Committee favorably reports Senate Bill No. 1295 (Second Official Copy Reprint) and endorse the Senate Labor, Industry and Professions Committee statement which reads as follows:

This bill provides for the registration and regulation of athletic trainers by the State Board of Medical Examiners. Athletic training is the physical conditioning and reconditioning of athletes and the prevention of injuries incurred by athletes. Athletic training also includes, at the direction of a physician, the application of physical treatment modalities allowed by regulation. An athletic trainer may only practice athletic training as an employee of a school, college, university or professional team.

The bill creates a six-member Athletic Training Advisory Committee under the Board of Medical Examiners to consult with the board on the regulation of the practice of athletic training. The committee shall consist of four registered athletic trainers, a physician, and a representative of the Department of Higher Education.

To be eligible for registration as an athletic trainer, an individual must:

- a. Be 18 years of age or older;
- b. Be of good moral character and not engage in the habitual use of alcohol, narcotics or other habit-forming drugs;
- c. Be a high school graduate or have obtained equivalent education acceptable to the board;
- d. Have met the athletic training curriculum requirements of a college or university approved by the board and provide proof of graduation; and
- e. Have passed a written and oral-practical examination on the practice of athletic training given by the board.

The board must grant a registration without examination to any individual who:

- a. Meets the provisions of subsections a., b. and c. of section 8 and has been providing comprehensive, satisfactory athletic training ser-

VICES as a major responsibility of employment for at least five years prior to the bill's effective date if application is made within 90 days; or

b. Is a resident of this State and presents evidence of being certified by the National Athletic Trainer Association; or

c. Is licensed or registered as an athletic trainer in any other state with requirements for licensure or registration that are equivalent to those of this State.

SENATE LABOR, INDUSTRY AND PROFESSIONS
COMMITTEE

STATEMENT TO

SENATE, No. 1295

with Senate committee amendments

STATE OF NEW JERSEY

DATED: APRIL 12, 1984

This bill provides for the registration and regulation of athletic trainers by the State Board of Medical Examiners. Athletic training is the physical conditioning and reconditioning of athletes and the prevention of injuries incurred by athletes. Athletic training also includes, at the direction of a physician, the application of physical treatment modalities allowed by regulation. An athletic trainer may only practice athletic training as an employee of a school, college, university or professional team.

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- c. Be a high school graduate or have obtained equivalent education acceptable to the board;
- d. Have met the athletic training curriculum requirements of a college or university approved by the board and provide proof of graduation; and
- e. Have passed a written and oral-practical examination on the practice of athletic training given by the board.

The board must grant a registration without examination to any individual who:

- a. Meets the provisions of subsections a., b. and c. of section 8 and has been providing comprehensive, satisfactory athletic training services as a major responsibility of employment for at least five years prior to the bill's effective date if application is made within 90 days;
- or**

b. Is a resident of this State and presents evidence of being certified by the National Athletic Trainer Association; or

c. Is licensed or registered as an athletic trainer in any other state with requirements for licensure or registration that are equivalent to those of this State.

OK
[Signature]

Senate Amendments
Proposed by Senator Lynch
to

Senate Bill No. 1295 (OCR)
Sponsored by Senator Lynch

Amend:

| Page | Sec. | Line |
|------|------|------|
| 2 | 5 | 17 |

After "Governor" insert ", with the advice and consent of the Senate,"

STATEMENT

This floor amendment provides that the six members of the Athletic Training Advisory Committee which would advise the State Board of Medical Examiners concerning the regulation of athletic trainers shall be appointed with the advice and consent of the Senate.

9/14/90
GGL



PROCESSED
NEW JERSEY STATE ARCHIVE

OFFICE OF THE GOVERNOR

NEWS RELEASE

185 W. State Street
Trenton, N. J.

CN-001

Contact: CARL GOLDEN
609-292-8956
609-292-6000, Ext. 285

TRENTON, N.J. 08625

Release: TUESDAY, DEC. 4, 1984

Governor Thomas H. Kean today signed legislation providing for the registration and regulation of athletic trainers in New Jersey and creating a six-member Athletic Training Advisory Committee.

The legislation, S-1295, was sponsored by State Senator John Lynch, D-Middlesex.

The Advisory Committee would be under the jurisdiction of the State Board of Medical Examiners which will develop rules and regulations to administer and enforce the law.

The law provides that any person engaged in the profession of athletic trainer be registered with the Board of Medical Examiners. Individuals currently certified by the National Athletic Trainer Association and those with extensive on-the-job experience may apply within 90 days of the effective date of the law for registration.

The law is effective immediately.

The Governor also signed the following bills:

A-2095, sponsored by Assemblyman Joseph Doria, D-Hudson, which merges the Board of Beauty Culture Control and the State Board of Barber Examiners into the State Board of Cosmetology and Hair Styling.

S-1476, sponsored by Senator Wynona Lipman, D-Essex, to bring under the jurisdiction of Civil Service and make permanent employees of county youth houses in counties under the Optional County Charter Law if they were employed on or before January 1, 1984.

- more -