

# 45:9-37.35

## LEGISLATIVE HISTORY CHECKLIST

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**LAWS OF:** 2001               **CHAPTER:** 156  
**NJSA:** 45:9-37.35        (“Athletic Training Licensure Act”)  
**BILL NO:** A972            (Substituted for S1324)

**SPONSOR(S):** Strultrager and Wisniewski

**DATE INTRODUCED:** Prefiled

**COMMITTEE:**               **ASSEMBLY:** Education

**SENATE:** Health

**AMENDED DURING PASSAGE:** Yes

**DATE OF PASSAGE:**               **ASSEMBLY:** June 29, 2000

**SENATE:** June 21, 2001

**DATE OF APPROVAL:** July 13, 2001

### FOLLOWING ARE ATTACHED IF AVAILABLE:

**FINAL TEXT OF BILL** (1st reprint enacted)

(Amendments during passage denoted by superscript numbers)

#### **A972**

**SPONSORS STATEMENT:** (Begins on page 6 of original bill) Yes

**COMMITTEE STATEMENT:**                       **ASSEMBLY:** Yes

**SENATE:** Yes

**FLOOR AMENDMENT STATEMENTS:** No

**LEGISLATIVE FISCAL ESTIMATE:** Yes

#### **S1324**

**SPONSORS STATEMENT:** (Begins on page 6 of original bill) Yes

<b>COMMITTEE STATEMENT:</b>	<b>ASSEMBLY:</b>	No
	<b>SENATE:</b>	Yes
<b>FLOOR AMENDMENT STATEMENTS</b>		No
<b>LEGISLATIVE FISCAL ESTIMATE:</b>		No
<b>VETO MESSAGE:</b>		No
<b>GOVERNOR'S PRESS RELEASE ON SIGNING:</b>		Yes

**FOLLOWING WERE PRINTED:**

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<b>NEWSPAPER ARTICLES:</b>	No

**ASSEMBLY, No. 972**

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**STATE OF NEW JERSEY**

**209th LEGISLATURE**

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PRE-FILED FOR INTRODUCTION IN THE 2000 SESSION

**Sponsored by:**

**Assemblyman GARY W. STUHLTRAGER**

**District 3 (Salem, Cumberland and Gloucester)**

**Assemblyman JOHN S. WISNIEWSKI**

**District 19 (Middlesex)**

**Co-Sponsored by:**

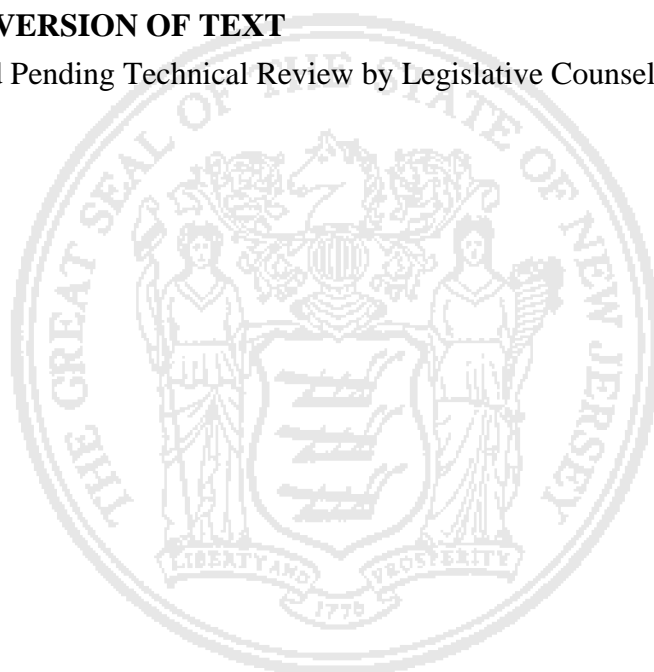
**Assemblyman Greenwald and Assemblywoman Previte**

**SYNOPSIS**

"Athletic Training Licensure Act."

**CURRENT VERSION OF TEXT**

Introduced Pending Technical Review by Legislative Counsel.



1 AN ACT requiring the licensure of athletic trainers and amending  
2 P.L.1984, c.203.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State of  
5 New Jersey:

6

7 1. Section 1 of P.L.1984, c.203 (C.45:9-37.35 ) is amended to read as  
8 follows:

9 1. This act shall be known and may be cited as the ["Athletic Training  
10 Practice Act."] "Athletic Training Licensure Act."  
11 (cf: P.L.1984, c.203, s.1)

12

13 2. Section 3 of P.L.1984, c.203 (C.45:9-37.37) is amended to read as  
14 follows:

15 3. No person shall practice or hold himself out as being able to practice  
16 athletic training in this State unless [registered] licensed in accordance with  
17 the provisions of this act.

18 (cf: P.L.1984, c.203, s.3)

19

20 3. Section 5 of P.L.1984, c.203 (C.45:9-37.39) is amended to read as  
21 follows:

22 5. There is created in the Division of Consumer Affairs of the Department  
23 of Law and Public Safety, under the State Board of Medical Examiners, an  
24 Athletic Training Advisory Committee. The committee shall consist of six  
25 members, three of whom shall be [registered] licensed athletic trainers of this  
26 State having at least five years experience in the practice of athletic training  
27 in this State immediately prior to appointment and one of whom shall be a  
28 [registered] licensed athletic trainer of this State having at least five years  
29 experience in the practice of athletic training in a secondary school in this  
30 State immediately prior to appointment. One member of the advisory  
31 committee shall be a representative of the Department of [Higher] Education  
32 and one member shall be a physician licensed in this State. [The first four  
33 athletic trainers appointed to the committee shall demonstrate eligibility for  
34 registration and shall apply for or receive registration within six months of their  
35 appointment.] The members of the committee shall be appointed by the  
36 Governor, with the advice and consent of the Senate, for terms of three years,  
37 except in making the initial appointments the Governor shall designate two  
38 members to serve three years, two members to serve two years, and two  
39 members to serve one year. In the event of death, incapacity, resignation or  
40 removal of any member, the vacancy shall be filled for the unexpired portion

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

Matter underlined thus is new matter.

1 of the term in the same manner as the original appointment. Each member  
2 shall hold office after the expiration of the term until a successor shall be  
3 appointed and qualified. The committee shall meet at least twice a year and  
4 shall also meet upon the call of the board or Attorney General. The committee  
5 shall carry out the responsibilities assigned to it under this act and any other  
6 matter the board may require. The Attorney General shall provide the  
7 committee with facilities and personnel required for the proper conduct of its  
8 business. The board, with the approval of the Attorney General, may authorize  
9 reimbursement of the members of the committee for their actual expenses  
10 incurred in connection with the performance of their duties as members of the  
11 committee.

12 The licensure requirements of this section shall only apply to athletic trainers  
13 who are appointed to the committee after the effective date of P.L. , c.  
14 (pending before the Legislature as this bill).  
15 (cf: P.L.1984, c.203, s.5)

16

17 4. Section 6 of P.L.1984, c.203 (C.45:9-37.40) is amended to read as  
18 follows:

19 6. a. [Ninety days from] Beginning on the effective date of [this act] P.L.  
20 , c. (C. ) (pending before the Legislature as this bill), it shall be unlawful  
21 for any person, other than an athletic trainer registered pursuant to P.L.1984,  
22 c.203 (C.45:9-37.35 et seq.) whose biennial registration has not expired, to  
23 practice athletic training in this State unless [registered] licensed in  
24 accordance with the provisions of this act. Nothing in this act, however, shall  
25 prohibit any person licensed to practice in this State under any other law from  
26 engaging in the practice for which he is licensed.

27 b. This act shall not prohibit: a candidate for [registration] licensure as an  
28 athletic trainer from accumulating the mandated number of hours of supervised  
29 clinical experience under the direction of a [registered] licensed athletic  
30 trainer; a student enrolled in a school or educational program of athletic  
31 training approved by the board from performing acts of athletic training  
32 incidental to the course of study, if the performance is under the direction of  
33 a [registered] licensed athletic trainer; a student in any educational program  
34 in the healing arts approved or accredited under the laws of this State from  
35 carrying out prescribed courses of study; a person employed by any agency,  
36 bureau or division of the federal government from discharging his official  
37 duties; or a person in connection with employment as an athletic trainer by a  
38 nonresident athlete, educational institution or recognized athletic organization  
39 temporarily visiting in this State, from practicing athletic training for a period  
40 not to exceed 90 days in one calendar year provided he is lawfully permitted  
41 to work as an athletic trainer in the state of residence of his employer.

42 c. The provisions of this act are not intended to limit the activities of  
43 persons legitimately engaged in the administration of nontherapeutic baths,

1 massage and normal exercise.

2 (cf: P.L.1989, c.169, s.1)

3

4 5. Section 8 of P.L.1984, c.203 (C.45:9-37.42) is amended to read as  
5 follows:

6 8. An applicant for [registration] licensure as an athletic trainer shall  
7 submit evidence to the board, in the form the board may prescribe, that the  
8 applicant:

9 a. Is 18 years of age or older;

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

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

14 d. Has met the athletic training curriculum requirements of a college or  
15 university approved by the board and provides proof of graduation or has  
16 successfully completed a program of baccalaureate education and training and  
17 experience approved by the board and provides proof of its completion. The  
18 board, in establishing, altering or amending the standards for approving  
19 curricula and courses of study in institutions which grant baccalaureate degrees  
20 and which are accredited by a regional accreditation agency recognized by the  
21 Council on Postsecondary Accreditation or the United States Department of  
22 Education shall consult with the [Board of Higher] Department of Education  
23 and the advisory committee. The board, in establishing, altering, or amending  
24 the standards for approving programs of baccalaureate education and training  
25 and experience shall consult with the advisory committee. Both the curriculum  
26 and the program shall include courses of study in the biophysical sciences for  
27 the use of physical agents and medical-surgical techniques as related to  
28 athletics

29 (cf: P.L.1989, c.169, s.3)

30

31 6. Section 9 of P.L.1984, c.203 (C.45:9-37.43) is amended to read as  
32 follows:

33 9. An applicant who complies with the qualifications for [registration]  
34 licensure shall successfully complete [an] the examination [approved by the  
35 board] administered by the National Athletic Trainers' Association Board of  
36 Certification, Inc., or a substantially equivalent examination approved by the  
37 board. The examination shall test the applicant's knowledge of the basic and  
38 clinical sciences that are pertinent to athletic training, emergency care of the  
39 injured athlete and principles of injury evaluation and conditioning, including  
40 the use of various physical modalities and exercise techniques. The  
41 examination shall be administered within the State no less than once each year  
42 at a time and place the board shall designate.

43 (cf: P.L.1989, c.169, s.4)

1       7. Section 10 of P.L.1984, c.203 (C.45:9-37.44) is amended to read as  
2 follows:

3       10. On payment to the board of the application fee as provided in section  
4 14 of this act, and upon approval of the application, the board shall issue a  
5 [registration] license to any person who successfully passes the examination  
6 provided in section 9 of this act.

7 (cf: P.L.1989, c.169, s.5)

8

9       8. Section 11 of P.L.1984, c.203 (C.45:9-37.45) is amended to read as  
10 follows:

11       11. On payment to the board of the application fee as provided in section  
12 14 of this act, and upon approval of a written application or application for  
13 renewal, as the case may be, on forms provided by the board, the board shall  
14 issue, without examination, a [registration] license to any person who:

15       a. [Applies for registration within 90 days of the effective date of this act  
16 and who meets the qualifications set forth in subsections a., b., and c. of  
17 section 8 of this act and presents to the board evidence of having provided  
18 comprehensive, satisfactory athletic training services for five years or more as  
19 a major responsibility of employment in this State prior to the effective date of  
20 the act; or is a resident of this State and presents evidence of being certified  
21 by the National Athletic Trainers Association; or] (Deleted by amendment  
22 P.L. , c. )(pending before the Legislature as this bill).

23       b. Is licensed, certified or registered as an athletic trainer in any other state  
24 or territory of the United States or the District of Columbia, if the requirements  
25 for licensure, certification or registration were at the time of the applicant's  
26 licensure, certification or registration equivalent to or in excess of the  
27 requirements of this act at the date of application for the [registration] license  
28 as shall be determined by the board in consultation with the committee; or

29       c. Is employed in or is a resident of this State and presents evidence of  
30 being certified by the National Athletic Trainers Association as an athletic  
31 trainer; or

32       d. Is registered as an athletic trainer pursuant to the provisions of  
33 P.L.1984, c.203 (C.45:9-37.35 et seq.) and makes a timely application for  
34 renewal, as determined by the board, prior to the expiration of his biennial  
35 registration.

36 (cf: P.L.1989, c.169, s.6)

37

38       9. Section 12 of P.L.1984, c.203 (C.45:9-37.46) is amended to read as  
39 follows:

40       12. No person shall use the words "athletic trainer" or ["registered  
41 athletic trainer"] "licensed athletic trainer" or the letters "AT" unless  
42 [registered] licensed pursuant to this act.

43 (cf: P.L.1984, c.203, s.12)

1

2 10. Section 13 of P.L.1984, c.203 (C.45:9-37.47) is amended to read as  
3 follows:

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

14 (cf: P.L.1984, c.203, s.13)

15

16 11. Section 14 of P.L.1984, c.203 (C.45:9-37.48) is amended to read as  
17 follows:

18 14. Each initial application under this act shall be accompanied by a fee as  
19 prescribed by the board. [Registration] Licensure shall expire biennially on  
20 January 31 and shall be renewed upon application and payment of a fee as  
21 prescribed by the board. If the fee is not paid by that date the [registration]  
22 license shall automatically expire. A [registration] license which has expired  
23 may, within three years of its expiration date, be renewed on payment to the  
24 board of the prescribed reinstatement fee for each year or part thereof during  
25 which the [registration] license was ineffective and a restoration fee as  
26 prescribed by the board. After the three year period, the [registration]  
27 license may be renewed only by complying with the provisions of this act  
28 regarding initial [registration] licensure.

29 (cf: P.L.1984, c.203, s.14)

30

31 12. Section 15 of P.L.1984, c.203 (C.45:9-37.49) is amended to read as  
32 follows:

33 15. The board may refuse to issue, or may suspend or revoke the  
34 [registration] license of any person, or may impose any other disciplinary  
35 sanction pursuant to the provisions of P.L.1978, c.73 (C.45:1-14 et seq.).

36 (cf: P.L.1984, c.203, s.15)

37

38 13. This act shall take effect 90 days after enactment and shall apply to  
39 applications for licensure or renewal made after that date.

40 STATEMENT

41

42 This bill amends the "Athletic Training Practice Act" to change the  
43 registration provisions of the act and require instead that athletic trainers be  
44 licensed according to the bill's provisions. The bill allows athletic trainers who



1 become licensed under the bill's provisions to use the title "licensed athletic  
2 trainer."

3 Under the bill, all applicants for licensure have to successfully complete an  
4 examination administered by the National Athletic Trainers' Association Board  
5 of Certification, Inc., or a substantially equivalent examination approved by the  
6 board.

7 Any person who is currently registered as an athletic trainer may become  
8 licensed without satisfying the bill's examination requirements by making a  
9 timely renewal application to the board prior to the expiration of his biennial  
10 registration.

11 Finally, the bill provides that beginning on its effective date, any person  
12 practicing athletic training must be licensed by the Board of Medical  
13 Examiners (or hold a current, unexpired registration) and it "grandfathers" for  
14 licensure those registered athletic trainers who make a timely application for  
15 renewal prior to, rather than after, the expiration of their biennial registration.

# ASSEMBLY EDUCATION COMMITTEE

## STATEMENT TO

### **ASSEMBLY, No. 972**

with committee amendments

# **STATE OF NEW JERSEY**

DATED: JUNE 8 , 2000

The Assembly Education favorably reports Assembly Bill No. 972 with committee amendments.

As amended by the Assembly Education Committee, this bill amends the "Athletic Training Practice Act" to change the registration provisions of the act and require instead that athletic trainers be licensed according to the bill's provisions. The bill allows athletic trainers who become licensed under the bill's provisions to use the title "licensed athletic trainer," but does not change, in any way, the scope of practice of athletic trainers as that scope is set forth in P.L.1984, c.203 (C.45:9-37.35 et seq).

Under the bill, all applicants for licensure have to successfully complete an examination administered by the National Athletic Trainers' Association Board of Certification, Inc., or a substantially equivalent examination approved by the board.

Any person who is currently registered as an athletic trainer may become licensed without satisfying the bill's examination requirements by making a timely renewal application to the board prior to the expiration of his biennial registration.

Finally, the bill provides that beginning on its effective date, any person practicing athletic training must be licensed by the Board of Medical Examiners (or hold a current, unexpired registration) and it "grandfathers" for licensure those registered athletic trainers who make a timely application for renewal prior to, rather than after, the expiration of their biennial registration.

The committee amended the bill by inserting and amending two sections to bring the provisions of those sections into conformity with the change in the bill from "registered" to "licensed" athletic trainer.

This bill was pre-filed for introduction in the 2000 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.

[First Reprint]

**ASSEMBLY, No. 972**

**STATE OF NEW JERSEY**  
**209th LEGISLATURE**

PRE-FILED FOR INTRODUCTION IN THE 2000 SESSION

**Sponsored by:**

**Assemblyman GARY W. STUHLTRAGER**

**District 3 (Salem, Cumberland and Gloucester)**

**Assemblyman JOHN S. WISNIEWSKI**

**District 19 (Middlesex)**

**Co-Sponsored by:**

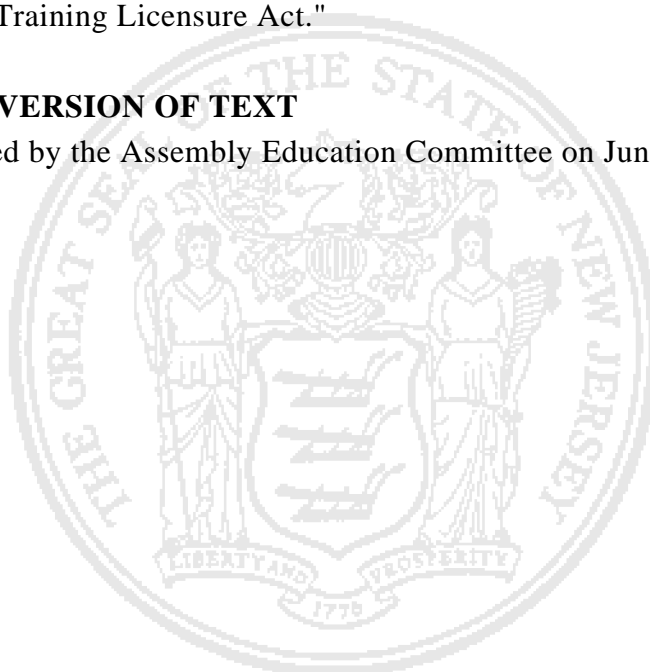
**Assemblyman Greenwald, Assemblywoman Previte, Senators Sinagra,  
Adler and Allen**

**SYNOPSIS**

"Athletic Training Licensure Act."

**CURRENT VERSION OF TEXT**

As reported by the Assembly Education Committee on June 8, 2000, with amendments.



**(Sponsorship Updated As Of: 6/22/2001)**

1 AN ACT requiring the licensure of athletic trainers and amending  
2 <sup>1</sup>[P.L.1984, c.203] various parts of the statutory law<sup>1</sup>.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State  
5 of New Jersey:

6

7 1. Section 1 of P.L.1984, c.203 (C.45:9-37.35 ) is amended to  
8 read as follows:

9 1. This act shall be known and may be cited as the ["Athletic  
10 Training Practice Act."] "Athletic Training Licensure Act."  
11 (cf: P.L.1984, c.203, s.1)

12

13 2. Section 3 of P.L.1984, c.203 (C.45:9-37.37) is amended to read  
14 as follows:

15 3. No person shall practice or hold himself out as being able to  
16 practice athletic training in this State unless [registered] licensed in  
17 accordance with the provisions of this act.

18 (cf: P.L.1984, c.203, s.3)

19

20 3. Section 5 of P.L.1984, c.203 (C.45:9-37.39) is amended to read  
21 as follows:

22 5. There is created in the Division of Consumer Affairs of the  
23 Department of Law and Public Safety, under the State Board of  
24 Medical Examiners, an Athletic Training Advisory Committee. The  
25 committee shall consist of six members, three of whom shall be  
26 [registered] licensed athletic trainers of this State having at least five  
27 years experience in the practice of athletic training in this State  
28 immediately prior to appointment and one of whom shall be a  
29 [registered] licensed athletic trainer of this State having at least five  
30 years experience in the practice of athletic training in a secondary  
31 school in this State immediately prior to appointment. One member  
32 of the advisory committee shall be a representative of the Department  
33 of [Higher] Education and one member shall be a physician licensed  
34 in this State. [The first four athletic trainers appointed to the  
35 committee shall demonstrate eligibility for registration and shall apply  
36 for or receive registration within six months of their appointment.]  
37 The members of the committee shall be appointed by the Governor,  
38 with the advice and consent of the Senate, for terms of three years,  
39 except in making the initial appointments the Governor shall designate  
40 two members to serve three years, two members to serve two years,  
41 and two members to serve one year. In the event of death, incapacity,

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

**Matter underlined thus is new matter.**

**Matter enclosed in superscript numerals has been adopted as follows:**

<sup>1</sup> Assembly AED committee amendments adopted June 8, 2000.

1 resignation or removal of any member, the vacancy shall be filled for  
2 the unexpired portion of the term in the same manner as the original  
3 appointment. Each member shall hold office after the expiration of the  
4 term until a successor shall be appointed and qualified. The committee  
5 shall meet at least twice a year and shall also meet upon the call of the  
6 board or Attorney General. The committee shall carry out the  
7 responsibilities assigned to it under this act and any other matter the  
8 board may require. The Attorney General shall provide the committee  
9 with facilities and personnel required for the proper conduct of its  
10 business. The board, with the approval of the Attorney General, may  
11 authorize reimbursement of the members of the committee for their  
12 actual expenses incurred in connection with the performance of their  
13 duties as members of the committee.

14 The licensure requirements of this section shall only apply to  
15 athletic trainers who are appointed to the committee after the effective  
16 date of P.L. , c. (pending before the Legislature as this bill).  
17 (cf: P.L.1984, c.203, s.5)

18

19 4. Section 6 of P.L.1984, c.203 (C.45:9-37.40) is amended to read  
20 as follows:

21 6. a. [Ninety days from] Beginning on the effective date of [this  
22 act] P.L. , c. (C. ) (pending before the Legislature as this bill),  
23 it shall be unlawful for any person, other than an athletic trainer  
24 registered pursuant to P.L.1984, c.203 (C.45:9-37.35 et seq.) whose  
25 biennial registration has not expired, to practice athletic training in this  
26 State unless [registered] licensed in accordance with the provisions  
27 of this act. Nothing in this act, however, shall prohibit any person  
28 licensed to practice in this State under any other law from engaging in  
29 the practice for which he is licensed.

30 b. This act shall not prohibit: a candidate for [registration]  
31 licensure as an athletic trainer from accumulating the mandated  
32 number of hours of supervised clinical experience under the direction  
33 of a [registered] licensed athletic trainer; a student enrolled in a  
34 school or educational program of athletic training approved by the  
35 board from performing acts of athletic training incidental to the course  
36 of study, if the performance is under the direction of a [registered]  
37 licensed athletic trainer; a student in any educational program in the  
38 healing arts approved or accredited under the laws of this State from  
39 carrying out prescribed courses of study; a person employed by any  
40 agency, bureau or division of the federal government from discharging  
41 his official duties; or a person in connection with employment as an  
42 athletic trainer by a nonresident athlete, educational institution or  
43 recognized athletic organization temporarily visiting in this State, from  
44 practicing athletic training for a period not to exceed 90 days in one  
45 calendar year provided he is lawfully permitted to work as an athletic  
46 trainer in the state of residence of his employer.

1 c. The provisions of this act are not intended to limit the activities  
2 of persons legitimately engaged in the administration of nontherapeutic  
3 baths, massage and normal exercise.

4 (cf: P.L.1989, c.169, s.1)

5  
6 5. Section 8 of P.L.1984, c.203 (C.45:9-37.42) is amended to read  
7 as follows:

8 8. An applicant for [registration] licensure as an athletic trainer  
9 shall submit evidence to the board, in the form the board may  
10 prescribe, that the applicant:

11 a. Is 18 years of age or older;

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

14 c. Is a graduate of a high school approved by the Department of  
15 Education or has obtained equivalent education acceptable to the  
16 board; and

17 d. Has met the athletic training curriculum requirements of a  
18 college or university approved by the board and provides proof of  
19 graduation or has successfully completed a program of baccalaureate  
20 education and training and experience approved by the board and  
21 provides proof of its completion. The board, in establishing, altering  
22 or amending the standards for approving curricula and courses of  
23 study in institutions which grant baccalaureate degrees and which are  
24 accredited by a regional accreditation agency recognized by the  
25 Council on Postsecondary Accreditation or the United States  
26 Department of Education shall consult with the [Board of Higher]  
27 Department of Education and the advisory committee. The board, in  
28 establishing, altering, or amending the standards for approving  
29 programs of baccalaureate education and training and experience shall  
30 consult with the advisory committee. Both the curriculum and the  
31 program shall include courses of study in the biophysical sciences for  
32 the use of physical agents and medical-surgical techniques as related  
33 to athletics

34 (cf: P.L.1989, c.169, s.3)

35  
36 6. Section 9 of P.L.1984, c.203 (C.45:9-37.43) is amended to read  
37 as follows:

38 9. An applicant who complies with the qualifications for  
39 [registration] licensure shall successfully complete [an] the  
40 examination [approved by the board] administered by the National  
41 Athletic Trainers' Association Board of Certification, Inc., or a  
42 substantially equivalent examination approved by the board. The  
43 examination shall test the applicant's knowledge of the basic and  
44 clinical sciences that are pertinent to athletic training, emergency care  
45 of the injured athlete and principles of injury evaluation and  
46 conditioning, including the use of various physical modalities and

1 exercise techniques. The examination shall be administered within the  
2 State no less than once each year at a time and place the board shall  
3 designate.

4 (cf: P.L.1989, c.169, s.4)

5

6 7. Section 10 of P.L.1984, c.203 (C.45:9-37.44) is amended to  
7 read as follows:

8 10. On payment to the board of the application fee as provided in  
9 section 14 of this act, and upon approval of the application, the board  
10 shall issue a [registration] license to any person who successfully  
11 passes the examination provided in section 9 of this act.

12 (cf: P.L.1989, c.169, s.5)

13

14 8. Section 11 of P.L.1984, c.203 (C.45:9-37.45) is amended to  
15 read as follows:

16 11. On payment to the board of the application fee as provided in  
17 section 14 of this act, and upon approval of a written application or  
18 application for renewal, as the case may be, on forms provided by the  
19 board, the board shall issue, without examination, a [registration]  
20 license to any person who:

21 a. [Applies for registration within 90 days of the effective date of  
22 this act and who meets the qualifications set forth in subsections a., b.,  
23 and c. of section 8 of this act and presents to the board evidence of  
24 having provided comprehensive, satisfactory athletic training services  
25 for five years or more as a major responsibility of employment in this  
26 State prior to the effective date of the act; or is a resident of this State  
27 and presents evidence of being certified by the National Athletic  
28 Trainers Association; or] (~~Deleted by amendment P.L. , c.~~ )(pending  
29 before the Legislature as this bill).

30 b. Is licensed, certified or registered as an athletic trainer in any  
31 other state or territory of the United States or the District of  
32 Columbia, if the requirements for licensure, certification or registration  
33 were at the time of the applicant's licensure, certification or  
34 registration equivalent to or in excess of the requirements of this act  
35 at the date of application for the [registration] license as shall be  
36 determined by the board in consultation with the committee; or

37 c. Is employed in or is a resident of this State and presents  
38 evidence of being certified by the National Athletic Trainers  
39 Association as an athletic trainer; or

40 d. Is registered as an athletic trainer pursuant to the provisions of  
41 P.L.1984, c.203 (C.45:9-37.35 et seq.) and makes a timely application  
42 for renewal, as determined by the board, prior to the expiration of his  
43 biennial registration.

44 (cf: P.L.1989, c.169, s.6)

45

46 9. Section 12 of P.L.1984, c.203 (C.45:9-37.46) is amended to

1 read as follows:

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

5 (cf: P.L.1984, c.203, s.12)

6

7 10. Section 13 of P.L.1984, c.203 (C.45:9-37.47) is amended to  
8 read as follows:

9 13. Upon submission of a written application on forms provided by  
10 it, the board shall issue a temporary [registration] license to a person  
11 who has applied for [registration] licensure under the provisions of  
12 section 8 of this act and who is, in the judgment of the board, eligible  
13 to take the examination provided for in section 9 of this act. The  
14 temporary [registration] license shall be available to an applicant only  
15 with respect to the first application for [registration] licensure under  
16 section 8. The temporary [registrant] licensee shall take the next  
17 available examination. The temporary [registration will] license shall  
18 expire on either the date of the next examination or the date of the  
19 final determination, whichever is later.

20 (cf: P.L.1984, c.203, s.13)

21

22 11. Section 14 of P.L.1984, c.203 (C.45:9-37.48) is amended to  
23 read as follows:

24 14. Each initial application under this act shall be accompanied by  
25 a fee as prescribed by the board. [Registration] Licensure shall expire  
26 biennially on January 31 and shall be renewed upon application and  
27 payment of a fee as prescribed by the board. If the fee is not paid by  
28 that date the [registration] license shall automatically expire. A  
29 [registration] license which has expired may, within three years of its  
30 expiration date, be renewed on payment to the board of the prescribed  
31 reinstatement fee for each year or part thereof during which the  
32 [registration] license was ineffective and a restoration fee as  
33 prescribed by the board. After the three year period, the  
34 [registration] license may be renewed only by complying with the  
35 provisions of this act regarding initial [registration] licensure.

36 (cf: P.L.1984, c.203, s.14)

37

38 12. Section 15 of P.L.1984, c.203 (C.45:9-37.49) is amended to  
39 read as follows:

40 15. The board may refuse to issue, or may suspend or revoke the  
41 [registration] license of any person, or may impose any other  
42 disciplinary sanction pursuant to the provisions of P.L.1978, c.73  
43 (C.45:1-14 et seq.).

44 (cf: P.L.1984, c.203, s.15)

45

46 <sup>1</sup>13. Section 5 of P.L.1999,c.87 (C.18A:26-2.5) is amended to read



1 as follows:

2 5. The State Board of Education shall promulgate rules pursuant  
3 to the "Administrative Procedure Act," P.L. 1968, c.410 (C.52:14B-1  
4 et seq.) setting forth the certification and endorsement requirements  
5 of a school athletic trainer which shall include, but need not be limited  
6 to, the satisfactory completion of the requirements established by the  
7 State Board of Medical Examiners for [registration] licensure as an  
8 athletic trainer pursuant to P.L.1984, c.203 (C.45:9-37.35 et seq.).<sup>1</sup>  
9 (P.L.1999, c.87, s.5)

10

11 <sup>1</sup>14. N.J.S.18A:28-4 is amended to read as follows:

12 18A:28-4. No teaching staff member shall acquire tenure in any  
13 position in the public schools in any school district or under any board  
14 of education, who is not the holder of an appropriate certificate for  
15 such position, issued by the State Board of Examiners, in full force and  
16 effect, except that no board of education shall terminate the  
17 employment or refuse to continue the employment or reemployment  
18 of

19 a. any school nurse appointed prior to May 9, 1947 for the reason  
20 that such nurse is not the holder of such a certificate and the State  
21 Board of Examiners shall make no rule or regulation which will affect  
22 adversely the rights of any such nurse under any certificate issued  
23 prior to said date; or

24 b. a school athletic trainer appointed prior to the effective date of  
25 P.L.1999, c.87 (C.18A:26-2.4 et al.) for the reason that the school  
26 athletic trainer is not the holder of a certificate, provided that the  
27 person is registered with or licensed by the New Jersey State Board of  
28 Medical Examiners as applicable, as an athletic trainer. That person  
29 shall be issued the new certificate without being required to meet any  
30 additional qualifications, and any periods of employment as an athletic  
31 trainer prior to the effective date of that act shall count toward the  
32 acquisition of tenure to the same extent as employment after the  
33 effective date of that act.<sup>1</sup>

34 (cf: P.L.1999,c.87,s.2)

35

36 <sup>1</sup>[13.] 15. <sup>1</sup> This act shall take effect 90 days after enactment and  
37 shall apply to applications for licensure or renewal made after that  
38 date.

# LEGISLATIVE FISCAL ESTIMATE

[First Reprint]

## ASSEMBLY, No. 972 STATE OF NEW JERSEY 209th LEGISLATURE

DATED: JULY 27, 2000

### SUMMARY

**Synopsis:** “Athletic Training Licensure Act.”  
**Type of Impact:** None.  
**Agencies Affected:** Division of Consumer Affairs, Department of Law and Public Safety;  
Department of Education.

#### Office of Legislative Services Estimate

<b>Fiscal Impact</b>	<b><u>Year 1</u></b>	<b><u>Year 2</u></b>	<b><u>Year 3</u></b>
<b>State Cost</b>	None	None	None
<b>State Revenue</b>	None	None	None

- ! Requires athletic trainers to be licensed by the Board of Medical Examiners, rather than registered as at present.
- ! Licensed athletic trainers would be required to pass an examination administered by the National Athletic Trainers’ Association Board of Certification.
- ! The Board of Medical Examiners is authorized to impose a licensing fee for its services.
- ! No significant fiscal impact on the Board of Medical Examiners is anticipated.

### BILL DESCRIPTION

Assembly Bill No. 972 (1R) of 2000 amends the “Athletic Training Practice Act” to require athletic trainers to be licensed rather than subject to the current registration provisions of P.L.1984, c.203. Under the bill, those who are licensed could use the title “licensed athletic trainer.”

Presently, the Board of Medical Examiners in the Division of Consumer Affairs in the Department of Law and Public Safety is responsible for the registration and oversight of approximately 700 athletic trainers. Under the bill, all applicants for licensure would now have

to successfully complete an examination administered by the National Athletic Trainers' Association Board of Certification or a substantially equivalent examination approved by the board.

Under the bill, any person who is registered as an athletic trainer on the act's effective date may become licensed without satisfying this examination requirement by making a timely application to renew the individual's biennial registration.

This bill, as amended by the Assembly Education Committee on June 8, 2000, would require public school athletic trainers to comply with the bill's licensure requirements.

## **FISCAL ANALYSIS**

### ***EXECUTIVE BRANCH***

The Department of Law and Public Safety, in response to a request for an estimate on a similar bill in a prior legislative session, stated that no significant changes to board operations might be expected as a result of this bill and that its fiscal impact would be minimal.

### ***OFFICE OF LEGISLATIVE SERVICES***

The Office of Legislative Services (OLS) concurs and notes that no fiscal impact should result from the bill's inclusion of public school athletic trainers within its scope.

Section: *Law and Public Safety*

Analyst: *James F. Vari*  
*Associate Fiscal Analyst*

Approved: *Alan R. Kooney*  
*Legislative Budget and Finance Officer*

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67.

# SENATE HEALTH COMMITTEE

## STATEMENT TO

[First Reprint]

**ASSEMBLY, No. 972**

# **STATE OF NEW JERSEY**

DATED: JANUARY 22, 2001

The Senate Health Committee reports favorably Assembly Bill No. 972 (1R).

This bill amends the "Athletic Training Practice Act" to change the registration provisions of the act and require instead that athletic trainers be licensed according to the bill's provisions. The bill allows athletic trainers who become licensed under the bill's provisions to use the title "licensed athletic trainer," but does not change, in any way, the scope of practice of athletic trainers as that scope is set forth in P.L.1984, c.203 (C.45:9-37.35 et seq).

Under the bill, all applicants for licensure have to successfully complete an examination administered by the National Athletic Trainers' Association Board of Certification, Inc., or a substantially equivalent examination approved by the board.

Any person who is currently registered as an athletic trainer may become licensed without satisfying the bill's examination requirements by making a timely renewal application to the board prior to the expiration of his biennial registration.

Finally, the bill provides that beginning on its effective date, any person practicing athletic training must be licensed by the Board of Medical Examiners (or hold a current, unexpired registration) and it "grandfathers" for licensure those registered athletic trainers who make a timely application for renewal prior to the expiration of their biennial registration.

This bill is identical to Senate Bill No. 1324 (SCA) (Sinagra/Adler), which the committee also reported favorably on this date.

**SENATE, No. 1324**

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**STATE OF NEW JERSEY**  
**209th LEGISLATURE**

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INTRODUCED MAY 22, 2000

**Sponsored by:**

**Senator JACK SINAGRA**

**District 18 (Middlesex)**

**Senator JOHN H. ADLER**

**District 6 (Camden)**

**SYNOPSIS**

"Athletic Training Licensure Act."

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 6/9/2000)**

S1324 SINAGRA, ADLER

2

1 AN ACT requiring the licensure of athletic trainers and amending  
2 P.L.1984, c.203.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State  
5 of New Jersey:

6

7 1. Section 1 of P.L.1984, c.203 (C.45:9-37.35) is amended to read  
8 as follows:

9 1. This act shall be known and may be cited as the ["Athletic  
10 Training Practice Act."] "Athletic Training Licensure Act."  
11 (cf: P.L.1984, c.203, s.1)

12

13 2. Section 3 of P.L.1984, c.203 (C.45:9-37.37) is amended to read  
14 as follows:

15 3. No person shall practice or hold himself out as being able to  
16 practice athletic training in this State unless [registered] licensed in  
17 accordance with the provisions of this act.

18 (cf: P.L.1984, c.203, s.3)

19

20 3. Section 5 of P.L.1984, c.203 (C.45:9-37.39) is amended to read  
21 as follows:

22 5. There is created in the Division of Consumer Affairs of the  
23 Department of Law and Public Safety, under the State Board of  
24 Medical Examiners, an Athletic Training Advisory Committee. The  
25 committee shall consist of six members, three of whom shall be  
26 [registered] licensed athletic trainers of this State having at least five  
27 years experience in the practice of athletic training in this State  
28 immediately prior to appointment and one of whom shall be a  
29 [registered] licensed athletic trainer of this State having at least five  
30 years experience in the practice of athletic training in a secondary  
31 school in this State immediately prior to appointment. One member of  
32 the advisory committee shall be a representative of the Department of  
33 [Higher] Education and one member shall be a physician licensed in  
34 this State. [The first four athletic trainers appointed to the committee  
35 shall demonstrate eligibility for registration and shall apply for or  
36 receive registration within six months of their appointment.] The  
37 members of the committee shall be appointed by the Governor, with  
38 the advice and consent of the Senate, for terms of three years, except  
39 in making the initial appointments the Governor shall designate two  
40 members to serve three years, two members to serve two years, and  
41 two members to serve one year. In the event of death, incapacity,  
42 resignation or removal of any member, the vacancy shall be filled for

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

**Matter underlined thus is new matter.**

1 the unexpired portion of the term in the same manner as the original  
2 appointment. Each member shall hold office after the expiration of the  
3 term until a successor shall be appointed and qualified. The committee  
4 shall meet at least twice a year and shall also meet upon the call of the  
5 board or Attorney General. The committee shall carry out the  
6 responsibilities assigned to it under this act and any other matter the  
7 board may require. The Attorney General shall provide the committee  
8 with facilities and personnel required for the proper conduct of its  
9 business. The board, with the approval of the Attorney General, may  
10 authorize reimbursement of the members of the committee for their  
11 actual expenses incurred in connection with the performance of their  
12 duties as members of the committee.

13 The licensure requirements of this section shall only apply to  
14 athletic trainers who are appointed to the committee after the effective  
15 date of P.L. , c. (pending before the Legislature as this bill).  
16 (cf: P.L.1984, c.203, s.5)

17

18 4. Section 6 of P.L.1984, c.203 (C.45:9-37.40) is amended to read  
19 as follows:

20 6. a. [Ninety days from] Beginning on the effective date of [this  
21 act] P.L. , c. (C. ) (pending before the Legislature as this bill),  
22 it shall be unlawful for any person, other than an athletic trainer  
23 registered pursuant to P.L.1984, c.203 (C.45:9-37.35 et seq.) whose  
24 biennial registration has not expired, to practice athletic training in this  
25 State unless [registered] licensed in accordance with the provisions  
26 of this act. Nothing in this act, however, shall prohibit any person  
27 licensed to practice in this State under any other law from engaging in  
28 the practice for which he is licensed.

29 b. This act shall not prohibit: a candidate for [registration]  
30 licensure as an athletic trainer from accumulating the mandated  
31 number of hours of supervised clinical experience under the direction  
32 of a [registered] licensed athletic trainer; a student enrolled in a  
33 school or educational program of athletic training approved by the  
34 board from performing acts of athletic training incidental to the course  
35 of study, if the performance is under the direction of a [registered]  
36 licensed athletic trainer; a student in any educational program in the  
37 healing arts approved or accredited under the laws of this State from  
38 carrying out prescribed courses of study; a person employed by any  
39 agency, bureau or division of the federal government from discharging  
40 his official duties; or a person in connection with employment as an  
41 athletic trainer by a nonresident athlete, educational institution or  
42 recognized athletic organization temporarily visiting in this State, from  
43 practicing athletic training for a period not to exceed 90 days in one  
44 calendar year provided he is lawfully permitted to work as an athletic  
45 trainer in the state of residence of his employer.

46 c. The provisions of this act are not intended to limit the activities

1 of persons legitimately engaged in the administration of nontherapeutic  
2 baths, massage and normal exercise.

3 (cf: P.L.1989, c.169, s.1)

4

5 5. Section 8 of P.L.1984, c.203 (C.45:9-37.42) is amended to read  
6 as follows:

7 8. An applicant for [registration] licensure as an athletic trainer  
8 shall submit evidence to the board, in the form the board may  
9 prescribe, that the applicant:

10 a. Is 18 years of age or older;

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

13 c. Is a graduate of a high school approved by the Department of  
14 Education or has obtained equivalent education acceptable to the  
15 board; and

16 d. Has met the athletic training curriculum requirements of a  
17 college or university approved by the board and provides proof of  
18 graduation or has successfully completed a program of baccalaureate  
19 education and training and experience approved by the board and  
20 provides proof of its completion. The board, in establishing, altering  
21 or amending the standards for approving curricula and courses of  
22 study in institutions which grant baccalaureate degrees and which are  
23 accredited by a regional accreditation agency recognized by the  
24 Council on Postsecondary Accreditation or the United States  
25 Department of Education shall consult with the [Board of Higher]  
26 Department of Education and the advisory committee. The board, in  
27 establishing, altering, or amending the standards for approving  
28 programs of baccalaureate education and training and experience shall  
29 consult with the advisory committee. Both the curriculum and the  
30 program shall include courses of study in the biophysical sciences for  
31 the use of physical agents and medical-surgical techniques as related  
32 to athletics.

33 (cf: P.L.1989, c.169, s.3)

34

35 6. Section 9 of P.L.1984, c.203 (C.45:9-37.43) is amended to read  
36 as follows:

37 9. An applicant who complies with the qualifications for  
38 [registration] licensure shall successfully complete [an] the  
39 examination [approved by the board] administered by the National  
40 Athletic Trainers' Association Board of Certification, Inc., or a  
41 substantially equivalent examination approved by the board. The  
42 examination shall test the applicant's knowledge of the basic and  
43 clinical sciences that are pertinent to athletic training, emergency care  
44 of the injured athlete and principles of injury evaluation and  
45 conditioning, including the use of various physical modalities and  
46 exercise techniques. The examination shall be administered within the



1 State no less than once each year at a time and place the board shall  
2 designate.

3 (cf: P.L.1989, c.169, s.4)

4

5 7. Section 10 of P.L.1984, c.203 (C.45:9-37.44) is amended to  
6 read as follows:

7 10. On payment to the board of the application fee as provided in  
8 section 14 of this act, and upon approval of the application, the board  
9 shall issue a [registration] license to any person who successfully  
10 passes the examination provided in section 9 of this act.

11 (cf: P.L.1989, c.169, s.5)

12

13 8. Section 11 of P.L.1984, c.203 (C.45:9-37.45) is amended to  
14 read as follows:

15 11. On payment to the board of the application fee as provided in  
16 section 14 of this act, and upon approval of a written application or  
17 application for renewal, as the case may be, on forms provided by the  
18 board, the board shall issue, without examination, a [registration]  
19 license to any person who:

20 a. [Applies for registration within 90 days of the effective date of  
21 this act and who meets the qualifications set forth in subsections a., b.,  
22 and c. of section 8 of this act and presents to the board evidence of  
23 having provided comprehensive, satisfactory athletic training services  
24 for five years or more as a major responsibility of employment in this  
25 State prior to the effective date of the act; or is a resident of this State  
26 and presents evidence of being certified by the National Athletic  
27 Trainers Association; or] (~~Deleted by amendment P.L. , c.~~ )(pending  
28 before the Legislature as this bill).

29 b. Is licensed, certified or registered as an athletic trainer in any  
30 other state or territory of the United States or the District of  
31 Columbia, if the requirements for licensure, certification or registration  
32 were at the time of the applicant's licensure, certification or  
33 registration equivalent to or in excess of the requirements of this act  
34 at the date of application for the [registration] license as shall be  
35 determined by the board in consultation with the committee; or

36 c. Is employed in or is a resident of this State and presents  
37 evidence of being certified by the National Athletic Trainers  
38 Association as an athletic trainer; or

39 d. Is registered as an athletic trainer pursuant to the provisions of  
40 P.L.1984, c.203 (C.45:9-37.35 et seq.) and makes a timely application  
41 for renewal, as determined by the board, prior to the expiration of his  
42 biennial registration.

43 (cf: P.L.1989, c.169, s.6)

44

45 9. Section 12 of P.L.1984, c.203 (C.45:9-37.46) is amended to  
46 read as follows:

1 12. No person shall use the words "athletic trainer" or  
2 ["registered athletic trainer"] "licensed athletic trainer" or the letters  
3 "AT" unless [registered] licensed pursuant to this act.  
4 (cf: P.L.1984, c.203, s.12)

5  
6 10. Section 13 of P.L.1984, c.203 (C.45:9-37.47) is amended to  
7 read as follows:

8 13. Upon submission of a written application on forms provided by  
9 it, the board shall issue a temporary [registration] license to a person  
10 who has applied for [registration] licensure under the provisions of  
11 section 8 of this act and who is, in the judgment of the board, eligible  
12 to take the examination provided for in section 9 of this act. The  
13 temporary [registration] license shall be available to an applicant only  
14 with respect to the first application for [registration] licensure under  
15 section 8. The temporary [registrant] licensee shall take the next  
16 available examination. The temporary [registration will] license shall  
17 expire on either the date of the next examination or the date of the  
18 final determination, whichever is later.  
19 (cf: P.L.1984, c.203, s.13)

20  
21 11. Section 14 of P.L.1984, c.203 (C.45:9-37.48) is amended to  
22 read as follows:

23 14. Each initial application under this act shall be accompanied by  
24 a fee as prescribed by the board. [Registration] Licensure shall expire  
25 biennially on January 31 and shall be renewed upon application and  
26 payment of a fee as prescribed by the board. If the fee is not paid by  
27 that date the [registration] license shall automatically expire. A  
28 [registration] license which has expired may, within three years of its  
29 expiration date, be renewed on payment to the board of the prescribed  
30 reinstatement fee for each year or part thereof during which the  
31 [registration] license was ineffective and a restoration fee as  
32 prescribed by the board. After the three year period, the  
33 [registration] license may be renewed only by complying with the  
34 provisions of this act regarding initial [registration] licensure.  
35 (cf: P.L.1984, c.203, s.14)

36  
37 12. Section 15 of P.L.1984, c.203 (C.45:9-37.49) is amended to  
38 read as follows:

39 15. The board may refuse to issue, or may suspend or revoke the  
40 [registration] license of any person, or may impose any other  
41 disciplinary sanction pursuant to the provisions of P.L.1978, c.73  
42 (C.45:1-14 et seq.).  
43 (cf: P.L.1984, c.203, s.15)

44  
45 13. This act shall take effect 90 days after enactment and shall  
46 apply to applications for licensure or renewal made after that date.

1 STATEMENT

2

3 This bill amends the "Athletic Training Practice Act" to replace the  
4 former registration provisions of the act with new licensing provisions.  
5 The bill allows athletic trainers who become licensed under the bill's  
6 provisions to use the title "licensed athletic trainer."

7 The bill requires all applicants for licensure to successfully complete  
8 an examination administered by the National Athletic Trainers'  
9 Association Board of Certification Inc., or a substantially equivalent  
10 examination approved by the board. Any person currently registered  
11 as an athletic trainer, however, may become licensed without satisfying  
12 the bill's examination requirements by making a timely renewal  
13 application to the board prior to the expiration of his biennial  
14 registration.

# SENATE HEALTH COMMITTEE

## STATEMENT TO

### **SENATE, No. 1324**

with committee amendments

# **STATE OF NEW JERSEY**

DATED: JANUARY 22, 2001

The Senate Health Committee reports favorably and with committee amendments Senate Bill No. 1324.

As amended by the committee, this bill amends the "Athletic Training Practice Act" to replace the former registration provisions of the act with new licensing provisions. The bill allows athletic trainers who become licensed under the bill's provisions to use the title "licensed athletic trainer," but does not change, in any way, the scope of practice of athletic trainers as that scope is set forth in P.L.1984, c.203 (C.45:9-37.35 et seq).

The bill requires all applicants for licensure to successfully complete an examination administered by the National Athletic Trainers' Association Board of Certification Inc., or a substantially equivalent examination approved by the board. Any person currently registered as an athletic trainer, however, may become licensed without satisfying the bill's examination requirements by making a timely renewal application to the board prior to the expiration of his biennial registration.

The committee amended the bill by inserting and amending two sections to bring the provisions of those sections into conformity with the change in the bill from "registered" to "licensed" athletic trainer. The committee also adopted technical amendments to section 1 of the bill to add underlining to amendatory language in that section.

As amended, this bill is identical to Assembly Bill No. 972(1R) (Stuhltrager/Wisniewski), which this committee also reported favorably on this date.

[First Reprint]

**SENATE, No. 1324**

---

**STATE OF NEW JERSEY**  
**209th LEGISLATURE**

---

INTRODUCED MAY 22, 2000

**Sponsored by:**

**Senator JACK SINAGRA**

**District 18 (Middlesex)**

**Senator JOHN H. ADLER**

**District 6 (Camden)**

**Co-Sponsored by:**

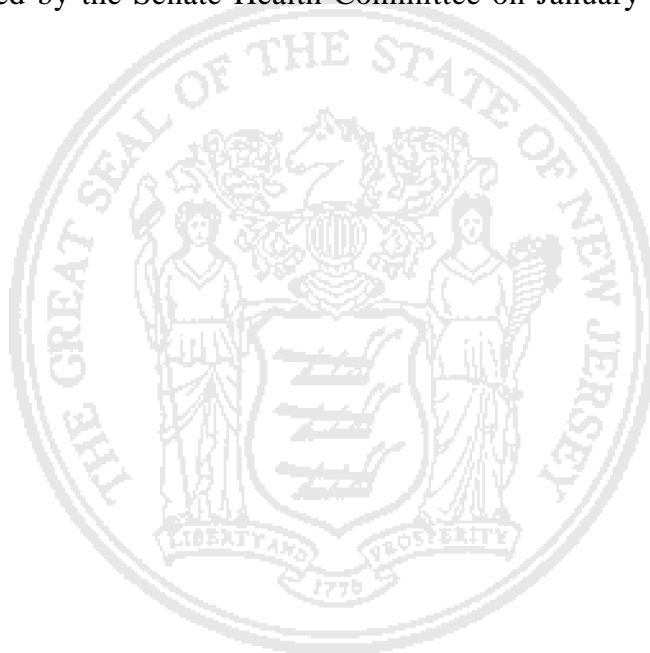
**Senator Allen**

**SYNOPSIS**

"Athletic Training Licensure Act."

**CURRENT VERSION OF TEXT**

As reported by the Senate Health Committee on January 22, 2001, with amendments.



**(Sponsorship Updated As Of: 5/25/2001)**

1 AN ACT requiring the licensure of athletic trainers and amending  
2 <sup>1</sup>[P.L.1984, c.203] various parts of the statutory law<sup>1</sup>.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State  
5 of New Jersey:

6

7 1. Section 1 of P.L.1984, c.203 (C.45:9-37.35) is amended to read  
8 as follows:

9 1. This act shall be known and may be cited as the ["Athletic  
10 Training Practice Act."] <sup>1</sup>["Athletic Training Licensure Act."]  
11 "Athletic Training Licensure Act."<sup>1</sup>  
12 (cf: P.L.1984, c.203, s.1)

13

14 2. Section 3 of P.L.1984, c.203 (C.45:9-37.37) is amended to read  
15 as follows:

16 3. No person shall practice or hold himself out as being able to  
17 practice athletic training in this State unless [registered] licensed in  
18 accordance with the provisions of this act.  
19 (cf: P.L.1984, c.203, s.3)

20

21 3. Section 5 of P.L.1984, c.203 (C.45:9-37.39) is amended to read  
22 as follows:

23 5. There is created in the Division of Consumer Affairs of the  
24 Department of Law and Public Safety, under the State Board of  
25 Medical Examiners, an Athletic Training Advisory Committee. The  
26 committee shall consist of six members, three of whom shall be  
27 [registered] licensed athletic trainers of this State having at least five  
28 years experience in the practice of athletic training in this State  
29 immediately prior to appointment and one of whom shall be a  
30 [registered] licensed athletic trainer of this State having at least five  
31 years experience in the practice of athletic training in a secondary  
32 school in this State immediately prior to appointment. One member of  
33 the advisory committee shall be a representative of the Department of  
34 [Higher] Education and one member shall be a physician licensed in  
35 this State. [The first four athletic trainers appointed to the committee  
36 shall demonstrate eligibility for registration and shall apply for or  
37 receive registration within six months of their appointment.] The  
38 members of the committee shall be appointed by the Governor, with  
39 the advice and consent of the Senate, for terms of three years, except  
40 in making the initial appointments the Governor shall designate two  
41 members to serve three years, two members to serve two years, and

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

**Matter underlined thus is new matter.**

**Matter enclosed in superscript numerals has been adopted as follows:**

<sup>1</sup> Senate SHH committee amendments adopted January 22, 2001.

1 two members to serve one year. In the event of death, incapacity,  
2 resignation or removal of any member, the vacancy shall be filled for  
3 the unexpired portion of the term in the same manner as the original  
4 appointment. Each member shall hold office after the expiration of the  
5 term until a successor shall be appointed and qualified. The committee  
6 shall meet at least twice a year and shall also meet upon the call of the  
7 board or Attorney General. The committee shall carry out the  
8 responsibilities assigned to it under this act and any other matter the  
9 board may require. The Attorney General shall provide the committee  
10 with facilities and personnel required for the proper conduct of its  
11 business. The board, with the approval of the Attorney General, may  
12 authorize reimbursement of the members of the committee for their  
13 actual expenses incurred in connection with the performance of their  
14 duties as members of the committee.

15 The licensure requirements of this section shall only apply to  
16 athletic trainers who are appointed to the committee after the effective  
17 date of P.L. , c. (pending before the Legislature as this bill).  
18 (cf: P.L.1984, c.203, s.5)

19

20 4. Section 6 of P.L.1984, c.203 (C.45:9-37.40) is amended to read  
21 as follows:

22 6. a. [Ninety days from] Beginning on the effective date of [this  
23 act] P.L. , c. (C. ) (pending before the Legislature as this bill),  
24 it shall be unlawful for any person, other than an athletic trainer  
25 registered pursuant to P.L.1984, c.203 (C.45:9-37.35 et seq.) whose  
26 biennial registration has not expired, to practice athletic training in this  
27 State unless [registered] licensed in accordance with the provisions  
28 of this act. Nothing in this act, however, shall prohibit any person  
29 licensed to practice in this State under any other law from engaging in  
30 the practice for which he is licensed.

31 b. This act shall not prohibit: a candidate for [registration]  
32 licensure as an athletic trainer from accumulating the mandated  
33 number of hours of supervised clinical experience under the direction  
34 of a [registered] licensed athletic trainer; a student enrolled in a  
35 school or educational program of athletic training approved by the  
36 board from performing acts of athletic training incidental to the course  
37 of study, if the performance is under the direction of a [registered]  
38 licensed athletic trainer; a student in any educational program in the  
39 healing arts approved or accredited under the laws of this State from  
40 carrying out prescribed courses of study; a person employed by any  
41 agency, bureau or division of the federal government from discharging  
42 his official duties; or a person in connection with employment as an  
43 athletic trainer by a nonresident athlete, educational institution or  
44 recognized athletic organization temporarily visiting in this State, from  
45 practicing athletic training for a period not to exceed 90 days in one  
46 calendar year provided he is lawfully permitted to work as an athletic

1 trainer in the state of residence of his employer.

2 c. The provisions of this act are not intended to limit the activities  
3 of persons legitimately engaged in the administration of nontherapeutic  
4 baths, massage and normal exercise.

5 (cf: P.L.1989, c.169, s.1)

6

7 5. Section 8 of P.L.1984, c.203 (C.45:9-37.42) is amended to read  
8 as follows:

9 8. An applicant for [registration] licensure as an athletic trainer  
10 shall submit evidence to the board, in the form the board may  
11 prescribe, that the applicant:

12 a. Is 18 years of age or older;

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

15 c. Is a graduate of a high school approved by the Department of  
16 Education or has obtained equivalent education acceptable to the  
17 board; and

18 d. Has met the athletic training curriculum requirements of a  
19 college or university approved by the board and provides proof of  
20 graduation or has successfully completed a program of baccalaureate  
21 education and training and experience approved by the board and  
22 provides proof of its completion. The board, in establishing, altering  
23 or amending the standards for approving curricula and courses of  
24 study in institutions which grant baccalaureate degrees and which are  
25 accredited by a regional accreditation agency recognized by the  
26 Council on Postsecondary Accreditation or the United States  
27 Department of Education shall consult with the [Board of Higher]  
28 Department of Education and the advisory committee. The board, in  
29 establishing, altering, or amending the standards for approving  
30 programs of baccalaureate education and training and experience shall  
31 consult with the advisory committee. Both the curriculum and the  
32 program shall include courses of study in the biophysical sciences for  
33 the use of physical agents and medical-surgical techniques as related  
34 to athletics.

35 (cf: P.L.1989, c.169, s.3)

36

37 6. Section 9 of P.L.1984, c.203 (C.45:9-37.43) is amended to read  
38 as follows:

39 9. An applicant who complies with the qualifications for  
40 [registration] licensure shall successfully complete [an] the  
41 examination [approved by the board] administered by the National  
42 Athletic Trainers' Association Board of Certification, Inc., or a  
43 substantially equivalent examination approved by the board. The  
44 examination shall test the applicant's knowledge of the basic and  
45 clinical sciences that are pertinent to athletic training, emergency care  
46 of the injured athlete and principles of injury evaluation and



1 conditioning, including the use of various physical modalities and  
2 exercise techniques. The examination shall be administered within the  
3 State no less than once each year at a time and place the board shall  
4 designate.

5 (cf: P.L.1989, c.169, s.4)

6

7 7. Section 10 of P.L.1984, c.203 (C.45:9-37.44) is amended to  
8 read as follows:

9 10. On payment to the board of the application fee as provided in  
10 section 14 of this act, and upon approval of the application, the board  
11 shall issue a [registration] license to any person who successfully  
12 passes the examination provided in section 9 of this act.

13 (cf: P.L.1989, c.169, s.5)

14

15 8. Section 11 of P.L.1984, c.203 (C.45:9-37.45) is amended to  
16 read as follows:

17 11. On payment to the board of the application fee as provided in  
18 section 14 of this act, and upon approval of a written application or  
19 application for renewal, as the case may be, on forms provided by the  
20 board, the board shall issue, without examination, a [registration]  
21 license to any person who:

22 a. [Applies for registration within 90 days of the effective date of  
23 this act and who meets the qualifications set forth in subsections a., b.,  
24 and c. of section 8 of this act and presents to the board evidence of  
25 having provided comprehensive, satisfactory athletic training services  
26 for five years or more as a major responsibility of employment in this  
27 State prior to the effective date of the act; or is a resident of this State  
28 and presents evidence of being certified by the National Athletic  
29 Trainers Association; or] (Deleted by amendment P.L. , c. )(pending  
30 before the Legislature as this bill).

31 b. Is licensed, certified or registered as an athletic trainer in any  
32 other state or territory of the United States or the District of  
33 Columbia, if the requirements for licensure, certification or registration  
34 were at the time of the applicant's licensure, certification or  
35 registration equivalent to or in excess of the requirements of this act  
36 at the date of application for the [registration] license as shall be  
37 determined by the board in consultation with the committee; or

38 c. Is employed in or is a resident of this State and presents  
39 evidence of being certified by the National Athletic Trainers  
40 Association as an athletic trainer; or

41 d. Is registered as an athletic trainer pursuant to the provisions of  
42 P.L.1984, c.203 (C.45:9-37.35 et seq.) and makes a timely application  
43 for renewal, as determined by the board, prior to the expiration of his  
44 biennial registration.

45 (cf: P.L.1989, c.169, s.6)

1 9. Section 12 of P.L.1984, c.203 (C.45:9-37.46) is amended to  
2 read as follows:

3 12. No person shall use the words "athletic trainer" or  
4 ["registered athletic trainer"] "licensed athletic trainer" or the letters  
5 "AT" unless [registered] licensed pursuant to this act.  
6 (cf: P.L.1984, c.203, s.12)

7  
8 10. Section 13 of P.L.1984, c.203 (C.45:9-37.47) is amended to  
9 read as follows:

10 13. Upon submission of a written application on forms provided by  
11 it, the board shall issue a temporary [registration] license to a person  
12 who has applied for [registration] licensure under the provisions of  
13 section 8 of this act and who is, in the judgment of the board, eligible  
14 to take the examination provided for in section 9 of this act. The  
15 temporary [registration] license shall be available to an applicant only  
16 with respect to the first application for [registration] licensure under  
17 section 8. The temporary [registrant] licensee shall take the next  
18 available examination. The temporary [registration will] license shall  
19 expire on either the date of the next examination or the date of the  
20 final determination, whichever is later.  
21 (cf: P.L.1984, c.203, s.13)

22  
23 11. Section 14 of P.L.1984, c.203 (C.45:9-37.48) is amended to  
24 read as follows:

25 14. Each initial application under this act shall be accompanied by  
26 a fee as prescribed by the board. [Registration] Licensure shall expire  
27 biennially on January 31 and shall be renewed upon application and  
28 payment of a fee as prescribed by the board. If the fee is not paid by  
29 that date the [registration] license shall automatically expire. A  
30 [registration] license which has expired may, within three years of its  
31 expiration date, be renewed on payment to the board of the prescribed  
32 reinstatement fee for each year or part thereof during which the  
33 [registration] license was ineffective and a restoration fee as  
34 prescribed by the board. After the three year period, the  
35 [registration] license may be renewed only by complying with the  
36 provisions of this act regarding initial [registration] licensure.  
37 (cf: P.L.1984, c.203, s.14)

38  
39 12. Section 15 of P.L.1984, c.203 (C.45:9-37.49) is amended to  
40 read as follows:

41 15. The board may refuse to issue, or may suspend or revoke the  
42 [registration] license of any person, or may impose any other  
43 disciplinary sanction pursuant to the provisions of P.L.1978, c.73  
44 (C.45:1-14 et seq.).  
45 (cf: P.L.1984, c.203, s.15)

1       <sup>1</sup>13. Section 5 of P.L.1999,c.87 (C.18A:26-2.5) is amended to read  
2 as follows:

3       5. The State Board of Education shall promulgate rules pursuant  
4 to the "Administrative Procedure Act," P.L. 1968, c.410 (C.52:14B-1  
5 et seq.) setting forth the certification and endorsement requirements  
6 of a school athletic trainer which shall include, but need not be limited  
7 to, the satisfactory completion of the requirements established by the  
8 State Board of Medical Examiners for **[registration]** licensure as an  
9 athletic trainer pursuant to P.L.1984, c.203 (C.45:9-37.35 et seq.).<sup>1</sup>  
10 (P.L.1999, c.87, s.5)

11

12       <sup>1</sup>14. N.J.S.18A:28-4 is amended to read as follows:

13       18A:28-4. No teaching staff member shall acquire tenure in any  
14 position in the public schools in any school district or under any board  
15 of education, who is not the holder of an appropriate certificate for  
16 such position, issued by the State Board of Examiners, in full force and  
17 effect, except that no board of education shall terminate the  
18 employment or refuse to continue the employment or reemployment  
19 of

20       a. any school nurse appointed prior to May 9, 1947 for the reason  
21 that such nurse is not the holder of such a certificate and the State  
22 Board of Examiners shall make no rule or regulation which will affect  
23 adversely the rights of any such nurse under any certificate issued  
24 prior to said date; or

25       b. a school athletic trainer appointed prior to the effective date of  
26 P.L.1999, c.87 (C.18A:26-2.4 et al.) for the reason that the school  
27 athletic trainer is not the holder of a certificate, provided that the  
28 person is registered with or licensed by the New Jersey State Board of  
29 Medical Examiners, as applicable, as an athletic trainer. That person  
30 shall be issued the new certificate without being required to meet any  
31 additional qualifications, and any periods of employment as an athletic  
32 trainer prior to the effective date of that act shall count toward the  
33 acquisition of tenure to the same extent as employment after the  
34 effective date of that act.<sup>1</sup>

35 (cf: P.L.1999,c.87,s.2)

36

37       <sup>1</sup>[13.] 15.<sup>1</sup> This act shall take effect 90 days after enactment and  
38 shall apply to applications for licensure or renewal made after that  
39 date.

P.L. 2001, CHAPTER 156, *approved July 13, 2001*  
Assembly, No. 972 (*First Reprint*)

1 AN ACT requiring the licensure of athletic trainers and amending  
2 <sup>1</sup>[P.L.1984, c.203] various parts of the statutory law<sup>1</sup>.

3  
4 **BE IT ENACTED** by the Senate and General Assembly of the State  
5 of New Jersey:

6  
7 1. Section 1 of P.L.1984, c.203 (C.45:9-37.35 ) is amended to  
8 read as follows:

9 1. This act shall be known and may be cited as the ["Athletic  
10 Training Practice Act."] "Athletic Training Licensure Act."  
11 (cf: P.L.1984, c.203, s.1)

12

13 2. Section 3 of P.L.1984, c.203 (C.45:9-37.37) is amended to read  
14 as follows:

15 3. No person shall practice or hold himself out as being able to  
16 practice athletic training in this State unless [registered] licensed in  
17 accordance with the provisions of this act.

18 (cf: P.L.1984, c.203, s.3)

19

20 3. Section 5 of P.L.1984, c.203 (C.45:9-37.39) is amended to read  
21 as follows:

22 5. There is created in the Division of Consumer Affairs of the  
23 Department of Law and Public Safety, under the State Board of  
24 Medical Examiners, an Athletic Training Advisory Committee. The  
25 committee shall consist of six members, three of whom shall be  
26 [registered] licensed athletic trainers of this State having at least five  
27 years experience in the practice of athletic training in this State  
28 immediately prior to appointment and one of whom shall be a  
29 [registered] licensed athletic trainer of this State having at least five  
30 years experience in the practice of athletic training in a secondary  
31 school in this State immediately prior to appointment. One member  
32 of the advisory committee shall be a representative of the Department  
33 of [Higher] Education and one member shall be a physician licensed  
34 in this State. [The first four athletic trainers appointed to the  
35 committee shall demonstrate eligibility for registration and shall apply  
36 for or receive registration within six months of their appointment.]  
37 The members of the committee shall be appointed by the Governor,  
38 with the advice and consent of the Senate, for terms of three years,  
39 except in making the initial appointments the Governor shall designate

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

**Matter underlined thus is new matter.**

**Matter enclosed in superscript numerals has been adopted as follows:**

<sup>1</sup> Assembly AED committee amendments adopted June 8, 2000.

1 two members to serve three years, two members to serve two years,  
2 and two members to serve one year. In the event of death, incapacity,  
3 resignation or removal of any member, the vacancy shall be filled for  
4 the unexpired portion of the term in the same manner as the original  
5 appointment. Each member shall hold office after the expiration of the  
6 term until a successor shall be appointed and qualified. The committee  
7 shall meet at least twice a year and shall also meet upon the call of the  
8 board or Attorney General. The committee shall carry out the  
9 responsibilities assigned to it under this act and any other matter the  
10 board may require. The Attorney General shall provide the committee  
11 with facilities and personnel required for the proper conduct of its  
12 business. The board, with the approval of the Attorney General, may  
13 authorize reimbursement of the members of the committee for their  
14 actual expenses incurred in connection with the performance of their  
15 duties as members of the committee.

16 The licensure requirements of this section shall only apply to  
17 athletic trainers who are appointed to the committee after the effective  
18 date of P.L. , c. (pending before the Legislature as this bill).  
19 (cf: P.L.1984, c.203, s.5)

20

21 4. Section 6 of P.L.1984, c.203 (C.45:9-37.40) is amended to read  
22 as follows:

23 6. a. [Ninety days from] Beginning on the effective date of [this  
24 act] P.L. , c. (C. ) (pending before the Legislature as this bill),  
25 it shall be unlawful for any person, other than an athletic trainer  
26 registered pursuant to P.L.1984, c.203 (C.45:9-37.35 et seq.) whose  
27 biennial registration has not expired, to practice athletic training in this  
28 State unless [registered] licensed in accordance with the provisions  
29 of this act. Nothing in this act, however, shall prohibit any person  
30 licensed to practice in this State under any other law from engaging in  
31 the practice for which he is licensed.

32 b. This act shall not prohibit: a candidate for [registration]  
33 licensure as an athletic trainer from accumulating the mandated  
34 number of hours of supervised clinical experience under the direction  
35 of a [registered] licensed athletic trainer; a student enrolled in a  
36 school or educational program of athletic training approved by the  
37 board from performing acts of athletic training incidental to the course  
38 of study, if the performance is under the direction of a [registered]  
39 licensed athletic trainer; a student in any educational program in the  
40 healing arts approved or accredited under the laws of this State from  
41 carrying out prescribed courses of study; a person employed by any  
42 agency, bureau or division of the federal government from discharging  
43 his official duties; or a person in connection with employment as an  
44 athletic trainer by a nonresident athlete, educational institution or  
45 recognized athletic organization temporarily visiting in this State, from  
46 practicing athletic training for a period not to exceed 90 days in one

1 calendar year provided he is lawfully permitted to work as an athletic  
2 trainer in the state of residence of his employer.

3 c. The provisions of this act are not intended to limit the activities  
4 of persons legitimately engaged in the administration of nontherapeutic  
5 baths, massage and normal exercise.

6 (cf: P.L.1989, c.169, s.1)

7

8 5. Section 8 of P.L.1984, c.203 (C.45:9-37.42) is amended to read  
9 as follows:

10 8. An applicant for [registration] licensure as an athletic trainer  
11 shall submit evidence to the board, in the form the board may  
12 prescribe, that the applicant:

13 a. Is 18 years of age or older;

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

16 c. Is a graduate of a high school approved by the Department of  
17 Education or has obtained equivalent education acceptable to the  
18 board; and

19 d. Has met the athletic training curriculum requirements of a  
20 college or university approved by the board and provides proof of  
21 graduation or has successfully completed a program of baccalaureate  
22 education and training and experience approved by the board and  
23 provides proof of its completion. The board, in establishing, altering  
24 or amending the standards for approving curricula and courses of  
25 study in institutions which grant baccalaureate degrees and which are  
26 accredited by a regional accreditation agency recognized by the  
27 Council on Postsecondary Accreditation or the United States  
28 Department of Education shall consult with the [Board of Higher]  
29 Department of Education and the advisory committee. The board, in  
30 establishing, altering, or amending the standards for approving  
31 programs of baccalaureate education and training and experience shall  
32 consult with the advisory committee. Both the curriculum and the  
33 program shall include courses of study in the biophysical sciences for  
34 the use of physical agents and medical-surgical techniques as related  
35 to athletics

36 (cf: P.L.1989, c.169, s.3)

37

38 6. Section 9 of P.L.1984, c.203 (C.45:9-37.43) is amended to read  
39 as follows:

40 9. An applicant who complies with the qualifications for  
41 [registration] licensure shall successfully complete [an] the  
42 examination [approved by the board] administered by the National  
43 Athletic Trainers' Association Board of Certification, Inc., or a  
44 substantially equivalent examination approved by the board. The  
45 examination shall test the applicant's knowledge of the basic and  
46 clinical sciences that are pertinent to athletic training, emergency care

1 of the injured athlete and principles of injury evaluation and  
2 conditioning, including the use of various physical modalities and  
3 exercise techniques. The examination shall be administered within the  
4 State no less than once each year at a time and place the board shall  
5 designate.

6 (cf: P.L.1989, c.169, s.4)

7

8 7. Section 10 of P.L.1984, c.203 (C.45:9-37.44) is amended to  
9 read as follows:

10 10. On payment to the board of the application fee as provided in  
11 section 14 of this act, and upon approval of the application, the board  
12 shall issue a **[registration]** license to any person who successfully  
13 passes the examination provided in section 9 of this act.

14 (cf: P.L.1989, c.169, s.5)

15

16 8. Section 11 of P.L.1984, c.203 (C.45:9-37.45) is amended to  
17 read as follows:

18 11. On payment to the board of the application fee as provided in  
19 section 14 of this act, and upon approval of a written application or  
20 application for renewal, as the case may be, on forms provided by the  
21 board, the board shall issue, without examination, a **[registration]**  
22 license to any person who:

23 a. **[Applies for registration within 90 days of the effective date of**  
24 **this act and who meets the qualifications set forth in subsections a., b.,**  
25 **and c. of section 8 of this act and presents to the board evidence of**  
26 **having provided comprehensive, satisfactory athletic training services**  
27 **for five years or more as a major responsibility of employment in this**  
28 **State prior to the effective date of the act; or is a resident of this State**  
29 **and presents evidence of being certified by the National Athletic**  
30 **Trainers Association; or] (~~Deleted by amendment P.L. , c. )~~(pending**  
31 **before the Legislature as this bill).**

32 b. Is licensed, certified or registered as an athletic trainer in any  
33 other state or territory of the United States or the District of  
34 Columbia, if the requirements for licensure, certification or registration  
35 were at the time of the applicant's licensure, certification or  
36 registration equivalent to or in excess of the requirements of this act  
37 at the date of application for the **[registration]** license as shall be  
38 determined by the board in consultation with the committee; or

39 c. Is employed in or is a resident of this State and presents  
40 evidence of being certified by the National Athletic Trainers  
41 Association as an athletic trainer; or

42 d. Is registered as an athletic trainer pursuant to the provisions of  
43 P.L.1984, c.203 (C.45:9-37.35 et seq.) and makes a timely application  
44 for renewal, as determined by the board, prior to the expiration of his  
45 biennial registration.

46 (cf: P.L.1989, c.169, s.6)

1       9. Section 12 of P.L.1984, c.203 (C.45:9-37.46) is amended to  
2 read as follows:

3       12. No person shall use the words "athletic trainer" or  
4 ["registered athletic trainer"] "licensed athletic trainer" or the letters  
5 "AT" unless [registered] licensed pursuant to this act.  
6 (cf: P.L.1984, c.203, s.12)

7

8       10. Section 13 of P.L.1984, c.203 (C.45:9-37.47) is amended to  
9 read as follows:

10       13. Upon submission of a written application on forms provided by  
11 it, the board shall issue a temporary [registration] license to a person  
12 who has applied for [registration] licensure under the provisions of  
13 section 8 of this act and who is, in the judgment of the board, eligible  
14 to take the examination provided for in section 9 of this act. The  
15 temporary [registration] license shall be available to an applicant only  
16 with respect to the first application for [registration] licensure under  
17 section 8. The temporary [registrant] licensee shall take the next  
18 available examination. The temporary [registration will] license shall  
19 expire on either the date of the next examination or the date of the  
20 final determination, whichever is later.

21 (cf: P.L.1984, c.203, s.13)

22

23       11. Section 14 of P.L.1984, c.203 (C.45:9-37.48) is amended to  
24 read as follows:

25       14. Each initial application under this act shall be accompanied by  
26 a fee as prescribed by the board. [Registration] Licensure shall expire  
27 biennially on January 31 and shall be renewed upon application and  
28 payment of a fee as prescribed by the board. If the fee is not paid by  
29 that date the [registration] license shall automatically expire. A  
30 [registration] license which has expired may, within three years of its  
31 expiration date, be renewed on payment to the board of the prescribed  
32 reinstatement fee for each year or part thereof during which the  
33 [registration] license was ineffective and a restoration fee as  
34 prescribed by the board. After the three year period, the  
35 [registration] license may be renewed only by complying with the  
36 provisions of this act regarding initial [registration] licensure.

37 (cf: P.L.1984, c.203, s.14)

38

39       12. Section 15 of P.L.1984, c.203 (C.45:9-37.49) is amended to  
40 read as follows:

41       15. The board may refuse to issue, or may suspend or revoke the  
42 [registration] license of any person, or may impose any other  
43 disciplinary sanction pursuant to the provisions of P.L.1978, c.73  
44 (C.45:1-14 et seq.).

45 (cf: P.L.1984, c.203, s.15)



1       <sup>1</sup>13. Section 5 of P.L.1999,c.87 (C.18A:26-2.5) is amended to read  
2 as follows:

3       5. The State Board of Education shall promulgate rules pursuant  
4 to the "Administrative Procedure Act," P.L. 1968, c.410 (C.52:14B-1  
5 et seq.) setting forth the certification and endorsement requirements  
6 of a school athletic trainer which shall include, but need not be limited  
7 to, the satisfactory completion of the requirements established by the  
8 State Board of Medical Examiners for ~~[registration]~~ licensure as an  
9 athletic trainer pursuant to P.L.1984, c.203 (C.45:9-37.35 et seq.).<sup>1</sup>  
10 (P.L.1999, c.87, s.5)

11

12       <sup>1</sup>14. N.J.S.18A:28-4 is amended to read as follows:

13       18A:28-4. No teaching staff member shall acquire tenure in any  
14 position in the public schools in any school district or under any board  
15 of education, who is not the holder of an appropriate certificate for  
16 such position, issued by the State Board of Examiners, in full force and  
17 effect, except that no board of education shall terminate the  
18 employment or refuse to continue the employment or reemployment  
19 of

20       a. any school nurse appointed prior to May 9, 1947 for the reason  
21 that such nurse is not the holder of such a certificate and the State  
22 Board of Examiners shall make no rule or regulation which will affect  
23 adversely the rights of any such nurse under any certificate issued  
24 prior to said date; or

25       b. a school athletic trainer appointed prior to the effective date of  
26 P.L.1999, c.87 (C.18A:26-2.4 et al.) for the reason that the school  
27 athletic trainer is not the holder of a certificate, provided that the  
28 person is registered with or licensed by the New Jersey State Board of  
29 Medical Examiners as applicable, as an athletic trainer. That person  
30 shall be issued the new certificate without being required to meet any  
31 additional qualifications, and any periods of employment as an athletic  
32 trainer prior to the effective date of that act shall count toward the  
33 acquisition of tenure to the same extent as employment after the  
34 effective date of that act.<sup>1</sup>

35 (cf: P.L.1999,c.87,s.2)

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37       <sup>1</sup>[13.] 15. <sup>1</sup> This act shall take effect 90 days after enactment and  
38 shall apply to applications for licensure or renewal made after that  
39 date.

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44 "Athletic Training Licensure Act."

## CHAPTER 156

**AN ACT** requiring the licensure of athletic trainers and amending various parts of the statutory law.

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

1. Section 1 of P.L.1984, c.203 (C.45:9-37.35 ) is amended to read as follows:

C.45:9-37.35 Short title.

1. This act shall be known and may be cited as the “Athletic Training Licensure Act.”

2. Section 3 of P.L.1984, c.203 (C.45:9-37.37) is amended to read as follows:

C.45:9-37.37 Practice of athletic training, licensure.

3. No person shall practice or hold himself out as being able to practice athletic training in this State unless licensed in accordance with the provisions of this act.

3. Section 5 of P.L.1984, c.203 (C.45:9-37.39) is amended to read as follows:

C.45:9-37.39 Athletic Training Advisory Committee.

5. There is created in the Division of Consumer Affairs of the Department of Law and Public Safety, under the State Board of Medical Examiners, an Athletic Training Advisory Committee. The committee shall consist of six members, three of whom shall be licensed athletic trainers of this State having at least five years experience in the practice of athletic training in this State immediately prior to appointment and one of whom shall be a licensed athletic trainer of this State having at least five years experience in the practice of athletic training in a secondary school in this State immediately prior to appointment. One member of the advisory committee shall be a representative of the Department of Education and one member shall be a physician licensed in this State. The members of the committee shall be appointed by the Governor, with the advice and consent of the Senate, for terms of three years, except in making the initial appointments the Governor shall designate two members to serve three years, two members to serve two years, and two members to serve one year. In the event of death, incapacity, resignation or removal of any member, the vacancy shall be filled for the unexpired portion of the term in the same manner as the original appointment. Each member shall hold office after the expiration of the term until a successor shall be appointed and qualified. The committee shall meet at least twice a year and shall also meet upon the call of the board or Attorney General. The committee shall carry out the responsibilities assigned to it under this act and any other matter the board may require. The Attorney General shall provide the committee with facilities and personnel required for the proper conduct of its business. The board, with the approval of the Attorney General, may authorize reimbursement of the members of the committee for their actual expenses incurred in connection with the performance of their duties as members of the committee.

The licensure requirements of this section shall only apply to athletic trainers who are appointed to the committee after the effective date of P.L.2001, c156.

4. Section 6 of P.L.1984, c.203 (C.45:9-37.40) is amended to read as follows:

C.45:9-37.40 Licensure required for practice of athletic training.

6. a. Beginning on the effective date of P.L.2001, c.156, it shall be unlawful for any person, other than an athletic trainer registered pursuant to P.L.1984, c.203 (C.45:9-37.35 et seq.) whose biennial registration has not expired, to practice athletic training in this State unless licensed in accordance with the provisions of this act. Nothing in this act, however, shall prohibit any person licensed to practice in this State under any other law from engaging in the practice for which he is licensed.

b. This act shall not prohibit: a candidate for licensure as an athletic trainer from accumulating the mandated number of hours of supervised clinical experience under the direction of a licensed athletic trainer; a student enrolled in a school or educational program of athletic training approved by the board from performing acts of athletic training incidental to the course

of study, if the performance is under the direction of a licensed athletic trainer; a student in any educational program in the healing arts approved or accredited under the laws of this State from carrying out prescribed courses of study; a person employed by any agency, bureau or division of the federal government from discharging his official duties; or a person in connection with employment as an athletic trainer by a nonresident athlete, educational institution or recognized athletic organization temporarily visiting in this State, from practicing athletic training for a period not to exceed 90 days in one calendar year provided he is lawfully permitted to work as an athletic trainer in the state of residence of his employer.

c. The provisions of this act are not intended to limit the activities of persons legitimately engaged in the administration of nontherapeutic baths, massage and normal exercise.

5. Section 8 of P.L.1984, c.203 (C.45:9-37.42) is amended to read as follows:

C.45:9-37.42 Qualifications for licensure as athletic trainer.

8. An applicant for licensure as an athletic trainer shall submit evidence to the board, in the form the board may prescribe, that the applicant:

- a. Is 18 years of age or older;
- b. Is of good moral character and does not engage in the habitual use of alcohol, narcotics or other habit forming drugs;
- c. Is a graduate of a high school approved by the Department of Education or has obtained equivalent education acceptable to the board; and
- d. Has met the athletic training curriculum requirements of a college or university approved by the board and provides proof of graduation or has successfully completed a program of baccalaureate education and training and experience approved by the board and provides proof of its completion. The board, in establishing, altering or amending the standards for approving curricula and courses of study in institutions which grant baccalaureate degrees and which are accredited by a regional accreditation agency recognized by the Council on Postsecondary Accreditation or the United States Department of Education shall consult with the Department of Education and the advisory committee. The board, in establishing, altering, or amending the standards for approving programs of baccalaureate education and training and experience shall consult with the advisory committee. Both the curriculum and the program shall include courses of study in the biophysical sciences for the use of physical agents and medical-surgical techniques as related to athletics.

6. Section 9 of P.L.1984, c.203 (C.45:9-37.43) is amended to read as follows:

C.45:9-37.43 Examination for licensing as athletic trainer.

9. An applicant who complies with the qualifications for licensure shall successfully complete the examination administered by the National Athletic Trainers' Association Board of Certification, Inc., or a substantially equivalent examination approved by the board. The examination shall test the applicant's knowledge of the basic and clinical sciences that are pertinent to athletic training, emergency care of the injured athlete and principles of injury evaluation and conditioning, including the use of various physical modalities and exercise techniques. The examination shall be administered within the State no less than once each year at a time and place the board shall designate.

7. Section 10 of P.L.1984, c.203 (C.45:9-37.44) is amended to read as follows:

C.45:9-37.44 Issuance of license.

10. On payment to the board of the application fee as provided in section 14 of this act, and upon approval of the application, the board shall issue a license to any person who successfully passes the examination provided in section 9 of this act.

8. Section 11 of P.L.1984, c.203 (C.45:9-37.45) is amended to read as follows:

C.45:9-37.45 Licensure without examination.

11. On payment to the board of the application fee as provided in section 14 of this act, and upon approval of a written application or application for renewal, as the case may be, on forms provided by the board, the board shall issue, without examination, a license to any person who:

- a. (Deleted by amendment, P.L.2001, c.56).
- b. Is licensed, certified or registered as an athletic trainer in any other state or territory of the United States or the District of Columbia, if the requirements for licensure, certification or registration were at the time of the applicant's licensure, certification or registration equivalent to or in excess of the requirements of this act at the date of application for the license as shall be determined by the board in consultation with the committee; or
- c. Is employed in or is a resident of this State and presents evidence of being certified by the National Athletic Trainers Association as an athletic trainer; or
- d. Is registered as an athletic trainer pursuant to the provisions of P.L.1984, c.203 (C.45:9-37.35 et seq.) and makes a timely application for renewal, as determined by the board, prior to the expiration of his biennial registration.

9. Section 12 of P.L.1984, c.203 (C.45:9-37.46) is amended to read as follows:

C.45:9-37.46 License required to use certain titles, designations.

12. No person shall use the words "athletic trainer" or "licensed athletic trainer" or the letters "AT" unless licensed pursuant to this act.

10. Section 13 of P.L.1984, c.203 (C.45:9-37.47) is amended to read as follows:

C.45:9-37.47 Temporary license.

13. Upon submission of a written application on forms provided by it, the board shall issue a temporary license to a person who has applied for licensure under the provisions of section 8 of this act and who is, in the judgment of the board, eligible to take the examination provided for in section 9 of this act. The temporary license shall be available to an applicant only with respect to the first application for licensure under section 8. The temporary licensee shall take the next available examination. The temporary license shall expire on either the date of the next examination or the date of the final determination, whichever is later.

11. Section 14 of P.L.1984, c.203 (C.45:9-37.48) is amended to read as follows:

C.45:9-37.48 Application fee, expiration, renewal of license.

14. Each initial application under this act shall be accompanied by a fee as prescribed by the board. Licensure shall expire biennially on January 31 and shall be renewed upon application and payment of a fee as prescribed by the board. If the fee is not paid by that date the license shall automatically expire. A license which has expired may, within three years of its expiration date, be renewed on payment to the board of the prescribed reinstatement fee for each year or part thereof during which the license was ineffective and a restoration fee as prescribed by the board. After the three year period, the license may be renewed only by complying with the provisions of this act regarding initial licensure.

12. Section 15 of P.L.1984, c.203 (C.45:9-37.49) is amended to read as follows:

C.45:9-37.49 Refusal to issue, suspension, revocation of license.

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

13. Section 5 of P.L.1999, c.87 (C.18A:26-2.5) is amended to read as follows:

C.18A:26-2.5 Rules relative to athletic trainer licensure.

5. The State Board of Education shall promulgate rules pursuant to the "Administrative Procedure Act," P.L. 1968, c.410 (C.52:14B-1 et seq.) setting forth the certification and endorsement requirements of a school athletic trainer which shall include, but need not be limited to, the satisfactory completion of the requirements established by the State Board of Medical Examiners for licensure as an athletic trainer pursuant to P.L.1984, c.203 (C.45:9-37.35 et seq.).

14. N.J.S.18A:28-4 is amended to read as follows:

Requirements for certain school personnel to acquire tenure, exceptions.

18A:28-4. No teaching staff member shall acquire tenure in any position in the public schools in any school district or under any board of education, who is not the holder of an appropriate certificate for such position, issued by the State Board of Examiners, in full force and effect, except that no board of education shall terminate the employment or refuse to continue the employment or reemployment of

a. any school nurse appointed prior to May 9, 1947 for the reason that such nurse is not the holder of such a certificate and the State Board of Examiners shall make no rule or regulation which will affect adversely the rights of any such nurse under any certificate issued prior to said date; or

b. a school athletic trainer appointed prior to the effective date of P.L.1999, c.87 (C.18A:26-2.4 et al.) for the reason that the school athletic trainer is not the holder of a certificate, provided that the person is registered with or licensed by the New Jersey State Board of Medical Examiners, as applicable, as an athletic trainer. That person shall be issued the new certificate without being required to meet any additional qualifications, and any periods of employment as an athletic trainer prior to the effective date of that act shall count toward the acquisition of tenure to the same extent as employment after the effective date of that act.

15. This act shall take effect 90 days after enactment and shall apply to applications for licensure or renewal made after that date.

Approved July 13, 2001.

PO BOX 004  
TRENTON, NJ 08625

*Office of the Governor*  
**NEWS RELEASE**

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RELEASE: July 13 , 2001

Acting Governor Donald T. DiFrancesco signed the following legislation today:

**A-3154**, sponsored by Senators Andrew Ciesla (R-Monmouth/Ocean), Joseph Palaia (R-Monmouth), Diane Allen (R-Burlington/Camden) and Assembly members Jeffrey Moran (R-Atlantic/Burlington/Ocean) and Anthony Impreveduto (D-Bergen/Hudson), permits persons who are licensed professional engineers or architects in New Jersey to be licensed as home inspectors, provided they are deemed qualified to do home inspections by the New Jersey Board of Architects or the State Board of Professional Engineers and Land Surveyors.

**S-986**, sponsored by Senators Robert Martin (R-Essex/Morris/Passaic) and Kevin O'Toole (R-Essex/Union) and Assembly members Joel Weingarten (R-Essex/Union) and Rose Marie Heck (R-Bergen), permits jointure commissions to provide counseling, inclusionary and child study team service for, but not limited to disabled pupils.

**S-1736**, sponsored by Senator James Cafiero (R-Cape May/Atlantic/ Cumberland) and Assembly members Scott Garrett (R-Sussex/Hunterdon/ Morris) and Connie Myers (R-Warren/Hunterdon/Mercer), exempts certain privately owned campgrounds, hotels, motels, mobile home parks and retirement communities with swimming areas other than pools from certain Department of Health and Senior Services (DHSS) regulations establishing first aid personnel and lifeguard requirements.

**SCS-1783/S-1733**, sponsored by Senators Jack Sinagra (R-Middlesex), James Cafiero (R-Cape May/Atlantic/Cumberland), John Lynch (D-Middlesex/Somerset/ Union) and Louis Kosco (R-Bergen) and Assembly members George Geist (R-Camden/Gloucester) and Arline Friscia (D-Middlesex), establishes a Supplemental Workforce Administrative Fund for Basic Skills within the Workforce Development Partnership Fund by redirecting a portion of the employers and employee contributions from the unemployment compensation fund to the Supplemental Workforce Administrative Fund For Basic Skills.

**A-759**, sponsored by Senator Norman Robertson (R-Essex/Passaic) and Assemblyman Gerald Zecker (R-Essex/Passaic), provides that a delineated area in a municipality may be determined to be in need of rehabilitation if more than half of the housing stock in the delineated area is at least 50 years old, or a majority of the water and sewer infrastructure in the delineated area is at least 50 years old and is in need of repair or substantial maintenance.

**A-972**, sponsored by Senators Jack Sinagra (R-Middlesex) and John Adler (D-Camden) and Assemblymen Gary Stuhltrager (R-Salem/Cumberland/Gloucester) and John Wisniewski (D-Middlesex), the Athletic Training Licensure Act, requires athletic trainers

to be licensed by, rather than just registered with, the State Board of Medical Examiners (BME) in the Division of Consumer Affairs.

**A-3013**, sponsored by Senators Diane Allen (R-Burlington/Camden) and Peter Inverso (D-Mercer/Middlesex) and Assemblymen Michael Arnone (R-Monmouth) and Peter Biondi (R-Morris/Somerset), requires the Director of the Division of Local Government Services in the Department of Community Affairs to conduct a study of all municipalities, counties, school districts and regional authorities and districts to determine the number and type of all interlocal services agreements between such local units entered into between August 2, 1973, the effective date of the Interlocal Services Act, and January 1, 2001.

**S-1887**, sponsored by Senators Martha Bark (R-Atlantic/ Burlington/Camden) and Diane Allen (R-Burlington/Camden) and Assemblyman Leonard Lance (R-Warren/Hunterdon/Mercer), provides for the protection of the assets and distributions from creditors of "Roth" and "Education" individual retirement accounts (IRA) and higher education tuition savings accounts by including these trusts in the definition of "qualifying trust" under New Jersey law. This bill makes qualifying trusts non-exempt from punitive damages awarded in a civil action arising from manslaughter or murder.

**SCS-2345**, sponsored by Senators Henry McNamara (R-Bergen/Passaic) and John Adler (D-Camden) and Assemblyman Steve Corodemus (R-Monmouth), gives the state additional time to pursue legal actions against those who are responsible for contaminating sites around New Jersey. As a result of this act, responsible parties, not the taxpayers, will continue to be required to pay for the cleanup and the restoration of natural resources injured by that contamination. This bill continues the New Jersey Department of Environmental Protection's authority to require restoration of natural resources injured by a hazardous discharge as part of the remediation process.