

Report on the

Board of Athletic Trainers

Montgomery, Alabama



Department of Examiners of Public Accounts

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July 22, 2020

Representative Howard Sanderford
Chairman, Sunset Committee
Alabama State House
Montgomery, AL 36130

Dear Representative Sanderford,

This report was prepared to provide information for use by the Sunset Committee in conducting its review and evaluation of the operations of the Board of Athletic Trainers in accordance with the *Code of Alabama 1975*, Section 41-20-9.

The report contains unaudited information obtained from the management, staff, and records of the Board of Athletic Trainers, in addition to information obtained from other sources.

Please contact me if you have any questions concerning this report.

Sincerely,

A handwritten signature in cursive script that reads "Rachel Laurie Riddle".

Rachel Laurie Riddle
Chief Examiner

Examiner
Ashley L. Allen

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PROFILE

Purpose/Authority

The Alabama Board of Athletic Trainers was created by Act No. 617, Acts of Alabama 1993, to license and regulate athletic trainers in Alabama. The Board conducts investigations, hearings, and proceedings concerning alleged violations of its rules or regulations. The *Code of Alabama 1975*, Section 34-40-1 through 34-40-17 provides statutory authority for the Board.

There was no new legislation passed since the last sunset review of this agency.

<u>Characteristics</u>	
Members and Selection	<p>Nine members:</p> <ul style="list-style-type: none">• Six members appointed by the Alabama Athletic Trainers Association, one of whom shall be an athletic trainer who is a licensed physical therapist.• Three physicians appointed by the Medical Association of the State of Alabama (MASA). <p>In addition to the nine members, the President of the Alabama Athletic Trainers Association serves as an ex officio member.</p> <p><i>Code of Alabama 1975</i>, Section 34-40-3(a)</p>
Term	<p>Members serve four-year terms and may not serve more than three consecutive four-year terms.</p> <p>The ex officio member serves a one-year term to coincide with his or her term as President of the Alabama Athletic Trainers Association.</p> <p><i>Code of Alabama 1975</i>, Section 34-40-3(a)</p>
Qualifications	<ul style="list-style-type: none">• Athletic trainers must have worked as an athletic trainer for three years within Alabama immediately preceding appointment.• The physicians must be licensed to practice medicine and actively engage in the treatment of athletes and athletic injuries.• Each member must be a citizen of the United States and resident of the state. <p><i>Code of Alabama 1975</i>, Section 34-40-3(a) and (b)</p>

Consumer Representation	No specific statutory requirement.
Racial Representation	<p>Three members must be black, one of whom must be a physician.</p> <p>Currently, three black members, one of whom is a physician are serving.</p> <p><i>Code of Alabama 1975</i>, Section 34-40-3(a)</p>
Geographical Representation	No specific statutory requirement.
Other Representation	<p>The Board shall be inclusive and reflect the racial, gender, geographic, urban/rural, and economic diversity of the state.</p> <p><i>Code of Alabama 1975</i>, Section 34-40-3.1</p>
Compensation	<p>\$50 per day spent in the performance of their duties, plus travel expense are reimbursed at the same rate as state employees.</p> <p><i>Code of Alabama 1975</i>, Section 34-40-3(f)</p>
Attended Board Member Training	Eight Board Members
<u>Operations</u>	
Administrator	<p>The Board contracts with Administrative Management Professionals Inc., a private management firm to provide administrative services and logistical support on a part-time basis. Leah Taylor, secretary/treasurer of Administrative Management Professionals Inc., serves as the part-time Executive Secretary.</p> <p>Current two-year contract amount, ending January 31, 2021, is for \$80,800.</p>
Location	<p>129 Church Street Montgomery, AL 36104. Monday – Friday: 8:00 a.m. – 4:00 p.m.</p>
Employees	None. The Board contracts with Administrative Management Professionals Inc. for administrative and logistical support.

Legal Counsel	J. Matt Bledsoe, Assistant Attorney General Alabama Attorney General's Office
Subpoena Power	Yes, witnesses and records. <i>Code of Alabama 1975</i> , Section 34-40-11
Internet Presence	http://athletictrainers.alabama.gov/ Information available includes: <ul style="list-style-type: none"> • Home • About Us • News • Regulatory • Links • Licensing • Complaints • Contact Us
<u>Financial</u>	
Source of Funds	Licensing fees
State Treasury	Yes – Special Revenue Fund 0745 <i>Code of Alabama 1975</i> , Section 34-40-14
Required Distributions	No required distributions.
Unused Funds	Year-end balances are retained for board use, subject to appropriations.
<u>Licensee Information</u>	
Licensees	As of January 17, 2020: 817 Athletic Trainers <i>Source:</i> Executive Secretary
Licensee Demographics	Data not readily available by the Board.

<p>Licensure Qualifications</p>	<p>A citizen of the United States, or a person who is legally present in the United States, and meet at least one of the following requirements:</p> <ul style="list-style-type: none"> • Satisfactory completion of all of the National Athletic Trainers’ Association (NATA) Board of Certification, Inc., qualifications and certification as an athletic trainer in good standing by the national Athletic Trainers’ Association Board of Certification, Inc. • Licensure by reciprocity. <p><i>Code of Alabama 1975</i>, Section 34-40-5</p>
<p>Examinations</p>	<p>The Board’s statutes do not require an examination. Applicants for licensure are required to have a certification as an athletic trainer in good standing by the National Athletic Trainers’ Association (NATA) Board of Certification (BOC), Inc. The national examinations required by the BOC, Inc. are administered by CASTLE Worldwide Testing Centers during two-week testing windows that occur five times per year (February, April, June, August, and November). Testing sites are located in Birmingham, Decatur, Huntsville, Millbrook, Mobile, Phenix City, and Tuscaloosa.</p> <p>According to the Executive Secretary, examination results for are not available.</p> <p><i>Code of Alabama 1975</i>, Section 34-40-5</p>
<p>Reciprocity</p>	<p>The Board shall grant, without examination, licensure to any qualified trainer holding a license certificate or registration in another state if that state maintains licensure qualifications which are substantially equivalent to those required in this state and gives similar reciprocity to licensees of this state.</p> <p>The Board does not have reciprocal agreements with other states.</p> <p><i>Code of Alabama 1975</i>, Section 34-40-5(a)(2)</p>
<p>Renewals</p>	<p>Licenses expire annually on December 31.</p> <p><i>Code of Alabama 1975</i>, Section 34-40-8</p> <p>Any licensee who fails to renew his or her license within 90 days following expiration of the previous license shall be</p>

	<p>required to file a new application and pay an application fee with the Board.</p> <p><i>Code of Alabama 1975</i>, Section 34-40-5(b)</p> <p>99.1% of renewals were done online in 2019</p>
Continuing Education	<p>Twenty-six contact hours annually</p> <p><i>Code of Alabama 1975</i>, Section 34-40-8 <i>Administrative Rule</i> 140-X-4-.03(2)</p>

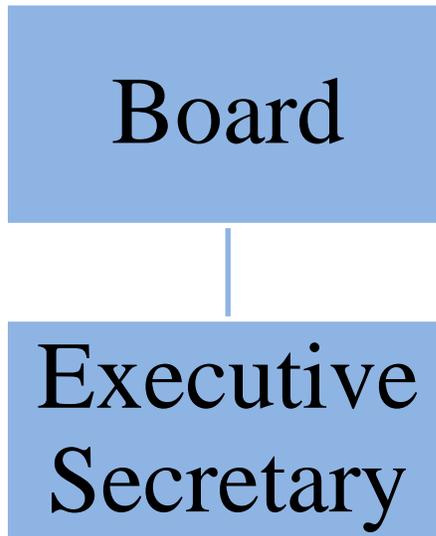
SIGNIFICANT ISSUES

There are no new significant issues.

STATUS OF PRIOR FINDINGS/SIGNIFICANT ISSUES

There were no prior findings/significant issues.

ORGANIZATION



PERSONNEL

The Board contracts with Administrative Management Professionals Inc. for administrative services and logistical support. Leah Taylor, Secretary/Treasurer of Administrative Management Professionals Inc., serves as the Executive Secretary for the Board. Under the current two-year contract, ending January 31, 2021, Administrative Management Professionals Inc. receives \$3,200.00 monthly, plus expenses not to exceed \$2,000 per year, for a contract total of \$80,800.

Legal Counsel

J. Matt Bledsoe, Assistant Attorney General, an employee of the Attorney General's Office provides legal counsel to the Board.

PERFORMANCE CHARACTERISTICS

Number of Persons per Licensee in Alabama and Surrounding States

	Population (estimate)*	Number of Licensees	Persons Per Licensee
Alabama	4,903,185	817	6,001
Florida	21,477,737	5,896	3,643
Georgia	10,617,423	1,846	5,752
Mississippi	2,976,149	354	8,407
Tennessee	6,829,174	1,191	5,734
*Source: U.S. Census Bureau, Population Division, December 2019			

Operating Disbursements per Licensee (FY2019) - \$71.98

Fines/Penalties as a Percentage of Operating Receipts

The Board has not collected any fines or penalties during this sunset period.

Notification of Board decisions to Amend Administrative Rules

The Board complied with notification procedures prescribed in the Administrative Procedure Act, which includes publication of proposed rules in the Administrative Monthly, and public hearings on proposed rules. Proposed rule amendments are listed on the Board's website under the news tab. Licensees are not specifically notified of proposed changes.

COMPLAINT HANDLING

The Board's *Administrative Rule* 140-X-6, Compliance and Disciplinary Action, establishes the procedures for disciplinary action that may be taken against a licensee, the types of sanctions that may be imposed, the conduct of the disciplinary process, and the procedure for filing a complaint against a licensee.

<p>Initial Contact/Documentation</p>	<p>Complaints must be in writing on the Board's official complaint form signed and notarized by the complainant. The complaint form can be requested from the Executive Secretary by phone, mail, email, or fax. The complaint form and instructions are not available for download from the Board's website. Upon receipt of the completed form, the Executive Secretary date-stamps the complaint form and ascertains whether or not the individual named in the complaint is currently licensed by the Board. The Executive Secretary informs the complainant in writing that the individual is not licensed, thus falling outside the Board's jurisdiction. If determined to be a valid licensee, the Executive Secretary assigns a number to the complaint and forwards it to the Chairman of the Professional Practice and Disciplinary Committee for further action.</p>
<p>Anonymous Complaints Accepted</p>	<p>No</p>
<p>Investigative Process / Probable Cause Determination</p>	<p>The Professional Practice & Disciplinary (PP&D) Committee, composed of the vice-chairman of the Board, the Executive Secretary, and the Assistant Attorney General assigned to the Board, is responsible for investigating complaints against valid licensees.</p>
<p>Negotiated Settlements</p>	<p>Yes</p>
<p>Notification of Resolution to the Complainant</p>	<p>The Board will notify the licensee of the decision of the Board, listing the reasons for any decision adverse to the licensee. If the Board takes no action, the initial complaint file is closed, and a letter is sent to the licensee and the complainant stating that the initial complaint file has been closed.</p>

Source: Board's website

There was only one documented complaint received and resolved in FY 2016. The complaint was resolved in 198 business days.

REGULATION IN CONJUNCTION WITH OTHER ENTITIES

The Board does not coordinate regulation, licensing, or permitting with any other state or federal agency.

FINANCIAL INFORMATION

Source of Funds - Licensing fees.

Fund

The Board operates from Special Revenue Fund 0745 maintained in the State Treasury as authorized by the *Code of Alabama 1975*, Section 34-40-14. The Board cannot expend funds without an appropriation from the Legislature. The Board retains unused balances for subsequent years' expenditures.

Schedule of Fees

The Board's fees are set in Administrative Rule 140-X-5-.02.

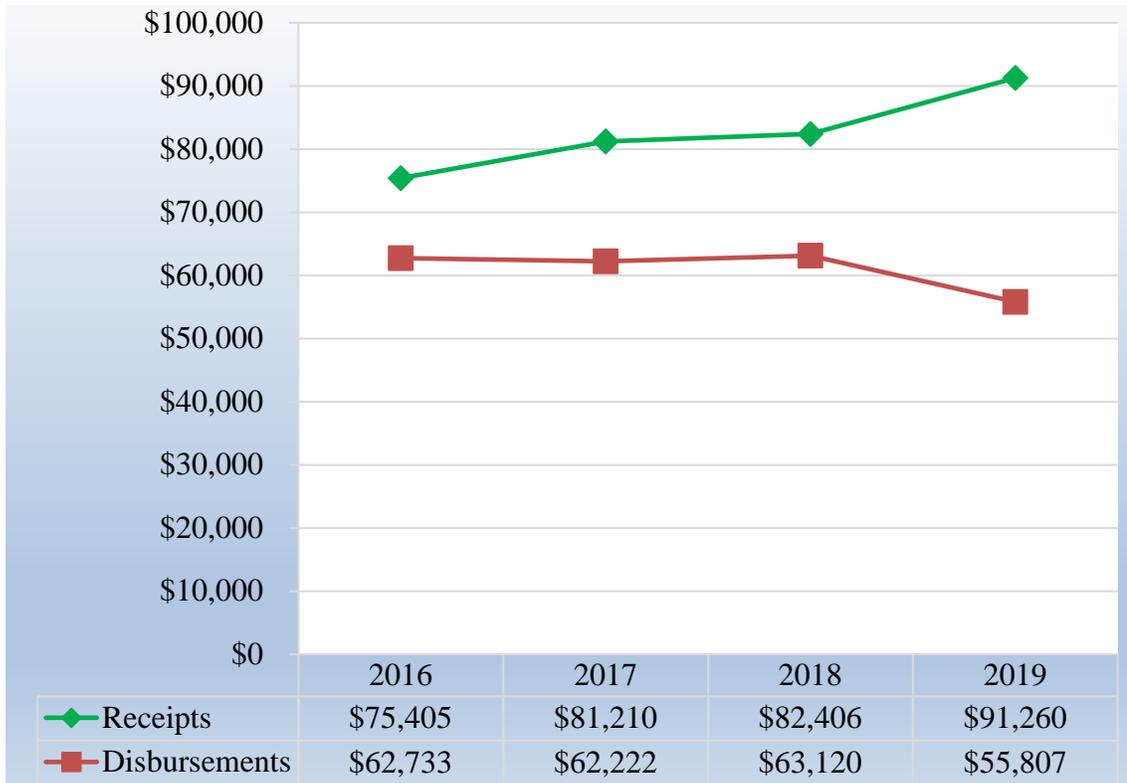
FEE TYPE/PURPOSE	STATUTORY AUTHORITY	AMOUNT AUTHORIZED	AMOUNT COLLECTED
Application & License Fee	34-40-5(b)	Set by the Board	\$175
Renewal Fee	34-40-8	Set by the Board	\$75
Renewal Fee For first renewal Period only for licenses issued Between July 1 and December 31.	34-40-8	Set by the Board	\$25
Renewal Late Fee For renewal applications submitted after November 30 and March 31	34-40-3(g)	Set by the Board	\$50
Late CEU Fee Per month late for CEUs earned following November 30 deadline for then – current renewal period.	34-40-3(g)	Set by the Board	\$25
Replacement Identification Card	34-40-5(b)	Set by the Board	\$35
Replacement Wall Certificate	34-40-5(b)	Set by the Board	\$50
Verification of Licensure	34-40-3(g)	Set by the Board	\$25
Copied Materials	Cost Recovery	Set by the Board	\$.25/page
Roster of Licensees	34-40-3(g)	Set by the Board	\$25
Returned Check Fee	8-8-15	\$30	\$30

Schedule of Receipts, Disbursements and Balances
 October 1, 2015 through September 30, 2019

	2018-2019	2018-2017	2017-2016	2016-2015
<u>Receipts</u>				
Licensing Fees	\$ 91,260.00	\$ 81,330.00	\$ 81,210.00	\$ 75,405.00
Prior Year Refund	-	1,076.48	-	-
Total	<u>91,260.00</u>	<u>82,406.48</u>	<u>81,210.00</u>	<u>75,405.00</u>
<u>Disbursements</u>				
Personnel Costs	1,500.00	2,518.82	42.96	1,950.00
Employee Benefits	126.45	129.15	128.92	158.66
Travel In-State	3,001.64	2,433.23	2,150.87	3,038.64
Out-of-State Travel	950.26	-	649.14	522.93
Utilities and Communications	2,565.58	3,398.94	2,798.94	2,544.60
Professional Services	43,797.35	51,044.78	51,512.65	49,021.61
Supplies, Materials and Operating Expenses	3,865.39	3,492.94	4,938.78	5,496.71
Grants & Benefits*	3,000.00	2,500.00	1,500.00	1,506.10
Other Equipment Purchases	-	102.25	-	-
Total	<u>58,806.67</u>	<u>65,620.11</u>	<u>63,722.26</u>	<u>64,239.25</u>
Excess of Receipts over Disbursements	32,453.33	16,786.37	17,487.74	11,165.75
Cash Balance at Beginning of Year	<u>220,792.90</u>	<u>204,006.53</u>	<u>186,518.79</u>	<u>175,353.04</u>
Cash Balance at End of Year	253,246.23	220,792.90	204,006.53	186,518.79
Reserved For Unpaid Obligations	<u>(16,063.12)</u>	<u>(11,126.85)</u>	<u>(12,466.22)</u>	<u>(10,874.69)</u>
Unreserved Cash Balance at Year End	<u>\$ 237,183.11</u>	<u>\$ 209,666.05</u>	<u>\$ 191,540.31</u>	<u>\$ 175,644.10</u>

*Grants to the Alabama Athletic Trainers Association made pursuant to the ***Code of Alabama 1975***, Section 34-40-14 which allows the Board to make grants or arrange with qualified individuals, institutions, or agencies to develop and promote athletic training programs and continuing education programs for athletic trainers.

Operating Receipts vs. Operating Disbursements (Chart)

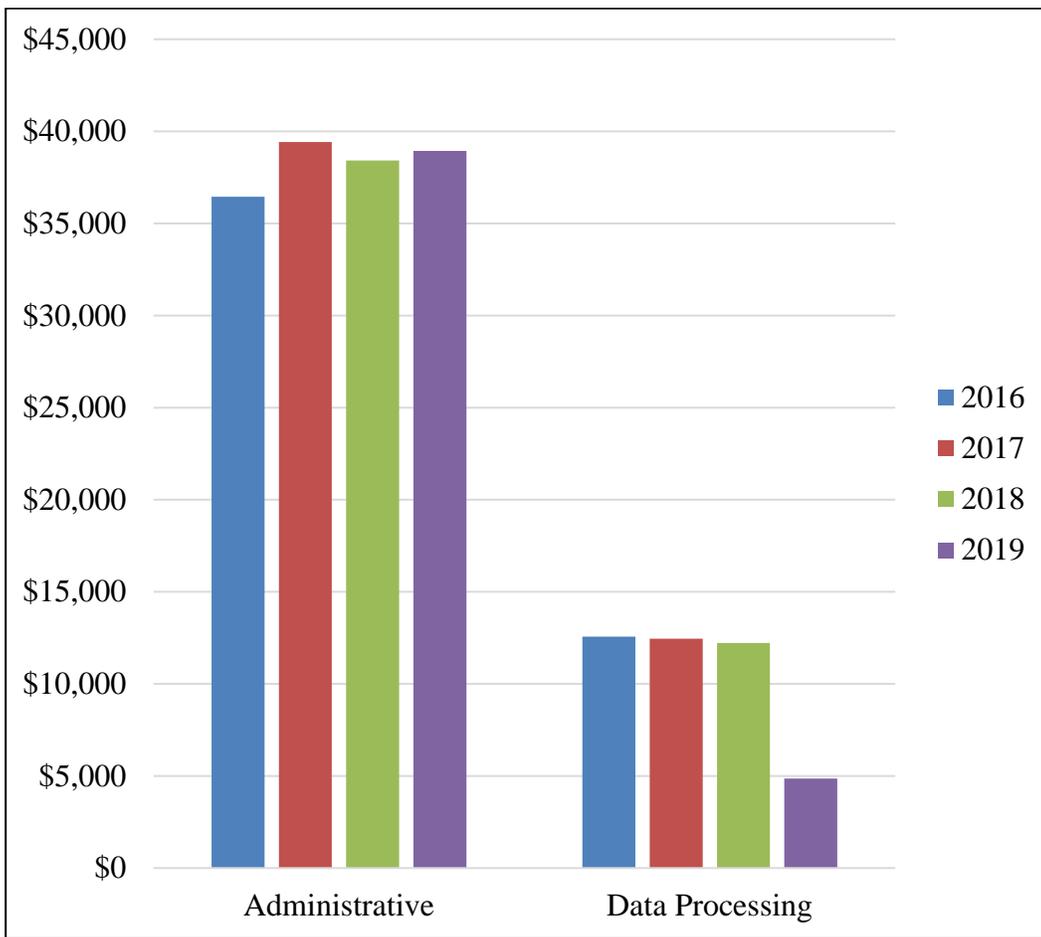


Operating disbursements does not include grants made to the Athletic Trainers Associations for all fiscal years.

SUMMARY SCHEDULE OF PROFESSIONAL SERVICE DISBURSEMENTS*				
As of September 30th				
Type of Service	FY 2016	FY 2017	FY 2018	FY 2019
Administrative	\$ 36,453.27	\$ 39,293.18	\$ 38,550.95	\$ 38,936.89
Data Processing	12,568.34	12,219.47	12,493.83	4,860.46
Total	\$ 49,021.61	\$ 51,512.65	\$ 51,044.78	\$ 43,797.35

*Detailed information presented in the appendix.

Professional Service Disbursement Chart



QUESTIONNAIRES

Board Member Questionnaire

A letter was sent to all ten members of the Board of Athletic Trainers requesting participation in our survey. Three participated in the survey. The percentages, where shown, are based on the number who responded to the question.

1. What are the most significant issues currently facing the Board of Athletic Trainers and how is the Board addressing these issues?

Board Member #1 - “Regulating the profession and preparing for the future with the implementation of the master's degree entry.”

Board Member #2 - “Approving membership Changes in the current law.”

Board Member #3 - “Deregulation is an issue that all boards should be aware of.”

2. What changes, if any, changes to the Board’s law are needed?

Board Member #1 - “We need to update our practice act.”

Board Member #2 - “There are several changes to be made to the law including scope of practice. The Board is working with ALATA and MASA to come up with appropriate language.”

Board Member #3 - “No changes to the law are needed at this time.”

3. Is the Board adequately funded?

Yes	3	100%
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4. Does the Board receive regular reports on the operations of the board from the Executive Secretary?

Yes	3	100%
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5. Is the Board of Athletic Trainers adequately staffed?

Yes	3	100%
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6. Has the Board experienced any significant changes to its operations?

No	3	100%
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7. Does the Board plan any significant changes in its operations?

No	2	67%
Unknown	1	33%

Licensee Questionnaire

A letter was sent to one hundred licensees requesting participation in our survey. Nineteen participated in the survey. The percentages, where shown, are based on the number who responded to the question.

- 1. Do you think regulation of your profession by the Board of Athletic Trainers is necessary to protect the public welfare?**

Yes	19	100%
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- 2. Do you think any of the Board of Athletic Trainers' laws, rules and policies are an unnecessary restriction on the practice of your profession?**

Yes	2	11%
No	15	79%
Unknown	1	5%
No Opinion	1	5%

Respondent #18 - "I would like to see more reviews and consideration for practice of current and developing therapies common in allied health. As other allied health professions are utilizing such approaches, it limits our profession in supporting our patients. I feel some additional education through continuing education could be considered as the board reviews one's agility to perform these techniques. Advance and update consideration and regulation protocols as the practice of allied medicine advances. AT remain under the supervising physician and that person should be allowed to have a voice in those choices of practice as well. Bottom line I feel protocols can be developed to protect and serve."

- 3. Do you think any of the Board of Athletic Trainers' requirements are irrelevant to the competent practices of your profession?**

Yes	3	16%
No	14	74%
Unknown	1	5%
No Opinion	1	5%

Respondent #7 - "Requiring CPR recertification every year when most AHA and Red Cross cards are 2-year certification"

Respondent #19 - "The Alabama board of athletic trainers requires a yearly renewal for BLS/CPR certification. Even though the certification lasts for 2 years. It is an unnecessary financial burden for a yearly certification. The company I work for requires employees to pay off for BLS out of our own pockets. Alabama board of athletic trainers should change it to only be renewed every two years, like our neighboring states require."

4. Are you adequately informed by the Board of Athletic Trainers of changes to and interpretations of board positions, policies, rules, and laws?

Yes	15	79%
No	4	21%

Respondent #19 - "I don't think I've ever been informed of a change in regulation from the state board. I would find out after the fact through word of mouth."

5. Has the Board of Athletic Trainers performed your licensing and renewal in a timely manner?

Yes	18	95%
No	1	5%

6. Has the Board of Athletic Trainers approved sufficient providers of continuing education to ensure your reasonable access to necessary continuing education hours?

Yes	12	63%
No	3	16%
Unknown	1	5%
No Opinion	3	16%

Respondent #1 - "I wish there could be more that are less expensive and that we would stay in the state of Alabama to host our State symposium each year."

Respondent #13 - "State Board does not have authority to approve CEU providers. That is done on national level."

Respondent #19 - "Evidence-based practice CEs are difficult to access and hard to find."

7. What do you think is the most significant issue(s) currently facing your profession in Alabama and what is the Board of Athletic Trainers doing to address the issue(s)?

Respondent #1 - "Not enough ATCs in secondary schools. I am not sure they have done enough. The National Board has made the requirements of certification for an entry level ATC a master's degree. The field does not pay enough, in most cases, to warrant getting a masters. We are losing ATCs, specifically at the secondary level because they move on to be PTs, PA, RNs, etc. where the pay is better. Also, the schools that have certification programs are not able to give their students enough "on-the-job" training and therefore the entry level ATC is not prepared as well to deal with emergency situations. The students are book smart but have little application ability."

Respondent #2 - "Shortage of well-paying athletic training jobs in the state, in my opinion, is one of the most significant issues facing our profession today. I believe

that the board is trying to address this problem through various means, with two of the most prominent being education of the general public, and also seeking viable funding options & mechanisms for these jobs.”

Respondent #3 - “Third party reimbursement in order for Athletic Trainers to be paid for their services in clinical settings, and not just go to high schools and only send referrals to clinics. What have they done absolutely nothing!”

Respondent #4 - “Scope of practice and reimbursement. Not sure if the board is doing anything to address this.”

Respondent #5 - “I do not have any complaints.”

Respondent #6 - “to many hours. Burnout”

Respondent #7 - “Getting reimbursed by insurance companies for our services. They fight with the PT board who are opposed of athletic trainers getting compensated from insurance companies. Other states like Georgia allow athletic trainers to bill for their services.”

Respondent #8 - “N/A”

Respondent #9 - “BILLING”

Respondent #10 - “Athletic Trainers in the Secondary Schools; 3rd Party reimbursement. Hit the hill day is very important in keeping the profession in front of State Legislators.”

Respondent #11 - “Low average pay. Not sure what is being done.”

Respondent #12 - “Competence and Quality of care and financial support at the high school and small college/HBCU level”

Respondent #13 - “Unlicensed and uncertified practice.”

Respondent #14 - “Shortage of athletic trainers in the high school setting”

Respondent #15 - “The most significant issue facing Athletic Trainers in Alabama right now in my opinion is funding for full-time athletic trainers at all High Schools. Most schools cannot afford (or will not allocate funds) to pay for Athletic Trainers. This puts us in a position to work for outside companies where our job duties and performance are based on referrals to physicians and PT offices.”

Respondent #16 - “SALARY TO KEEP ATC WORKING.”

Respondent #18 - “Protection of the public while recognizing advances in therapies. Advocating for our profession among allied health professions and medical stakeholders. Without growth...”

Respondent #19 - “The Alabama board of athletic training is not educating people, particularly parents at schools we work for, about the importance of our profession. The Alabama Athletic High School association does not even have a return to play concussion protocol in bylaws. The Alabama board of Athletic trainers is also not maintaining adequate athletic trainer coverage at high schools. The NCAA requires a certain number of athletic trainers per athletic student population. The AHAA should have a similar requirement. The athletic training board should push for this to increase safety at schools and to increase employment of athletic trainers in Alabama.”

8. Do you think the Board of Athletic Trainers and its staff are satisfactorily performing their duties?

Yes	13	68%
No	1	5%
Unknown	4	22%
No Opinion	1	5%

Respondent #15 - "I don't really know what is included in their duties."

Respondent #18 - "I am ignorant of board advocacy on the issues I detailed. I know they diligent work to protect the public and regulate our practitioners and appreciate those efforts. I would like to see more proactive positive advocacy."

Respondent #19 - "The Alabama board of athletic trainers needs to work closely with the Alabama High School Athletic association to increase our participation in secondary schools and to inform the public of the importance of our profession. Alabama high school and middle school sports need more coverage by athletic trainers. There needs to be more athletic trainers per athletic student population. The children of Alabama should not go without athletic train coverage at their sporting events."

APPENDICES

Applicable Statutes

Section 34-40-1 Short Title.

This chapter shall be known and may be cited as the "Alabama Athletic Trainers Licensure Act."
(*Acts 1993, No. 93-617, p. 1013, §1.*)

Section 34-40-2 Definitions.

As used in this chapter, the following words and phrases shall have the following meanings, respectively, unless the context clearly indicates otherwise:

- (1) APPRENTICE ATHLETIC TRAINER. A person who assists in the duties usually performed by an athletic trainer and who works under the direct supervision of a licensed athletic trainer.
- (2) ATHLETE. A person who participates in an athletic activity being conducted by an educational institution, professional athletic organization, or a board sanctioned amateur athletic organization.
- (3) ATHLETIC INJURY. An injury received by an athlete as a result of the preparation or participation of the athlete in an athletic activity.
- (4) ATHLETIC TRAINER. A person licensed by the Alabama Board of Athletic Trainers as an athletic trainer and who practices athletic training on an athlete under the direction or referral, or both, of a licensed physician after meeting the requirements of this chapter and rules and regulations promulgated pursuant to this chapter.
- (5) ATHLETIC TRAINING PRACTICE. Practice by an athletic trainer of any of the following:
 - a. Under physician direction or referral, or both, the prevention of athletic injuries.
 - b. The organization and administration of athletic training programs.
 - c. Athletic counseling and guidance and the education of athletes regarding athletics and athletic training.
 - d. Under physician direction and referral, the rehabilitation and reconditioning of an athlete.
 - e. Under physician supervision, the evaluation, the recognition, and management of athletic injuries.
- (6) BOARD. The Alabama Board of Athletic Trainers.
- (7) PHYSICAL THERAPIST. A physical therapist licensed by the Alabama State Board of Physical Therapy.
- (8) PHYSICIAN. A physician licensed by the Medical Licensure Commission of Alabama.
- (9) PHYSICIAN SUPERVISION. A licensed athletic trainer acting under the supervision of a physician if:
 - a. The activities are undertaken pursuant to a verbal or written order of the physician who has evaluated the injured athlete; and
 - b. The activity is undertaken in accordance with a written protocol signed by the physician which describes the athletic injury encountered and directs appropriate medical interventions consistent with the qualification, training, and experience of the licensed athletic trainer. The State Board of Medical Examiners shall establish minimum medical criteria for any protocol used by athletic trainers and shall specify those conditions and circumstances which require referral to the physician for further evaluation.

(*Acts 1993, No. 93-617, p. 1013, §2.*)

Section 34-40-3 Alabama Board of Athletic Trainers - Appointment of members; annual meeting; terms; duties.

(a) The Alabama Board of Athletic Trainers shall be composed of nine members who shall serve four-year terms. Members may not serve more than three consecutive four-year terms. Three members shall be Black, one of whom shall be a physician member. The composition of the board shall be as follows:

(1) Six members appointed by the Alabama Athletic Trainers Association in accordance with subsection (b), one of whom shall be an athletic trainer who is a licensed physical therapist.

(2) Three physicians licensed to practice medicine actively engaged in the treatment of athletes and athletic injuries appointed by the Medical Association of the State of Alabama.

(3) The President of the Alabama Athletic Trainers Association who shall serve as an ex officio member of the board and whose term of office shall be yearly to coincide with his or her term as President of the Alabama Athletic Trainers Association.

(b) The six athletic trainers shall be appointed by the Alabama Athletic Trainers Association. The association shall conduct an annual meeting at which all athletic trainers holding a current license as identified under this chapter shall have the right to attend, nominate, and vote. The association shall regulate and prescribe the date, hour, and place of the meeting, the method of nomination, and the manner of voting. At least 30 days prior to the meeting, the board shall mail notices to each current licensee at the address shown on the current registration notifying of the exact date, hour, and place of the meeting, the purpose of the meeting, and of the right to attend and vote. To qualify as a board member pursuant to this subsection, a person shall be a citizen of the United States and this state and have acted as an athletic trainer for three years within this state immediately preceding appointment.

(c) In making the initial appointments, the Alabama Athletic Trainers Association shall appoint one athletic trainer whose term will expire in 1994, two athletic trainers whose terms will expire in 1995, and one athletic trainer whose term will expire in 1996, and two athletic trainers whose terms will expire in 1997. The Medical Association of the State of Alabama shall appoint one physician whose term will expire in 1994, one physician whose term will expire in 1995, and one physician whose term will expire in 1996. All appointments expire on December 31 of the year specified.

(d) Each appointee to the board shall qualify by taking an oath of office within 15 days from the date of the appointment. In the event of death, resignation, or removal of any member, except for physician members, the vacancy of the unexpired term shall be filled by the board.

(e) The board shall elect a chair, a vice-chair, and secretary from its members for a term of one year and may appoint any committees and formulate any rules it considers necessary to carry out its duties pursuant to this chapter. The board shall meet at least twice each year. Additional meetings may be held on the call of the chair or at the written request of any two members of the board. The secretary shall keep a record of the proceedings of the board. The board may promulgate and adopt rules and regulations consistent with this chapter which are necessary for the performance of its duties. The board may employ an executive secretary and any officers and employees as may be necessary to carry out the duties of the board. The State Board of Medical Examiners and the Alabama Board of Athletic Trainers shall jointly approve any rule, regulation, or policy that interprets, explains, or enumerates the permissible acts, functions, or services rendered by an athletic trainer or apprentice athletic trainer as those acts, functions, and services are defined in Section 34-40-2. Any rule, regulation, or policy adopted in violation of this requirement is invalid. The board shall prescribe forms for license applications, license certificate, license renewal, verification of license, continuing education verification, and any forms for information required from licensees to carry out the duties of the board. The board shall adopt an official seal and a license certificate of suitable design.

(f) Members of the board shall receive fifty dollars (\$50) for every day actually spent in the performance of their duties and in addition thereto shall be reimbursed according to the state travel policy for other expenses in the same amounts and under the same conditions as state employees are reimbursed.

(g) It shall be the duty of the board to pass upon the qualifications of applicants for licensure as an athletic trainer, and to issue licenses and annual renewals to athletic trainers. The board shall be responsible for fixing fees for such applications, licenses, renewals, verification of licensure, replacement of licenses, name changes on licensees, publication fees, or other administration fees deemed necessary to carry out the provisions of this chapter.

(Acts 1993, No. 93-617, p. 1013, §3; Acts 1997, No. 97-597, p. 1051, §1; Act 2011-171, p. 332, §3.)

Section 34-40-3.1 Composition of board.

Notwithstanding any other provision in the law regarding the composition of the Board of Athletic Trainers, the membership of the board shall be inclusive and reflect the racial, gender, geographic, urban/rural, and economic diversity of the state and each member of the board shall be a citizen of this state.

(Acts 1997, No. 97-153, p. 195, §4; Act 2009-41, p. 140, §3.)

Section 34-40-4 Unauthorized use of title.

No person shall use the title "athletic trainer", "certified athletic trainer", or "licensed athletic trainer", or use the letters "LAT", "ATC", or "AT", or any other facsimile thereof, whether or not compensation is received or expected, unless the person is licensed as an athletic trainer in this state pursuant to this chapter.

(Acts 1993, No. 93-617, p. 1013, §4.)

Section 34-40-5 Requirements for license; application; fees.

(a) Any person seeking licensure as an athletic trainer shall be a citizen of the United States or, if not a citizen of the United States, a person who is legally present in the United States with appropriate documentation from the federal government, and meet at least one of the following requirements:

(1) Satisfactory completion of all of the National Athletic Trainers' Association (NATA) Board of Certification, Inc., qualifications and certification as an athletic trainer in good standing by the National Athletic Trainers' Association Board of Certification, Inc.

(2) Licensure by reciprocity. The board shall grant, without examination, licensure to any qualified trainer holding a license certificate or registration in another state if that state maintains licensure qualifications which are substantially equivalent to those required in this state, and gives similar reciprocity to licensees of this state.

(b) Any person desiring to be licensed, desiring a renewal of an existing license, desiring verification of licensure, reinstatement of a license, replacement of a license, or name changes for a licensee as an athletic trainer in this state shall make and file with the board, not less than 30 days prior to any regular meeting thereof, a written application on a form as prescribed by the board. The application shall be accompanied by the payment of a fee, as set by the board, to include publication fees or other administrative fees deemed necessary to carry out the provisions of this chapter, in accordance with subsection (g) of Section 34-40-3. Any licensee who fails to renew his or her license within 90 days following expiration of the previous license shall be required to file a new application and pay an application fee with the board.

(Acts 1993, No. 93-617, p. 1013, §5; Acts 1997, No. 97-153, p. 195, §3; Act 2005-91, p. 142, §3; Act 2009-41, p. 140, §3.)

Section 34-40-6 Treatment of injuries.

An athletic trainer, functioning under the supervision of a physician, may use therapeutic exercise and modalities for the treatment of athletic injuries for which he or she has received appropriate training or education.

(Acts 1993, No. 93-617, p. 1013, §6.)

Section 34-40-7 Time restrictions on certification.

(a) Any person actively engaged as an athletic trainer on May 13, 1993, shall be issued a license certificate if the athletic trainer submits proof of three years of experience as an athletic trainer within the preceding five-year period, receives approval by the board, and pays the license certificate fee as determined by the board. For the purpose of this section, a person is actively engaged as an athletic trainer if the person is employed on a salaried basis for the duration of the institution's school year, or the length of the athletic organization's season, and was hired and performs the duties of an athletic trainer as the major responsibility of employment. One year from May 13, 1993, application for a license certificate pursuant to this subsection shall not be permitted.

(b) The board shall grant licensure to any physical therapist who has satisfactorily completed all of the American Physical Therapy Association (APTA) qualifications as a board certified sports physical therapist (SCS). Three years from May 13, 1993, application for a licensure certificate pursuant to this subsection shall not be permitted.

(c) The board may grant licensure to a licensed physical therapist who submits experience and educational training as an athletic trainer within the preceding five-year period if the person performed duties as an athletic trainer as a significant responsibility. One year from May 13, 1993, application for licensure pursuant to this subsection shall not be permitted.

(Acts 1993, No. 93-617, p. 1013, §7.)

Section 34-40-8 Expiration of licenses; renewal fee; continuing education.

All licenses issued by the board to athletic trainers shall expire on the last day of December each year. The license may be renewed on payment of a renewal fee, fixed by the board, completion of continuing education, and current licensee information, as may be needed. The board may reduce the renewal fee for a licensee who has been licensed less than six months before his or her license expires. The board shall adopt a program of continuing education for its licensees. The successful completion of the annual continuing education program shall be a requisite for the renewal of licenses issued pursuant to this chapter.

(Acts 1993, No. 93-617, p. 1013, §8; Acts 1997, No. 97-597, p. 1051, §1; Act 2011-171, p. 332, §3; Act 2013-87, p. 187, §3.)

Section 34-40-9 Professions and occupations not affected; chapter not applicable to certain persons.

(a) Nothing in this chapter shall be construed as preventing or restricting any of the following persons from engaging in the profession or occupation for which they are licensed, certified, or registered in Alabama as follows:

- (1) Physicians and surgeons licensed by the Medical Licensure Commission of Alabama.
- (2) Dentists licensed by the State Board of Dental Examiners.
- (3) Optometrists licensed by the State Board of Optometry.
- (4) Nurses licensed by the Alabama Board of Nursing.
- (5) Chiropractors licensed by the State Board of Chiropractic Examiners.

- (6) Podiatrists licensed by the State Board of Podiatry.
 - (7) Physical therapists licensed by the State Board of Physical Therapy.
 - (8) Occupational therapists licensed by the State Board of Occupational Therapy.
 - (9) Emergency medical technicians licensed by the State Department of Public Health.
 - (b) This chapter shall not apply to the following persons:
 - (1) Coaches and physical education instructors in the performance of their duties.
 - (2) Apprentice athletic trainers who confine themselves to the duties prescribed in this chapter.
 - (3) Athletic trainers from other nations, states, or territories performing their duties for their respective teams or organizations and only during the course of their team's or organization's stay in this state.
 - (4) A person who performs any of the services set forth in this chapter as long as the person does not violate this chapter.
- (Acts 1993, No. 93-617, p. 1013, §9.)

Section 34-40-10 Reasons for rejection, revocation, or suspension of license.

The board may refuse to issue a license certificate to any person and, after notice and hearing pursuant to its regulations and rules, may suspend or revoke the license certificate of any person who has done any of the following:

- (1) Practiced athletic training other than under the direction or referral, or both, of a physician licensed to practice medicine or surgery.
 - (2) Uses drugs or intoxicating liquors to an extent which affects professional competency.
 - (3) Obtained or attempted to obtain a license by fraud or deception.
 - (4) Been grossly negligent in the practice of athletic training.
 - (5) Been adjudged mentally incompetent by a court of competent jurisdiction.
 - (6) Been guilty of conduct detrimental to the best interest of the public.
 - (7) Has been imprisoned for violating any state or federal controlled substance law.
 - (8) Treated or undertaken to treat human ailments otherwise than by athletic training and according to standards established by the board.
 - (9) Advertised unethically according to standards as set by the board.
 - (10) Failed or refused to obey any lawful order or regulation of the board.
 - (11) Unlawful invasion of the field of practice of any other profession.
- (Acts 1993, No. 93-617, p. 1013, §10.)

Section 34-40-11 Hearing upon application or filing of charges; procedure; appeal.

(a) Any person whose application for a license is denied is entitled to a hearing before the board if the person submits a written request to the board. Proceedings for revocation or suspension of a license shall be commenced by filing charges with the board in writing and under oath. The charges may be made by any person or persons. The secretary shall fix a time and place for a hearing and shall cause a written copy of the charges or reason for denial of a license, together with a notice of the time and place fixed for hearing to be served on the applicant requesting the hearing or the licensee against whom the charges have been filed at least 20 days prior to the date set for the hearing. Service of charges and notice of hearing may be given by certified mail to the last known address of the licensee or applicant. At the hearing, the applicant or licensee has the right to appear either personally or by counsel, or both, to produce witnesses, to have subpoenas issued by the board, and to cross-examine the opposing or adverse witnesses. The board is not bound by the strict rules of procedure or by the laws of evidence in the conduct of the proceedings, but the determination shall be founded upon sufficient legal evidence to sustain it. The board shall determine the charges on their merits and enter an order in a permanent record setting forth the findings of fact and law, and the action taken. On

application, the board may reissue a license to a person whose license has been cancelled or revoked, but the application may not be made prior to the expiration of a period of six months after the order of cancellation or revocation has become final; and the application shall be made in the manner and form as the board may require.

(Acts 1993, No. 93-617, p. 1013, §11.)

Section 34-40-12 Punishment for violation.

Any person who violates any provision of this chapter is guilty of a Class B misdemeanor, and, upon conviction, shall be punished and fined, or both, as provided by law.

(Acts 1993, No. 93-617, p. 1013, §12.)

Section 34-40-13 Use of title authorized.

Any person who holds a license pursuant to this chapter as an athletic trainer may use the words "athletic trainer" or "licensed athletic trainer," and may use the letters "LAT" in connection with his or her name to denote his or her licensure as an athletic trainer.

(Acts 1993, No. 93-617, p. 1013, §13.)

Section 34-40-14 Athletic Trainers Fund created; expenditure of funds.

There is hereby created in the State Treasury a fund to be known as the Athletic Trainers Fund. All receipts of the Alabama Athletic Trainers Board shall be deposited into this fund. The expenses incurred by the Alabama Athletic Trainers Board in carrying out the provisions of this chapter shall be paid out of the Athletic Trainers Fund by warrant of the Comptroller upon the Treasurer upon itemized vouchers, approved by the chair of the board or his or her designee. The Alabama Board of Athletic Trainers may make grants, and to otherwise arrange with qualified individuals, institutions, or agencies to develop and promote athletic training programs and continuing education programs for athletic trainers. No funds shall be withdrawn or expended except as budgeted and allotted according to Sections 41-4-80 to 41-4-96 and Sections 41-19-1 to 41-19-12, inclusive, and only in amounts as stipulated in the general appropriations act or other appropriations acts.

(Acts 1993, No. 93-617, p. 1013, §14; Acts 1997, No. 97-597, p. 1051, §1.)

Section 34-40-15 Unauthorized activities.

Nothing in this chapter shall authorize an athletic trainer or apprentice athletic trainer to engage in the practice of medicine; to diagnose, treat, or cure any human disease, illness, ailment, infirmity, pain, or other condition which is not an athletic injury; to perform surgery of any type or description; or to prescribe any drug or medical device.

(Acts 1993, No. 93-617, p. 1013, §16.)

Section 34-40-16 Supervision required in physical therapy clinic.

An athletic trainer employed in a physical therapy clinic shall work under the supervision of a licensed physical therapist in the context of an employer/employee relationship in accordance with physician supervision of the athletic trainer.

(Acts 1993, No. 93-617, p. 1013, §17.)

Section 34-40-17 Sunset provision.

The Alabama Board of Athletic Trainers is subject to the provisions of the Alabama Sunset Law of 1981, shall be classified an enumerated agency under Section 41-20-3, and shall terminate on October 1, 1997, unless continued as therein provided. If continued, the board shall be reviewed every four years thereafter and terminated unless continued by the law.

(Acts 1993, No. 93-617, p. 1013, §18.)

Professional Services by Vendor

	2016	2017	2018	2019
ADMINISTRATIVE SERVICES				
Accounting and Auditing				
Administrative Management Services	\$ 36,453.27	\$37,698.18	\$ 38,173.15	\$ 38,836.89
Legal - Professional				
Attorney Generals Office	-	525.00	120.00	-
Legislative Services Agency				
Inter-Departmental Professional Services	-	400.00	100.00	100.00
Advertising	-	670.00	130.00	-
Total	-	1,070.00	230.00	100.00
GILMORE SERVICES				
Sanitation Services	-	-	27.80	-
Total Administrative Services	36,453.27	39,293.18	38,550.95	38,936.89
DATA PROCESSING SERVICES				
Data Processing Personnel Services				
Office of Information Technology	-	-	624.79	765.07
Data Processing				
Department of Finance	501.00	127.00	-	-
Data Processing Personnel Services				
Department of Finance	-	425.00	5,732.00	-
Alabama Interactive	-	-	-	3,376.00
FRMS Services				
Department of Finance	240.77	120.13	73.43	-
Mailing Services				
Department of Finance	-	17.40	0.45	-
SBS Billing				
Department of Finance	-	-	-	204.11
Interfund Contract Payment - STAARS				
Department of Finance	11,000.00	11,000.00	5,500.00	-
Department of Finance	227.83	-	-	-
Comptroller Services	598.74	529.94	563.16	515.28
Total Data Processing Services	12,568.34	12,219.47	12,493.83	4,860.46
Total Professional Services	\$ 49,021.61	\$51,512.65	\$ 51,044.78	\$ 43,797.35

Board Members



STATE OF ALABAMA
BOARD OF ATHLETIC TRAINERS
Post Office Box 249011
Montgomery, Alabama 36124

January 17, 2020

Ms. Ashley Allen
Examiner of Public Accounts
401 Adams Avenue, Suite 280
Montgomery, Alabama 36104

Dear Ms. Allen:

Listed below are the names of the current Board Members serving on the Alabama Board of Athletic Trainers:

Mike Jones, Chairman
Helena, Alabama 35470
Term expires: 12-31-2020

Clarke Jackson, Jr.
Muscle Shoals, Alabama 35661
Term expires: 12-31-2022

Chris King, Vice Chairman
Kimberly, Alabama 35031
Term expires: 12-31-2023

Danielle Platt
Troy, Alabama 36081
Term expires: 12-31-2022

Ciara Taylor, Secretary
Birmingham, Alabama 35242
Term expires: 12-31-2021

Eric Law, MD
Troy, Alabama 36079
Term expires: 12-31-2020

Wesley Richardson
Tuscumbia, Alabama 35674
Term expires: 12-31-2023

James Robinson, MD
Tuscaloosa, Alabama 35406
Term expires: 12-31-2023

Lydia Thurston
Birmingham, Alabama 35213
Term expires: 12-31-2021

Robert Agee, MD
Birmingham, Alabama 35211
Term expires: 12-31-2022

Please let me know if you require additional information.

Sincerely,

A handwritten signature in cursive script that reads "Leah Taylor".

Leah Taylor
Executive Secretary

Telephone: (334) 264-1929

Toll Free: (877) 271-3399

Faxsimile: (334) 262-2663