

ASSEMBLY, No. 3794

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED MARCH 16, 2020

Sponsored by:
Assemblyman ROBERT J. KARABINCHAK
District 18 (Middlesex)

SYNOPSIS

Revises “Athletic Training Licensure Act.”

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning athletic training, revising various parts of the
2 statutory law and repealing section 7 of 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 2 of P.L.1984, c.203 (C.45:9-37.36) is amended to
8 read as follows:

9 2. As used in this act:

10 a. "Advisory committee" means the Athletic Training Advisory
11 Committee established in section 5 of P.L.1984, c.203 (C.45:9-
12 37.39);

13 b. **["Athlete"** means an individual who participates in
14 strenuous physical exercise, physical conditioning, or a sport;**]**
15 (Deleted by amendment, P.L. , c.) (pending before the
16 Legislature as this bill)

17 c. "Athletic trainer" means a person who practices athletic
18 training;

19 d. "Athletic training" means and includes **【**the practice of
20 physical conditioning and reconditioning of athletes and the
21 prevention of injuries incurred by athletes**】** but is not limited to: the
22 treatment of an individual for injury prevention and health
23 management; the clinical evaluation and assessment of an
24 individual for an injury or illness, or both; and the rehabilitation and
25 reconditioning of an individual's injury or illness, or both, as
26 recommended by the advisory committee and defined in regulations
27 by the board. Athletic training shall also include the application of
28 physical treatment modalities to athletes under a plan of care
29 designed and overseen by a physician licensed in this State, as
30 recommended by the advisory committee and defined in regulations
31 by the board;

32 e. "Board" means the State Board of Medical Examiners;

33 f. "Supervision" means that a physician licensed in this State is
34 accessible to an athletic trainer, either on-site **【**or through**】** , by
35 voice, or electronic communication, during athletic training.

36 (cf: P.L.2007, c.323, s.1)

37

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

40 3. a. No person shall practice or hold himself out as being able
41 to practice athletic training in this State unless licensed in
42 accordance with the provisions of P.L.1984, c.203 (C.45:9-
43 37.35 et seq.).

44 b. **【**A licensed athletic trainer may provide athletic training
45 only:

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

Matter underlined thus is new matter.

1 (1) (a) to athletes engaged in interscholastic, intercollegiate, or
2 intramural athletic activities which are being conducted by an
3 educational institution licensed in this State; or (b) to professional
4 athletes; or

5 (2) to athletes in any setting when the athletic trainer is under
6 the supervision of a physician licensed in this State】 Nothing in
7 P.L.1984, c.203 (C.45:9-37.35 et seq.) shall be construed to
8 authorize the interpretation of data for the purpose of diagnosing
9 disease, organic condition or the practice of medicine and surgery,
10 chiropractic, podiatry, occupational therapy, physical therapy, or
11 prosthetics by a person who is not licensed to practice as such
12 pursuant to Title 45 of the Revised Statutes.

13 c. An athletic trainer shall immediately refer an 【athlete】
14 individual to an appropriate health care professional licensed in this
15 State if the athletic trainer has reasonable cause to believe that
16 athletic training is contraindicated or symptoms or conditions are
17 present that require services outside the scope of an athletic trainer's
18 practice.

19 (cf: P.L.2007, c.323, s.2)

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

23 6. a. Beginning on the effective date of P.L.2001, c.156, it
24 shall be unlawful for any person, other than an athletic trainer
25 licensed pursuant to P.L.1984, c.203 (C.45:9-37.35 et seq.) to
26 practice athletic training in this State unless licensed in accordance
27 with the provisions of this act. Nothing in this act, however, shall
28 prohibit any person licensed to practice in this State under any other
29 law from engaging in the practice for which he is licensed.

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

1 c. The provisions of this act are not intended to limit the
2 activities of persons legitimately engaged in the administration of
3 nontherapeutic baths, massage and normal exercise.
4 (cf: P.L.2007, c.323, s.4)

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

8 10. a. On payment to the board of the application fee as
9 provided in section 14 of [this act] P.L.1984, c.203 (C.45:9-37.48),
10 and upon approval of the application, the board shall issue a license
11 to any person who successfully passes the examination provided in
12 section 9 of [this act] P.L.1984, c.203 (C.45:9-37.43).

13 b. The licensee shall display, or carry on the licensee's person
14 if displaying is not possible, a practicing license at any place the
15 licensee renders services.

16 c. Any license displayed pursuant to subsection b. of this
17 section may be displayed in a manner which prevents the public
18 display of the licensee's home address, provided that the license is
19 not permanently defaced or altered, and the license and all the
20 information contained thereon, including the address of record, can
21 be presented upon the request of a person conducting an
22 investigation.

23 (cf: P.L.2001, c.156, s.7)

24
25 5. Section 7 of P.L.1984, c.203 (C.45:9-37.41) is repealed.

26
27 6. This act shall take effect immediately.
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30 STATEMENT

31
32 This bill revises the "Athletic Training Licensure Act,"
33 P.L.1984, c.203 (C.45:9-37.35 et seq.).

34 The bill amends the definition of "athletic training" in the act to
35 include the treatment of an individual for injury prevention and
36 health management; the clinical evaluation and assessment of an
37 individual for an injury or illness, or both; and the rehabilitation and
38 reconditioning of an individual's injury or illness, or both.

39 The bill also clarifies that nothing in the act is to be construed as
40 authorizing the interpretation of data for the purpose of diagnosing
41 disease, organic condition or the practice of various licensed health
42 care professions, including the practice of medicine and surgery,
43 chiropractic, podiatry, occupational therapy, physical therapy, or
44 prosthetics, by a person who is not licensed to practice such
45 profession. The bill's revisions to the act include various
46 amendments to delete references to "athlete," thereby
47 acknowledging the fact that athletic trainers provide services to
48 persons generally, rather than athletes specifically.

1 The bill requires athletic trainers to display, or carry on the
2 athletic trainer's person if displaying is not possible, a practicing
3 license at any place the athletic trainer renders services.

4 The bill also repeals a section of the act that prohibits an athletic
5 trainer from practicing, or from being employed by any individual
6 or entity to do, physical therapy procedures for reimbursement
7 unless the athletic trainer is licensed pursuant to the "Physical
8 Therapist Licensing Act of 1983."