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**TELECONFERENCE/VIRTUAL  
ATHLETIC TRAINERS AFFILIATED CREDENTIALING BOARD  
Room 121A, 1400 East Washington Avenue, Madison  
Contact: Tom Ryan (608) 266-2112  
May 24, 2018**

*The following agenda describes the issues that the Board plans to consider at the meeting. At the time of the meeting, items may be removed from the agenda. Please consult the meeting minutes for a record of the actions of the Board.*

**AGENDA**

**9:00 A.M.**

**OPEN SESSION – CALL TO ORDER – ROLL CALL**

- A) Adoption of Agenda (1-3)**
- B) Approval of Minutes of December 7, 2017 (4)**
- C) Conflicts of Interest**
- D) Administrative Updates (5-8)**
  - 1) Staff Updates
  - 2) Department Updates
  - 3) Election of Officers
  - 4) Appointment of Liaisons and Alternates
  - 5) Delegation of Authorities
  - 6) Board Members – Board Member Status
    - a) Jay Davide – 07/01/2018
    - b) Kurt Fielding – 07/01/2019 (*Reappointed, not yet confirmed*)
    - c) Jack J. Johnsen – 07/01/2021(*Reappointed, not yet confirmed*)
    - d) Gregory Vergamini – 07/01/2020 (*Reappointed, not yet confirmed*)
  - 7) Wis. Stat. § 15.085(3)(b) Biannual Meeting with the Medical Examining Board
- E) Occupational License Review Project**
- F) Legislative and Administrative Rule Matters (9-21)**
  - 1) Preliminary Draft Rules for AT 1 to 4 Relating to Practice of Athletic Trainers
  - 2) Scope Statement for AT 2 Relating to Requirements for License Renewal and Reinstatement
  - 3) Administrative Rules Report
  - 4) Update on Pending Legislation and Pending and Possible Rulemaking Projects
- G) Board of Certification (BOC) Matters**
  - 1) 2018 BOC Annual Meeting Report

H) Informational Items

I) Items Added After Preparation of Agenda:

- 1) Introductions, Announcements and Recognition
- 2) Election of Board Officers
- 3) Appointment of Board Liaisons
- 4) Administrative Updates
- 5) Nominations, Elections, and Appointments
- 6) Education and Examination Matters
- 7) Credentialing Matters
- 8) Practice Matters
- 9) Legislation/Administrative Rule Matters
- 10) Liaison Reports
- 11) Informational Items
- 12) Disciplinary Matters
- 13) Presentations of Petitions for Summary Suspension
- 14) Petitions for Designation of Hearing Examiner
- 15) Presentation of Proposed Stipulations, Final Decisions and Orders
- 16) Presentation of Proposed Final Decisions and Orders
- 17) Presentation of Interim Orders
- 18) Petitions for Re-Hearing
- 19) Petitions for Assessments
- 20) Petitions to Vacate Orders
- 21) Requests for Disciplinary Proceeding Presentations
- 22) Motions
- 23) Petitions
- 24) Appearances from Requests Received or Renewed
- 25) Speaking Engagements, Travel, or Public Relation Requests

J) Public Comments

**CONVENE TO CLOSED SESSION to deliberate on cases following hearing (§ 19.85 (1) (a), Stats.); to consider licensure or certification of individuals (§ 19.85 (1) (b), Stats.); to consider closing disciplinary investigations with administrative warnings (§ 19.85 (1) (b), Stats. and § 448.02 (8), Stats.); to consider individual histories or disciplinary data (§ 19.85 (1) (f), Stats.); and to confer with legal counsel (§ 19.85 (1) (g), Stats.).**

**K) Deliberation on Division of Legal Services and Compliance (DLSC) Matters (22-26)**

- 1) **Case Closing(s)**
  - a) 17 ATB 002 – S.K.B.

L) Deliberation of Items Added After Preparation of the Agenda

- 1) Education and Examination Matters
- 2) Credentialing Matters
- 3) Board Liaison Training
- 4) Disciplinary Matters
- 5) Monitoring Matters
- 6) Professional Assistance Procedure (PAP) Matters
- 7) Petition(s) for Summary Suspensions
- 8) Petitions for Designation of Hearing Examiner
- 9) Proposed Stipulations, Final Decisions and Orders
- 10) Administrative Warnings
- 11) Review of Administrative Warnings
- 12) Proposed Final Decisions and Orders

- 13) Matters Relating to Costs/Orders Fixing Costs
- 14) Case Closings
- 15) Petitions for Extension of Time
- 16) Proposed Interim Orders
- 17) Petitions for Assessments and Evaluations
- 18) Petitions to Vacate Orders
- 19) Remedial Education Cases
- 20) Motions
- 21) Petitions for Re-Hearing
- 22) Appearances from Requests Received or Renewed

M) Consulting with Legal Counsel

**RECONVENE TO OPEN SESSION IMMEDIATELY FOLLOWING CLOSED SESSION**

N) Vote on Items Considered or Deliberated Upon in Closed Session, if Voting is Appropriate

O) Open Session Items Noticed Above Not Completed in the Initial Open Session

P) **Credentialing Liaison Training**

**ADJOURNMENT**

**NEXT MEETING DATE: SEPTEMBER 13, 2018**

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MEETINGS AND HEARINGS ARE OPEN TO THE PUBLIC, AND MAY BE CANCELLED WITHOUT NOTICE.

Times listed for meeting items are approximate and depend on the length of discussion and voting. All meetings are held at 1400 East Washington Avenue, Madison, Wisconsin, unless otherwise noted. In order to confirm a meeting or to request a complete copy of the board's agenda, please call the listed contact person. The board may also consider materials or items filed after the transmission of this notice. Times listed for the commencement of disciplinary hearings may be changed by the examiner for the convenience of the parties. Interpreters for the hearing impaired provided upon request by contacting the Affirmative Action Officer, 608-266-2112.

**ATHLETIC TRAINERS AFFILIATED CREDENTIALING BOARD  
TELECONFERENCE  
MEETING MINUTES  
December 7, 2017**

**PRESENT:** Jay Davide (*via GoToMeeting*), Kurt Fielding (*via GoToMeeting*), John Johnsen (*via GoToMeeting*), Gregory Vergamini (*via GoToMeeting*)

**STAFF:** Tom Ryan, Executive Director; Emily Handel, Bureau Assistant; and other Department staff

**CALL TO ORDER**

Kurt Fielding, Vice Chair, called the meeting to order at 12:00 p.m. A quorum of four (4) members was confirmed.

**ADOPTION OF AGENDA**

**Amendments to the Agenda:**

- *Page 2 of the agenda: Closed Session notice language, corrected as follows-*
  - to consider closing disciplinary investigations with administrative warnings (§ 19.85 (1) (b), Stats. and §~~440.205~~ **448.02 (8)**, Stats.);

**MOTION:** Greg Vergamini moved, seconded by John Johnsen, to adopt the agenda as amended. Motion carried unanimously.

**APPROVAL OF MINUTES**

**Amendments to the Minutes:**

**MOTION:** John Johnsen moved, seconded by Greg Vergamini, to approve the minutes of May 2, 2017 as published/amended. Motion carried unanimously.

**LEGISLATIVE/ADMINISTRATIVE RULE MATTERS**

**Revised Scope Statement for AT 1 to 4 Relating to the Practice of Athletic Trainers**

**MOTION:** Greg Vergamini moved, seconded by John Johnsen, to approve the revised Scope Statement on AT 1 to 4 relating to the practice of athletic trainers for submission to the Department of Administration and publication, to authorize Tom Ryan to sign the scope statement on behalf of the Chair, and to authorize the Chair to approve the scope for implementation no less than 10 days after publication. Motion carried unanimously.

**MOTION:** Greg Vergamini moved, seconded by Kurt Fielding, to remove the existing Position Statements and Frequently Asked Questions on the Athletic Trainers Affiliated Credentialing Board's webpage. Motion carried unanimously.

**ADJOURNMENT**

**MOTION:** John Johnsen moved, seconded by Jay Davide to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 2:25 p.m.

**State of Wisconsin  
Department of Safety & Professional Services**

**AGENDA REQUEST FORM**

1) Name and Title of Person Submitting the Request:  Laura Smith, Bureau Assistant, on behalf of Thomas Ryan, Executive Director		2) Date When Request Submitted:  11/24/17  Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting	
3) Name of Board, Committee, Council, Sections:  Athletic Trainers Affiliated Credentialing Board			
4) Meeting Date:  5/24/2018	5) Attachments:  <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page?  Administrative Matters/Updates 1) Election of Officers 2) Appointment of Liaisons and Alternates 3) Delegation of Authorities	
7) Place Item in:  <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session	8) Is an appearance before the Board being scheduled?  <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if required:  N/A	
10) Describe the issue and action that should be addressed:  1) The Board should conduct Election of its Officers for 2018 2) The new Chairperson should review and appoint/reappoint Liaisons and Alternates as appropriate 3) The Board should review and then consider continuation or modification of previously delegated authorities			
11) Authorization			
<i>Laura Smith</i>		11/24/2017	
Signature of person making this request		Date	
Supervisor (if required)		Date	
Executive Director signature (indicates approval to add post agenda deadline item to agenda)		Date	
Directions for including supporting documents: 1. This form should be attached to any documents submitted to the agenda. 2. Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director. 3. If necessary, provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting.			

2017 ATHLETIC TRAINERS AFFILIATED CREDENTIALING BOARD ELECTIONS,  
LIAISON APPOINTMENTS, AND DELEGATED AUTHORITIES

<b>2017 ELECTION RESULTS</b>	
<b>Board Chair</b>	Kurt Fielding
<b>Vice Chair</b>	Gregory Vergamini
<b>Secretary</b>	Jay Davide
<b>2017 LIAISON APPOINTMENTS</b>	
<b>Credentialing Liaison</b>	Kurt Fielding Alternate – John Johnsen
<b>Education and Exams Liaison</b>	John Johnsen Alternate – Gregory Vergamini
<b>DLSC Liaison</b>	Jay Davide Alternate – Gregory Vergamini
<b>Monitoring Liaison</b>	Gregory Vergamini Alternate – Kurt Fielding
<b>PAP Liaison</b>	Kurt Fielding Alternate – Jay Davide
<b>Legislative Liaison</b>	Kurt Fielding Alternate – John Johnsen
<b>Travel Liaison</b>	Kurt Fielding Alternate – Jay Davide
<b>Screening Panel</b>	John Johnsen, Kurt Fielding Alternate – Gregory Vergamini

*Document Signature Delegation*

- **MOTION:** Gregory Vergamini moved, seconded by Kurt Fielding, that the Board delegates authority to the Chair to sign documents on behalf of the Board. In order to carry out duties of the Board, the Chair has the ability to delegate this signature authority to the Board’s Executive Director for purposes of facilitating the completion of assignments during or between meetings. Motion carried unanimously.

*Delegated Authority for Urgent Matters*

- **MOTION:** Gregory Vergamini moved, seconded by Kurt Fielding, in order to facilitate the completion of assignments between meetings, the Board delegates its authority by order of succession to the Chair, highest ranking officer, or longest

serving member of the Board, to appoint liaisons to the Department to act in urgent matters, to fill vacant appointment positions, where knowledge or experience in the profession is required to carry out the duties of the Board in accordance with the law. Motion carried unanimously.

*Credentialing Authority Delegations*

- **MOTION:** Gregory Vergamini moved, seconded by Kurt Fielding, to delegate authority to the Credentialing Liaison(s) to address all issues related to credentialing matters except potential denial decisions should be referred to the full Board for final determination. Motion carried unanimously.

*Continuing Education Delegation or Education Delegations*

- **MOTION:** Gregory Vergamini moved, seconded by Kurt Fielding, to delegate authority to the Continuing Education Liaison(s) to address all issues related to continuing education. Motion carried unanimously.

*Monitoring Delegations*

- **MOTION:** Gregory Vergamini moved, seconded by Kurt Fielding, to adopt the “Roles and Authorities Delegated to the Monitoring Liaison and Department Monitor” document as presented. Motion carried unanimously.

**New Proposed Delegated Authorities:**

**Credentialing Authority Delegations**

**Delegation of Authority to Credentialing Liaison (Generic)**

**MOTION:**                moved, seconded by                , to delegate authority to the Credentialing Liaisons to make all credentialing decisions. Motion carried unanimously.

**Delegation of Authority to DSPS When Rule and Statute Criteria is Met**

**MOTION:**                moved, seconded by                , to delegate credentialing authority to DSPS to act upon applications that meet the criteria of Rule and Statute and thereby would not need further Board or Board liaison review. Motion carried unanimously.

*Delegated Authority for Application Denial Reviews*

**MOTION:**                moved, seconded by                , that the Board counsel or another department attorney is formally authorized to serve as the Board’s designee for purposes of Wis. Admin Code § SPS 1.08(1). Motion carried unanimously.

*Voluntary Surrenders*

**MOTION:**            moved, seconded by            , to delegate authority to the assigned case advisor to accept or refuse a request for voluntary surrender of a license by a licensee who has a pending complaint or disciplinary matter per Wis. Stat. § 440.19. Motion carried unanimously.

*Authorization for DSPS to Provide Board Member Contact Information to National Regulatory Bodies*

**MOTION:**            moved, seconded by            , to authorize Department staff to provide national regulatory bodies with all Board/Council member contact information that the Department retains on file. Motion carried unanimously.

*Optional Renewal Notice Insert Delegation*

**MOTION:**            moved, seconded by            to designate the Chair or chief presiding officer, or longest serving member of the Board, by order of succession, to provide a brief statement or link relating to board-related business within the license renewal notice at the Board's or Board designee's request. Motion carried unanimously.

*Rules Committee Delegation*

**MOTION:**            moved, seconded by            , to grant the Rules Committee the ability to address all rule-making language. Motion carried unanimously.

*Travel Delegation*

**MOTION:**            moved, seconded by            , to delegate authority to the Travel Liaison to approve any Board Member travel. Motion carried unanimously.

*Legislative Liaison Delegation*

**MOTION:**            moved, seconded by            , to delegate authority to the Legislative Liaisons to speak on behalf of the Board regarding legislative matters. Motion carried unanimously.

*Occupational Licensure Study Liaison*

**MOTION:**            moved, seconded by            , to designate            as the Board's liaison to represent and speak on behalf of the Board regarding occupational license review and related matters. Motion carried unanimously.

**State of Wisconsin  
Department of Safety & Professional Services**

**AGENDA REQUEST FORM**

<b>1) Name and Title of Person Submitting the Request:</b>  <b>Dale Kleven</b> <b>Administrative Rules Coordinator</b>		<b>2) Date When Request Submitted:</b>  <b>5/14/18</b> Items will be considered late if submitted after 12:00 p.m. on the deadline date: ▪ 8 business days before the meeting	
<b>3) Name of Board, Committee, Council, Sections:</b>  <b>Athletic Trainers Affiliated Credentialing Board</b>			
<b>4) Meeting Date:</b>  <b>5/24/18</b>	<b>5) Attachments:</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<b>6) How should the item be titled on the agenda page?</b> <b>Legislation and Rule Matters – Discussion and Consideration</b> <b>1. Preliminary Draft Rules for AT 1 to 4 Relating to Practice of Athletic Trainers</b> <b>2. Scope Statement for AT 2 Relating to Requirements for License Renewal and Reinstatement</b> <b>3. Update on Legislation and Pending and Possible Rulemaking Projects</b>	
<b>7) Place Item in:</b> <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session <input type="checkbox"/> Both		<b>8) Is an appearance before the Board being scheduled?</b>  <input type="checkbox"/> Yes ( <a href="#">Fill out Board Appearance Request</a> ) <input checked="" type="checkbox"/> No	<b>9) Name of Case Advisor(s), if required:</b>
<b>10) Describe the issue and action that should be addressed:</b>			
<b>11) Authorization</b>			
<i><b>Dale Kleven</b></i>		<i><b>May 14, 2018</b></i>	
Signature of person making this request		Date	
Supervisor (if required)		Date	
Executive Director signature (indicates approval to add post agenda deadline item to agenda)		Date	
<b>Directions for including supporting documents:</b> <b>1. This form should be attached to any documents submitted to the agenda.</b> <b>2. Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director.</b> <b>3. If necessary, Provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting.</b>			

STATE OF WISCONSIN  
ATHLETIC TRAINERS AFFILIATED CREDENTIALING BOARD

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IN THE MATTER OF RULEMAKING : PROPOSED ORDER OF THE  
PROCEEDINGS BEFORE THE : ATHLETIC TRAINERS AFFILIATED  
ATHLETIC TRAINERS AFFILIATED : CREDENTIALING BOARD  
CREDENTIALING BOARD : ADOPTING RULES  
: (CLEARINGHOUSE RULE )

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PROPOSED ORDER

An order of the Athletic Trainers Affiliated Credentialing Board to repeal AT 2.02 (2) (Note), 2.03, 2.04, 2.05, 4.01 (Note), and 4.02 (1); to renumber and amend AT 1.02 (1); to amend AT 1.02 (5), 1.05, 2.02 (2), 3.01, 3.03, 3.05, and 4.01 (1) (intro.), (2) (intro.), (3) (intro.), (4) (intro.), and (5); and to create AT 1.02 (1g) and (5m), relating to practice of athletic trainers.

Analysis prepared by the Department of Safety and Professional Services.

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ANALYSIS

**Statutes interpreted:**

None.

**Statutory authority:**

Sections 15.085 (5) (b) and 448.9525 (2), Stats.

**Explanation of agency authority:**

Section 15.085 (5) (b), Stats., provides an affiliated credentialing board “[s]hall promulgate rules for its own guidance and for the guidance of the trade or profession to which it pertains. . .”

Section 448.9525 (2), Stats., provides that, subject to s. 448.956 (1), (4), and (5), Stats., the Athletic Trainers Affiliated Credentialing Board and the Medical Examining Board shall jointly promulgate rules relating to the minimum requirements of a protocol required under s. 448.956 (1), Stats.

**Related statute or rule:**

None.

**Plain language analysis:**

The proposed rules make the following changes to provide clarity and reflect the provisions of 2009 Wisconsin Act 162 and 2017 Wisconsin Act 59, which made various changes to the practice of athletic trainers and the duties and powers of the Athletic Trainers Affiliated Credentialing Board:

- Chapter AT 1:

- The definitions of “NATABOC” and “board” are revised and the definitions of “athletic training” and “physical activity” are created based on the respective statutory definitions.
- Section AT 1.05 is revised to specify the Board may accept the results of a credentialing examination administered by a successor agency of the National Athletic Trainers’ Association Board of Certification, Inc. (NATABOC)
- Chapter AT 2:
  - Section AT 2.02 (2) is revised to specify a successor agency of NATABOC may provide required certifications.
  - References to application for and renewal of temporary licenses are removed by repealing ss. AT 2.03, 2.04, and 2.05. 2009 Wisconsin Act 162 eliminated the Board’s authority to issue temporary licenses.
- Chapter AT 3:
  - Sections AT 3.01 and 3.03 are revised to specify a successor agency of NATABOC may provide required approvals and certifications.
  - Sections AT 3.03 and 3.05 are revised to reflect s. 440.035 (2), Stats., as created by 2017 Wisconsin Act 59, concerning the Board’s authority to require a credential holder to submit proof of completion of continuing education programs or courses.
- Chapter AT 4:
  - 2009 Wisconsin Act 162 replaced the term “athletic injury” with “injury or illness sustained while participating in physical activity.” Sections AT 4.01 (1) (intro.), (2) (intro.), (3) (intro.), and (4) (intro.) are revised to reflect this change in terminology.
  - A note in s. AT 4.01 that includes substantive requirements for referrals is repealed. Requirements for referrals are specified in s. 448.956 (1m), Stats., as created by 2009 Wisconsin Act 162.
  - Section AT 4.02 (1), which provides a protocol must require an athletic trainer to notify the consulting physician as soon as possible if a person being treated sustains new injuries, is repealed. 2009 Wisconsin Act 162 eliminated this protocol requirement.

**Summary of, and comparison with, existing or proposed federal regulation:**

None.

**Comparison with rules in adjacent states:**

**Illinois:**

Rules of the Illinois Department of Financial and Professional Regulation establish requirements for licensure as an athletic trainer in Illinois and the approval of athletic training programs (68 Ill. Adm. Code 1160.20 to 1160.80).

**Iowa:**

Rules of the Iowa Board of Athletic Training establish requirements for licensure as an athletic trainer in Iowa (645 IAC 351.1 to 353.5).

**Michigan:**

Rules of the Michigan Department of Licensing and Regulatory Affairs establish requirements for licensure as an athletic trainer in Michigan, a plan of care for certain athletic training services, and delegation of acts related to the practice of athletic training (Mich Admin Code, R 338.1301 to R 338.1377).

**Minnesota:**

The Minnesota Statutes, sections 148.7801 to 148.7815, establish requirements for licensure as an athletic trainer in Minnesota and define the scope of athletic training.

**Summary of factual data and analytical methodologies:**

The proposed rules were developed by reviewing the provisions of 2009 Wisconsin Act 162 and 2017 Wisconsin Act 59 in conjunction with current rules relating to athletic trainers under chs. AT 1 to 4 and obtaining input and feedback from the Athletic Trainers Affiliated Credentialing Board.

**Analysis and supporting documents used to determine effect on small business or in preparation of economic impact analysis:**

The proposed rules will be posted for a period of 14 days to solicit public comment on economic impact, including how the proposed rules may affect businesses, local government units, and individuals.

**Effect on small business:**

These proposed rules do not have an economic impact on small businesses, as defined in s. 227.114 (1), Stats. The Department’s Regulatory Review Coordinator may be contacted by email at Kirsten.Reader@wisconsin.gov, or by calling (608) 267-2435.

**Agency contact person:**

Dale Kleven, Administrative Rules Coordinator, Department of Safety and Professional Services, Division of Policy Development, 1400 East Washington Avenue, P.O. Box 8366, Madison, Wisconsin 53708; telephone 608-261-4472; email at DSPSAdminRules@wisconsin.gov.

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TEXT OF RULE

SECTION 1. AT 1.02 (1) is renumbered AT 1.02 (1r) and amended to read:

**AT 1.02 (1r)** “Board” means the athletic trainers affiliated credentialing board.

SECTION 2. AT 1.02 (1g) is created to read:

**AT 1.02 (1g)** “Athletic training” has the meaning given in s. 448.95 (5), Stats.

SECTION 3. AT 1.02 (5) is amended to read:

**AT 1.02 (5)** “NATABOC” means the ~~national athletic trainers association board of certification~~ National Athletic Trainers’ Association Board of Certification, Inc.

SECTION 4. AT 1.02 (5m) is created to read:

**AT 1.02 (5m)** “Physical activity” has the meaning given in s. 448.95 (7), Stats.

SECTION 5. AT 1.05 is amended to read:

**AT 1.05 Required examinations.** For purposes of satisfying the ~~examination requirement~~ requirements of ss. 448.953 (1) (f) and (h) and 448.954, Stats., the board accepts the results of a credentialing examination administered by ~~the~~ NATABOC or its successor agency.

SECTION 6. AT 2.02 (2) is amended to read:

**AT 2.02 (2)** ~~Unless applying for a temporary license under s. 448.953 (4) (a), Stats., official certification~~ Verification attested to and submitted directly to the board by NATABOC or its successor agency that the applicant has met ~~the~~ all requirements for certification ~~of the~~ NATABOC ~~and has passed the certification examination administered by the~~ NATABOC.

SECTION 7. AT 2.02 (2) (Note) is repealed.

SECTION 8. AT 2.03, 2.04, and 2.05 are repealed.

SECTION 9. AT 3.01 is amended to read:

**AT 3.01 Approved courses of study.** For purposes of satisfying the ~~continuing education requirement~~ requirements of s. 448.9545, Stats., ~~the board shall approve~~ a course of study ~~approved by the board is a course~~ that has been approved for continuing education credit by NATABOC or its successor agency.

SECTION 10. AT 3.03 is amended to read:

**AT 3.03 Evidence of compliance.** ~~For the renewal of any license granted under subch. VI of ch. 448, Stats., the~~ The board will shall accept as evidence of compliance with this chapter certification by ~~the~~ NATABOC or its successor agency that the licensee has attended and completed continuing education programs approved under ~~the provisions of~~ s. AT 3.01.

SECTION 11. AT 3.05 is amended to read:

**AT 3.05 Audit.** The board ~~may require~~ shall audit any licensee ~~to submit his or her evidence of~~ who is under investigation by the board for alleged misconduct for compliance with the continuing education requirements ~~to audit compliance~~.

SECTION 12. AT 4.01 (1) (intro.), (2) (intro.), (3) (intro.), (4) (intro.), and (5) are amended to read:

**AT 4.01 (1) (intro.)** ~~Authorization for taking~~ Taking a basic medical history when necessary for evaluation and treatment of an athletic injury or illness sustained while participating in physical activity. ~~that~~ A basic medical history may include any of the following:

**(2) (intro.)** ~~Authorization to evaluate the athletic~~ Evaluating an injury utilizing or illness sustained while participating in physical activity. An evaluation may include any of the following procedures:

~~(3) (intro.) Authorization to utilize treatment procedures to treat~~ Treating an athletic injury including or illness sustained while participating in physical activity. Treatment may include any of the following procedures:

~~(4) (intro.) Authorization to utilize rehabilitation procedures to rehabilitate~~ Rehabilitating an athletic injury including or illness sustained while participating in physical activity. Rehabilitation may include any of the following procedures:

~~(5) Authorization to administer~~ Administering specifically enumerated drugs.

SECTION 13. AT 4.01 (Note) is repealed.

SECTION 14. AT 4.02 (1) is repealed.

SECTION 15. EFFECTIVE DATE. The rules adopted in this order shall take effect on the first day of the month following publication in the Wisconsin Administrative Register, pursuant to s. 227.22 (2) (intro.), Stats.

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(END OF TEXT OF RULE)

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## Chapter AT 1

### GENERAL REQUIREMENTS AND PROCEDURES

**AT 1.01 Authority.** The rules in chs. AT 1 to 5 are adopted pursuant to ss. 15.085 (5) (b), 227.11 (2), 448.9525 (1) and (2), 448.954 (2), 448.9545 (2) (a), 448.955, 448.956 (1) and 448.957 (2), Stats.

**AT 1.02 Definitions.** In chs. AT 1 to 5:

**(1g)** “Athletic training” has the meaning given in s. 448.95 (5), Stats.

**(1r)** “Board” means the athletic trainers affiliated credentialing board.

**(2)** “Department” means the department of safety and professional services.

**(3)** “License” means a license as an athletic trainer issued by the board.

**(4)** “Licensee” means a person who is licensed as an athletic trainer under s. 448.953, Stats.

**(5)** “NATABOC” means the ~~national athletic trainers association board of certification~~ National Athletic Trainers’ Association Board of Certification, Inc.

**(5m)** “Physical activity” has the meaning given in s. 448.95 (7), Stats.

**(6)** “Protocol” means a precise and detailed written plan for the evaluation and treatment of an athletic injury or an injury that is identical to an athletic injury and that has resulted from an occupational activity.

**(7)** “Trainer” means a person engaged in athletic training who is not licensed as an athletic trainer under s. 448.953, Stats.

**AT 1.03 Use of restricted title.** A trainer may engage in the practice of athletic training provided that the trainer does not use a title or designation in violation of s. 448.951, Stats.

**AT 1.04 Surety bond or liability insurance coverage.** As a precondition to the granting or renewal of a license, an applicant or licensee must submit a certificate of insurance, declarations page, policy binder or other evidence satisfactory to the department that he or she has in effect a surety bond in the amount of \$1,000,000, or malpractice liability insurance coverage in an amount that is not less than \$1,000,000 per occurrence and \$1,000,000 for all occurrences in one year. No licensee shall engage in athletic training unless the licensee has in effect the insurance required by this section.

**AT 1.05 Required examinations.** For purposes of satisfying the ~~examination requirement requirements~~ of ss. 448.953 (1) (f) and (h) and 448.954, Stats., the board accepts the results of a credentialing examination administered by ~~the~~ NATABOC or its successor agency.

**AT 1.06 Change of address.** A licensee shall notify the board of a change of address as required under s. 448.11, Stats.

**AT 1.07 Change of consulting physician.** A licensee shall only have one consulting physician at any time. A licensee shall notify the board within 5 days following a change in the licensee's consulting physician. The notification shall include a statement, signed and dated by the licensee and the licensee's new consulting physician, that a current copy of the protocol required under s. 448.956 (1), Stats., is on file at the place of employment of the licensee, and of the new consulting physician.

## Chapter AT 2 ATHLETIC TRAINER LICENSE

**AT 2.01 Applications.** An applicant for a license shall file an application and must pay the fee specified in s. 440.05 (1), Stats. An applicant for a license who does not comply with a request for information related to the application within one year from the date of the request shall file a new application and pay the fee specified in s. 440.05 (1), Stats.

**AT 2.02 Application contents.** In addition to satisfying the requirement of s. 448.953, Stats., an application for licensure shall include the following:

**(1)** Official undergraduate transcripts properly attested to by the degree granting institution and submitted by the institution directly to the board establishing that the applicant has been granted a bachelor's degree by a college or university accredited by a regional accrediting agency approved by the state board of education in the state in which the college or university is located or a regional or national accrediting agency recognized by the U.S. department of education or accredited by a Canadian accrediting agency satisfactory to the board.

**(2)** ~~Unless applying for a temporary license under s. 448.953 (4) (a), Stats., official certification~~ Verification attested to and submitted directly to the board by NATABOC or its successor agency that the applicant has met ~~the all~~ requirements for certification ~~of the NATABOC and has passed the certification examination administered by the NATABOC.~~

~~Note: Section 448.953 (4), Stats., was repealed by 2009 Wis. Act 162.~~

~~**AT 2.03—Two-year temporary license application.** In addition to satisfying the requirements of s. 448.953 (4) (a), Stats., an applicant for a 2-year temporary license shall include a chronological history by the applicant stating that he or she has engaged in athletic training during each of the 12 consecutive months immediately preceding November 1, 2000.~~

~~Note: Section 448.953 (4), Stats., was repealed by 2009 Wis. Act 162.~~

~~**AT 2.04—Temporary license renewal application.** In addition to satisfying the requirements of s. 448.953 (4) (a), Stats., a temporary license renewal application by an applicant under s. 448.953 (4) (a), Stats., shall set forth a chronological history by the applicant demonstrating the significant progress that he or she has made toward satisfying the requirement under s. 448.953 (1) (f), Stats. To be deemed significant progress for purposes of renewal of a temporary license under s. 448.953 (4) (a), Stats., the chronological history shall include a history outlining that he or she has engaged in athletic training for not less than 18 of the previous 24 months, and that he or she has made a minimum of one attempt to successfully take the NATABOC certification examination and the score received on each attempt.~~

~~Note: Section 448.953 (4), Stats., was repealed by 2009 Wis. Act 162.~~

~~**AT 2.05—Temporary license renewal.** A temporary license shall not be renewed if an applicant does not satisfy the requirement of showing significant progress toward satisfying the requirement under s. 448.953 (1) (f), Stats.~~

## Chapter AT 3 CONTINUING EDUCATION

**AT 3.01 Approved courses of study.** For purposes of satisfying the ~~continuing education requirement requirements~~ of s. 448.9545, Stats., the board shall approve a course of study ~~approved by the board is a course~~ that has been approved for continuing education credit by NATABOC or its successor agency.

**AT 3.02 Certification of compliance.** A licensee shall, at the time of making application for renewal of a license under s. 440.08 (2) (a), Stats., sign a statement on the application for renewal certifying that the licensee has satisfied the 30 hour continuing education requirement of s. 448.9545, Stats. This section does not apply to an application for renewal of a license that expires on the first renewal date after the date on which the board initially granted the license.

**AT 3.03 Evidence of compliance.** ~~For the renewal of any license granted under subch. VI of ch. 448, Stats., the~~ The board ~~will shall~~ accept as evidence of compliance with this chapter certification by ~~the~~ NATABOC or its successor agency that the licensee has attended and completed continuing education programs approved under ~~the provisions of~~ s. AT 3.01.

**AT 3.04 Retention requirement.** The licensee shall retain evidence of compliance for 3 years following the renewal date for the biennium for which 30 hours of credit are required for renewal of a license.

**AT 3.05 Audit.** The board ~~may require shall audit~~ any licensee ~~to submit his or her evidence of who is under investigation by the board for alleged misconduct for~~ compliance with the continuing education requirements ~~to audit compliance~~.

## Chapter AT 4 EVALUATION AND TREATMENT PROTOCOL

**AT 4.01 Protocol evaluation and treatment procedures.** A protocol established by the licensee and approved by the consulting physician shall be in writing and may include any of the following evaluation and treatment procedures when authorized by the consulting physician:

**(1)** ~~Authorization for taking~~ Taking a basic medical history when necessary for evaluation and treatment of an ~~athletic injury or illness sustained while participating in physical activity.~~ that A basic medical history may include any of the following:

- (a) Previous medical history.
- (b) Previous surgical history.
- (c) Pertinent family medical history.
- (d) Current medication history including known drug allergies.
- (e) Relevant social history.
- (f) Chief medical complaint.
- (g) History of the present injury or illness for which the person to be treated is seeking evaluation and treatment.

**(2)** ~~Authorization to evaluate the athletic~~ Evaluating an injury ~~utilizing or illness sustained while participating in physical activity.~~ An evaluation may include any of the following procedures:

- (a) Palpation.

- (b) General observation.
- (c) Motion assessment.
- (d) Muscle strength tests.
- (e) Endurance tests.
- (f) Neurological assessment.
- (g) Joint play assessment.
- (h) Functional evaluation.
- (i) Objective physical measurement.
- (j) Circulatory assessment.
- (3) ~~Authorization to utilize treatment procedures to treat~~ Treating an athletic injury including or illness sustained while participating in physical activity. Treatment may include any of the following procedures:**
  - (a) Emergency care.
  - (b) Ultrasound.
  - (c) Phonophoresis.
  - (d) Electrical nerve stimulation.
  - (e) Iontophoresis.
  - (f) Specified diathermy.
  - (g) Intermittent compression.
  - (h) Traction.
  - (i) Therapeutic massage.
  - (j) Moist heat.
  - (k) Paraffin baths.
  - (L) Cryotherapy.
- (4) ~~Authorization to utilize rehabilitation procedures to rehabilitate~~ Rehabilitating an athletic injury including or illness sustained while participating in physical activity. Rehabilitation may include any of the following procedures:**
  - (a) Progressive resistance exercise.
  - (b) Range of motion exercise.
  - (c) Trigger point therapy.
  - (d) Joint mobilization for range of motion only.
  - (e) Proprioceptive neuromuscular facilitation.
  - (f) Functional exercise.
  - (g) Cardiovascular exercise.
  - (h) Aquatic exercise.
  - (i) Taping, bracing and splinting.
  - (j) Isokinetic exercise.
  - (k) Isometric exercise.
  - (L) Isotonic exercise.
- (5) ~~Authorization to administer~~ Administering specifically enumerated drugs.**

~~**Note:** A licensed athletic trainer may accept referrals from licensed chiropractors to engage in athletic training in accordance with an evaluation and treatment protocol approved by the consulting physician under this chapter.~~

**AT 4.02 Mandatory protocol requirements.** A protocol must contain all of the following:

- ~~**(1) The requirement that the licensee notify the consulting physician as soon as possible if a person being treated by the athletic trainer sustains new injuries.**~~

- (2)** The requirement that if a licensee or the consulting physician of the licensee determines that a patient's medical condition is beyond the scope of practice of the licensee, the licensee shall, in accordance with the protocol, refer the patient to a health care practitioner who is licensed under ch. 446 or 447, Stats., or subch. II, III or IV of ch. 448, Stats., and who can provide appropriate treatment to the patient.
- (3)** The requirement that a licensee shall modify or terminate treatment of a patient that is not beneficial to a patient or that the patient cannot tolerate.
- (4)** The name, signature and date of signature of the consulting physician and the licensee.

# STATEMENT OF SCOPE

## Athletic Trainers Affiliated Credentialing Board

Rule No.: Chapter AT 2

Relating to: Requirements for License Renewal and Reinstatement

Rule Type: Permanent

**1. Finding/nature of emergency (Emergency Rule only):**

N/A

**2. Detailed description of the objective of the proposed rule:**

The objective of the proposed rule is to revise ch. AT 2 to specify the requirements for renewal and reinstatement of a license as an athletic trainer.

**3. Description of the existing policies relevant to the rule, new policies proposed to be included in the rule, and an analysis of policy alternatives:**

Current rules are silent concerning the requirements for renewal and reinstatement of a license as an athletic trainer. Although ss. 448.9545 and 448.955, Stats., contain the requirements for renewal of a license, these provisions are unclear concerning requirements for late renewal. In addition, the statutes do not specify the requirements for reinstatement of a license that has not been renewed within 5 years when the licensee has unmet disciplinary requirements, or the license has been revoked or surrendered.

The proposed rule would create new policy concerning the requirements for late renewal and reinstatement of a license as an athletic trainer. If the rules are not updated, these requirements will remain unclear.

**4. Detailed explanation of statutory authority for the rule (including the statutory citation and language):**

Section 15.085 (5) (b), Stats., provides that an affiliated credentialing board, such as the Athletic Trainers Affiliated Credentialing Board, "shall promulgate rules for its own guidance and for the guidance of the trade or profession to which it pertains . . ."

Section 440.08 (3) (b), Stats., provides authority for the Athletic Trainers Affiliated Credentialing Board to promulgate rules requiring the holder of a credential who fails to renew the credential within 5 years after its renewal date to complete requirements to restore the credential, in addition to the applicable requirements for renewal established under chs. 440 to 480, Stats., that the Board determines are necessary to protect the public health, safety, or welfare. The rules may not require the holder to complete educational requirements or pass examinations that are more extensive than the educational or examination requirements that must be completed to obtain an initial credential from the Board.

**5. Estimate of amount of time that state employees will spend developing the rule and of other resources necessary to develop the rule:**

70 hours

**6. List with description of all entities that may be affected by the proposed rule:**

Individuals applying for late renewal or reinstatement of a license as an athletic trainer.

**7. Summary and preliminary comparison with any existing or proposed federal regulation that is intended to address the activities to be regulated by the proposed rule:**

None.

**8. Anticipated economic impact of implementing the rule (note if the rule is likely to have a significant economic impact on small businesses):**

The proposed rule will have minimal to no economic impact on small businesses and the state's economy as a whole.

**Contact Person:** Dale Kleven, Administrative Rules Coordinator, DSPSAdminRules@wisconsin.gov, (608) 261-4472

Approved for publication:

Approved for implementation:

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Authorized Signature

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