



HEALTH LICENSING OFFICE

Kate Brown, Governor

Oregon  
**Health**  
Authority

700 Summer St NE, Suite 320

Salem, OR 97301-1287

Phone: (503)378-8667

Fax: (503)585-9114

<http://www.oregon.gov/OHLA/Pages/index.aspx>

**WHO:** Health Licensing Office  
Board of Athletic Trainers

**WHEN:** 9 a.m. March 1, 2016

**WHERE:** Health Licensing Office  
Rhoades Conference Room  
700 Summer St. NE, Suite 320  
Salem, Oregon

**What is the purpose of the meeting?**

The purpose of the meeting is to conduct board business. Please use appropriate language, manners and protocols when conducting board business. A working lunch may be served for board members and designated staff in attendance. A copy of the agenda is printed with this notice. Please visit

<http://www.oregon.gov/OHLA/AT/Pages/meetings.aspx> for current meeting information.

**May the public attend the meeting?**

Members of the public and interested parties are invited to attend all board/council meetings. All audience members are asked to sign in on the attendance roster before the meeting. Public and interested parties' feedback will be heard during that part of the meeting.

**May the public attend a teleconference meeting?**

Members of the public and interested parties may attend a teleconference board meeting **in person** at the Health Licensing Office at 700 Summer St. NE, Suite 320, Salem, OR. All audience members are asked to sign in on the attendance roster before the meeting. Public and interested parties' feedback will be heard during that part of the meeting.

**What if the board/council enters into executive session?**

Prior to entering into executive session the board/council chairperson will announce the nature of and the authority for holding executive session, at which time all audience members are asked to leave the room with the exception of news media and designated staff. Executive session would be held according to ORS 192.660.

No final actions or final decisions will be made in executive session. The board/council will return to open session before taking any final action or making any final decisions.

**Who do I contact if I have questions or need special accommodations?**

The meeting location is accessible to persons with disabilities. A request for accommodations for persons with disabilities should be made at least 48 hours before the meeting. For questions or requests, call (503) 373-2049.

All board members are asked to please give at least 24-hour notice if they are unable to attend the meeting so arrangements may be made.

# **Items for Board Action**

# **Approval of Agenda**



Health Licensing Office  
Board of Athletic Trainers



9 a.m. March 1, 2016  
700 Summer St. NE, Suite 320  
Salem, Oregon

1. **Call to order**
2. **Items for board action**
  - ◆ Approval of agenda
  - ◆ Approval of minutes from Sept. 29, 2015
3. **Reports**
  - ◆ Director's report
  - ◆ Licensing and fiscal statistical reports
  - ◆ Policy discussion  
Question from AT in Eugene (email)
  - ◆ Regulatory report
4. **Non-public session** - The Board will leave the public meeting under ORS 192.690(1) to deliberate on contested cases 14-7597 and 14-7683.
5. **Public/interested parties' feedback**
6. **Other board business**

Agenda is subject to change.

For the most up to date information visit [www.oregon.gov/OHLA](http://www.oregon.gov/OHLA)

# **Approval of Minutes**



Oregon Health Licensing Agency  
Board of Athletic Trainers



9 a.m., Sept. 29, 2015  
700 Summer St. NE, Suite 320  
Salem, Oregon

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**MINUTES**

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**MEMBERS PRESENT**

Russell (Russ) Cagle, Chair  
Gregor (Greg) Hill, Vice Chair  
Jeremy Ainsworth (via teleconference)  
Nelson Lomax

**STAFF PRESENT**

Sylvie Donaldson, Interim Director and Fiscal Services and  
Licensing Manager  
Bob Bothwell, Regulatory Operations Manager  
Anne Thompson, Policy Analyst  
Maria Gutierrez, Board Specialist  
Sarah Kelber, Communications Coordinator  
Nathan Goldberg, Investigator/Inspector

**GUESTS PRESENT:**

None

**Call to order**

Chair Russ Cagle called the meeting of the Board of Athletic Trainers to order at 9:04 a.m., on Sept. 29, 2015, at the Health Licensing Office (HLO), in Salem. Roll was called.

**Items for board action**

◆ **Approval of agenda**

Vice Chair Greg Hill made a motion, with a second by Nelson Lomax, to approve the agenda. Motion passed unanimously.

◆ **Approval of minutes**

Greg Hill made a motion, with a second by Nelson Lomax, to approve the minutes for March 3, 2015. Motion passed unanimously.

◆ **Approval of 2016 meeting dates**

Jeremy Ainsworth made a motion, with a second by Nelson Lomax, to approve March 1 and Sept. 27 for 2016 meeting dates. Motion passed unanimously.

◆ **Approval of chair and vice chair for 2016**

Russ Cagle made a motion, with a second by Jeremy Ainsworth, to nominate Greg Hill for chair. Motion passed. Greg Hill made a motion, with a second by Russ Cagle, to nominate Jeremy Ainsworth for vice chair. Motion passed.

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Cagle said that he would let his certification lapse at the end of the year, but would serve on the Board until replaced. Sylvie Donaldson, Interim Director and Fiscal Services and Licensing Manager, said that without authorization, Cagle may not be able to serve until replaced and that might be up to the governor's office. She explained how terms are filled in behind exiting members and how that overlaps with full terms.

### **Reports**

#### **◆ Director's report**

Donaldson updated the Board on the Health Licensing Office's (HLO) move to the Oregon Health Authority and then the Division of Public Health. She said that the cost allocation from OHA and public health hasn't yet arrived.

She also said that HLO has changed its scope-of-practice procedure, and will no longer answer individual questions on a person's practice, as that constitutes legal advice, and is moving to an electronic minutes-keeping program called Granicus.

#### **◆ Licensing and fiscal statistical reports**

Donaldson showed the Board the new renewal form, which incorporates language on continuing education units and concussion training requested by Hill. She also updated the Board on licensing trends, pointing out that at the end of the last biennium, there were 109 new registrations issued and 46 percent of renewals were done online. The Board's authorizations tend to be younger, and there has been a 43 percent increase of registrants in five years. Donaldson also told the Board that the fiscal balances are high, and that was what spurred the registration fee reduction that went through this summer.

#### **◆ Policy report**

Policy Analyst Anne Thompson showed the Board a letter to principals and athletic directors that was sent in May. The letter explained that athletic trainers must be registered, explained how to check on an authorization, and included the administrative rules around the profession. Thompson also reviewed Senate Bill 521, which sought to align laws regarding student athletes, concussions, and return to play.

#### **◆ Regulatory report**

Regulatory Operations Manager Bob Bothwell said that in the last biennium, five cases were opened; of those, three remain and they would be discussed in executive session.

### **Public/interested parties' feedback**

None.

### **Executive session**

Chair Russ Cagle called the meeting of the Board of Athletic Trainers to enter executive session at 9:28 a.m., on Sept. 29, 2015.

Chair Russ Cagle called the meeting of the Board of Athletic Trainers to exit executive session at 10:24 a.m., on Sept. 29, 2015.

### **Items for board action II**

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In case 14-7597, it was proposed to impose a civil penalty of \$1,000 per offense; Greg Hill made a motion, with a second by Nelson Lomax. Motion passed unanimously.

In case 14-7628, it was proposed to impose a civil penalty of \$500; Greg Hill made a motion, with a second by Nelson Lomax. Motion passed unanimously.

In case 14-7683, it was proposed to impose a civil penalty of \$2,500; Nelson Lomax made a motion, with a second by Greg Hill. Motion passed unanimously.

**Other board business**

Cagle wanted to control the acronyms used by registrants. Donaldson said that she could ask the Oregon Department of Justice for their opinion, but that other boards have the title and acronym protected in the statutes and the athletic trainer statutes do not protect the acronym.

Cagle also said that athletic trainers are classified differently in federal legislation and wanted to know how they are classified in Oregon. He wondered why athletic trainers aren't considered healthcare professionals.

Donaldson said that it depended on how individual statutes define healthcare professionals in different situations. Hill agreed, saying that when it comes to concussions, who is defined as a healthcare professional varies with the statutes.

The meeting adjourned at 10:40 a.m.

Minutes prepared by: Anne Thompson, Policy Analyst

# **Director's Report**

# **Licensing and Fiscal Statistical Reports**

# Health Licensing Office Board of Athletic Trainers

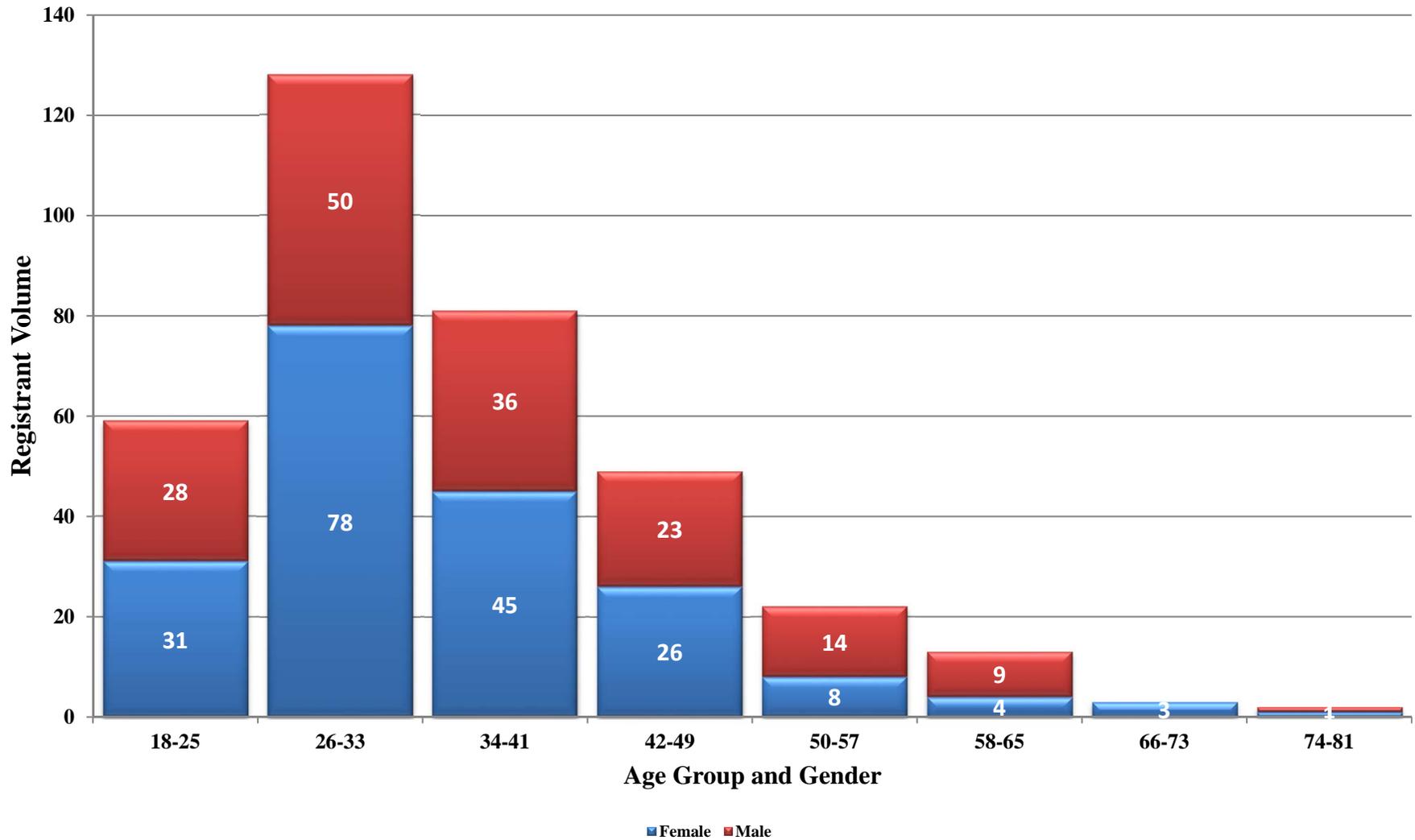
*Licensing Division Statistics as of February 18, 2016  
2015 - 2017 Biennium*

<b>Quarter</b>	<b>Registrations Issued</b>	<b>Renewals Processed</b>	<b>% of Renewals Processed Online</b>
<b>1st</b>	37	117	75.2%
<b>2nd</b>	14	46	60.9%
<b>3rd</b>	8	22	59.1%
<b>4th</b>	-	-	
<b>5th</b>	-	-	
<b>6th</b>	-	-	
<b>7th</b>	-	-	
<b>8th</b>	-	-	
<b>Total:</b>	59	185	65.1%

# Board of Athletic Trainers

## Active Athletic Trainer Registrants

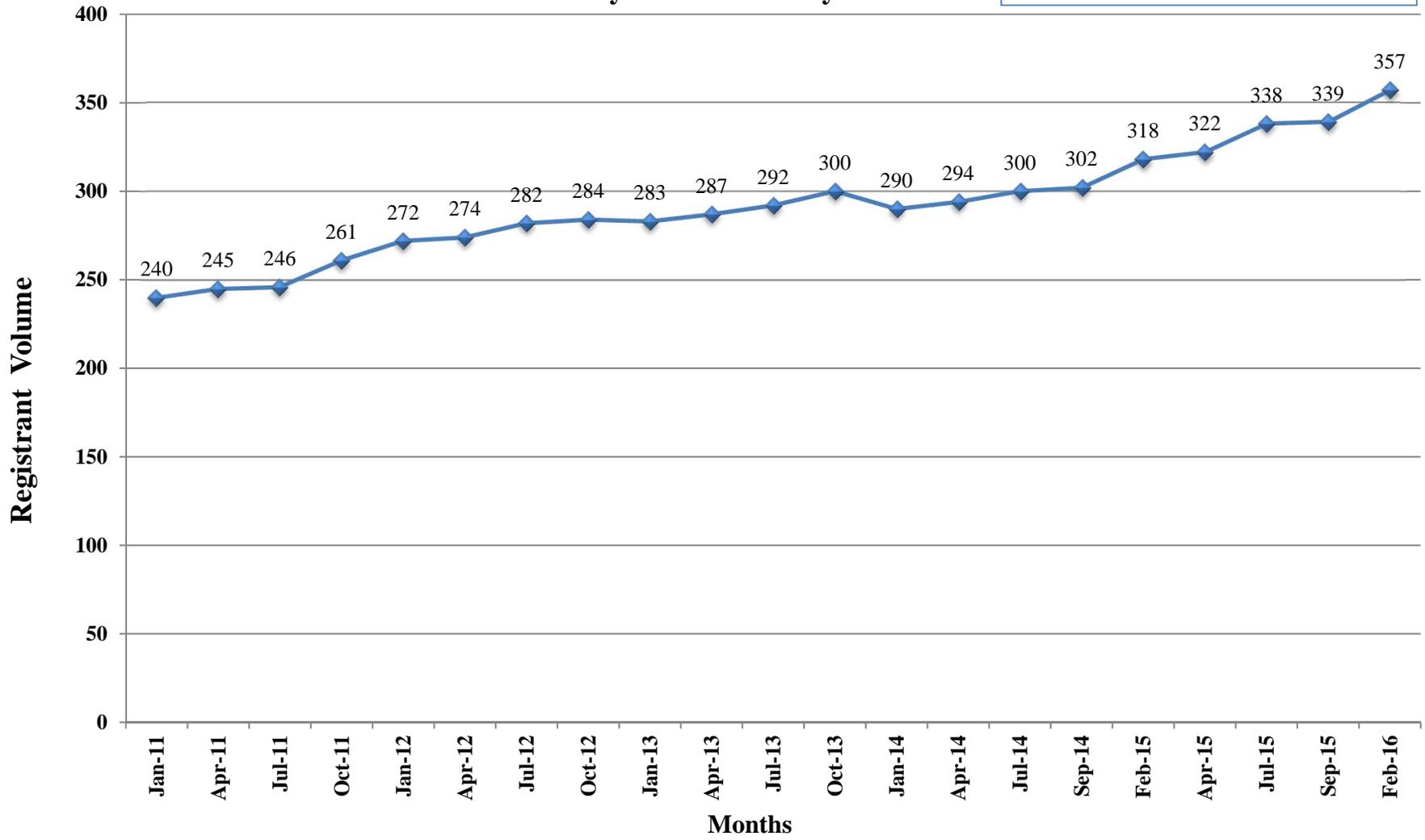
Statistics grouped by Age Group and Gender as of February 18, 2016  
2015 - 2017 Biennium



# Board of Athletic Trainers

Active Athletic Trainer Registrants  
Active Registration Trend  
January 2011 - February 2016

+12.3% change in growth over 1 year  
+48.8% change in growth over 5 years



**HEALTH LICENSING OFFICE  
Fund 3510 - ATHLETIC TRAINERS  
STATEMENT OF CASH FLOW  
FOR THE PERIOD 07/01/15 - 02/18/16**

CURRENT

<b>15-17' Beginning Cash Balance</b>	\$ 251,373.00
Revenues	\$ 33,920.00
Expenditures	\$ 10,785.04
Less: Accrued Expenditures	\$ -
Less: Total Expenditures	<u>\$ (10,785.04)</u>
Subtotal: Resources Available	\$ 274,507.96
Change in (Current Assets)/Liabilities	<u>\$ -</u>
<b>Ending Cash Balance (Actual)</b>	<b>\$ 274,507.96</b>

Indirect Charges are calculated using the following rates:

\* Based on average Licensee Volume

Shared Assessment %	0.40%
Examination %	0.00%
Small Board Qualification %	5.05%
Inspection %	0.00%

# **Policy Report**

## Thompson Anne P

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**From:** Jeremy Ainsworth <jainsworth@ptnorthwest.com>  
**Sent:** Monday, October 26, 2015 12:25 PM  
**To:** Thompson Anne P  
**Subject:** Questions for AT board

Anne,

Good morning. I got an email from some athletic trainers down in the Eugene area last week and they had the following questions: see below, they were hoping for some clarification on. I was hoping we could add this to the next board of AT meeting for discussion and evaluation. If you have additional questions please let me know. Thanks and have a great day

Jeremy Ainsworth MS, ATC  
Director of Athletic Training Services/Head Athletic Trainer  
PT Northwest/Corvallis Knights/Central High School  
221 E Main St  
Monmouth, OR 97361  
Fax: (503)371.8772  
Cell: (503)881-7671

"Perfection is not attainable, but if we chase perfection we can catch excellence".....Vince Lombardi



Physical Therapy | Occupational Therapy | Speech Therapy

*Certified athletic trainers are health care professionals who specialize in preventing, recognizing, managing and rehabilitating injuries that result from physical activity.*

*This email may contain information that is privileged, confidential, or otherwise exempt from disclosure under applicable law. If you are not the addressee, or if it appears that you have received this email in error, please advise me immediately by reply email, keep the contents confidential, and immediately delete the message and any attachments from your system. Thank you.*

**From:** Laura Baker [mailto:baker\_l@4j.lane.edu]  
**Sent:** Thursday, October 22, 2015 6:40 PM  
**To:** Jeremy Ainsworth <jainsworth@ptnorthwest.com>  
**Subject:** Questions for AT board

1. Under documentation, do EMRs count as "documented in writing"?
2. Are electronic signatures valid?

3. If I'm using EMRs in my room and I'm the only AT and I'm the only one with access, and the notes are assigned to myself, do I still have to electronically "sign" my name on each note?
4. #8 under standards of practice states that ATs are required to assess the status, hx, and function prior to treatment. Is that treatment of injuries or any treatment period? One could argue that we treat things that are not really injuries in the secondary school setting.

Thanks for taking the time to read our thoughts,

Laura Baker, MS, ATC  
Sheldon High School  
2455 Willakenzie Rd  
Eugene, OR 97401  
541-790-6652

**Enrolled**  
**Senate Bill 521**

Sponsored by Senator STEINER HAYWARD, Representatives KENY-GUYER, DAVIS; Senators BEYER, GELSER, HASS, JOHNSON, ROBLAN, Representatives BUCKLEY, HOYLE

CHAPTER .....

AN ACT

Relating to concussions; amending ORS 336.485 and 417.875; and declaring an emergency.

**Be It Enacted by the People of the State of Oregon:**

**SECTION 1.** ORS 336.485 is amended to read:

336.485. (1) As used in this section[,]:

(a) "Coach" means a person who instructs or trains members on a school athletic team, as identified by criteria established by the State Board of Education by rule.

(b) **"Health care professional" means a medical doctor, osteopathic physician, psychologist, physician assistant or nurse practitioner licensed or certified under the laws of this state.**

(2)(a) Each school district shall ensure that coaches receive annual training to learn how to recognize the symptoms of a concussion and how to seek proper medical treatment for a person suspected of having a concussion.

(b) The board shall establish by rule:

(A) The requirements of the training described in paragraph (a) of this subsection, which shall be provided by using community resources to the extent practicable; and

(B) Timelines to ensure that, to the extent practicable, every coach receives the training described in paragraph (a) of this subsection before the beginning of the season for the school athletic team.

(3) **Except as provided in subsection (4) of this section:**

(a) A coach may not allow a member of a school athletic team to participate in any athletic event or training on the same day that the member:

(A) Exhibits signs, symptoms or behaviors consistent with a concussion following an observed or suspected blow to the head or body; or

(B) Has been diagnosed with a concussion.

(b) A coach may allow a member of a school athletic team who is prohibited from participating in an athletic event or training, as described in paragraph (a) of this subsection, to participate in an athletic event or training no sooner than the day after the member experienced a blow to the head or body and only after the member:

(A) No longer exhibits signs, symptoms or behaviors consistent with a concussion; and

(B) Receives a medical release form from a health care professional.

(4) **A coach may allow a member of a school athletic team to participate in any athletic event or training at any time after an athletic trainer registered by the Board of Athletic Trainers determines that the member has not suffered a concussion. The athletic trainer**

**may, but is not required to, consult with a health care professional in making the determination that the member has not suffered a concussion.**

**SECTION 2.** ORS 417.875 is amended to read:

417.875. (1) As used in this section:

(a) "Coach" means a person who volunteers **for**, or is paid to instruct or train members of, a nonschool athletic team.

(b) "**Health care professional**" means a medical doctor, osteopathic physician, psychologist, physician assistant or nurse practitioner licensed or certified under the laws of this state.

[(b)] (c) "League governing body" means a governing body that:

(A) Oversees an association of nonschool athletic teams that provide instruction or training for team members and that may compete with each other; and

(B) Is affiliated with, or otherwise sponsored or organized by, a nonprofit corporation established as provided by ORS chapter 65.

[(c)] (d) "Nonschool athletic team" means an athletic team that includes members who are under 18 years of age and that is not affiliated with a public school in this state.

[(d)] (e) "Referee" means a person who volunteers or is paid to act as a referee, as an umpire or in a similar supervisory position for events involving nonschool athletic teams.

[(e)] (f) "Referee governing body" means a governing body that:

(A) Trains and certifies individuals to serve as referees for nonschool athletic team events; and

(B) Is affiliated with, or otherwise sponsored or organized by, a nonprofit corporation established as provided by ORS chapter 65.

(2)(a) Each league governing body and each referee governing body shall ensure that the coaches and the referees, respectively, receive annual training to learn how to recognize the symptoms of a concussion and how to seek proper medical treatment for a person suspected of having a concussion.

(b) Each league governing body and each referee governing body shall adopt a policy that establishes:

(A) The requirements of the training described in paragraph (a) of this subsection; and

(B) Procedures that ensure that every coach and referee receives the training described in paragraph (a) of this subsection.

(3) **Except as provided in subsection (4) of this section:**

(a) A coach may not allow a member of a nonschool athletic team to participate in any athletic event or training on the same day that the member:

(A) Exhibits signs, symptoms or behaviors consistent with a concussion following an observed or suspected blow to the head or body; or

(B) Has been diagnosed with a concussion.

(b) A coach may allow a member of a nonschool athletic team who is prohibited from participating in an athletic event or training, as described in paragraph (a) of this subsection, to participate in an athletic event or training no sooner than the day after the member experienced a blow to the head or body and only after the member:

(A) No longer exhibits signs, symptoms or behaviors consistent with a concussion; and

(B) Receives a medical release form from a health care professional.

[(4) *A referee may not allow a member of a nonschool athletic team to participate in any athletic event during which the member exhibited signs, symptoms or behaviors consistent with a concussion following an observed or suspected blow to the head or body.*]

**(4) A coach may allow a member of a nonschool athletic team to participate in any athletic event or training at any time after an athletic trainer registered by the Board of Athletic Trainers determines that the member has not suffered a concussion. The athletic trainer may, but is not required to, consult with a health care professional in making the determination that the member has not suffered a concussion.**

(5) The league governing body shall develop or use existing guidelines and other relevant materials, and shall make available those guidelines and materials, to inform and educate persons under 18 years of age desiring to be a member on a nonschool athletic team, the parents and legal guardians of the persons and the coaches about the symptoms and warning signs of a concussion.

(6) For each year of participation, and prior to a person under 18 years of age participating as a member on a nonschool athletic team, at least one parent or legal guardian of the person must acknowledge the receipt of the guidelines and materials described in subsection (5) of this section and the review of those guidelines and materials by:

- (a) The parent or legal guardian of the person; and
- (b) If the person is 12 years of age or older, the person.

(7) A league governing body may hold an informational meeting prior to the start of any season for each nonschool athletic team regarding the symptoms and warning signs of a concussion.

(8)(a) Any person who regularly serves as a coach or as a referee and who complies with the provisions of this section is immune from civil or criminal liability related to a head injury unless the person acted or failed to act because of gross negligence or willful or wanton misconduct.

(b) Nothing in this section shall be construed to affect the civil or criminal liability related to a head injury of a person who does not regularly serve as a coach or a referee.

**SECTION 3. This 2015 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2015 Act takes effect on its passage.**

**Passed by Senate April 7, 2015**

.....  
Lori L. Brocker, Secretary of Senate

.....  
Peter Courtney, President of Senate

**Passed by House June 2, 2015**

.....  
Tina Kotek, Speaker of House

**Received by Governor:**

.....M.,....., 2015

**Approved:**

.....M.,....., 2015

.....  
Kate Brown, Governor

**Filed in Office of Secretary of State:**

.....M.,....., 2015

.....  
Jeanne P. Atkins, Secretary of State

**417.875 Required training regarding concussions; restrictions on participation in athletic event or training; guidelines; liability.** (1) As used in this section:

(a) “Coach” means a person who volunteers for, or is paid to instruct or train members of, a nonschool athletic team.

(b) “Health care professional” means a medical doctor, osteopathic physician, psychologist, physician assistant or nurse practitioner licensed or certified under the laws of this state.

(c) “League governing body” means a governing body that:

(A) Oversees an association of nonschool athletic teams that provide instruction or training for team members and that may compete with each other; and

(B) Is affiliated with, or otherwise sponsored or organized by, a nonprofit corporation established as provided by ORS chapter 65.

(d) “Nonschool athletic team” means an athletic team that includes members who are under 18 years of age and that is not affiliated with a public school in this state.

(e) “Referee” means a person who volunteers or is paid to act as a referee, as an umpire or in a similar supervisory position for events involving nonschool athletic teams.

(f) “Referee governing body” means a governing body that:

(A) Trains and certifies individuals to serve as referees for nonschool athletic team events; and

(B) Is affiliated with, or otherwise sponsored or organized by, a nonprofit corporation established as provided by ORS chapter 65.

(2)(a) Each league governing body and each referee governing body shall ensure that the coaches and the referees, respectively, receive annual training to learn how to recognize the symptoms of a concussion and how to seek proper medical treatment for a person suspected of having a concussion.

(b) Each league governing body and each referee governing body shall adopt a policy that establishes:

(A) The requirements of the training described in paragraph (a) of this subsection; and

(B) Procedures that ensure that every coach and referee receives the training described in paragraph (a) of this subsection.

(3) Except as provided in subsection (4) of this section:

(a) A coach may not allow a member of a nonschool athletic team to participate in any athletic event or training on the same day that the member:

(A) Exhibits signs, symptoms or behaviors consistent with a concussion following an observed or suspected blow to the head or body; or

(B) Has been diagnosed with a concussion.

(b) A coach may allow a member of a nonschool athletic team who is prohibited from participating in an athletic event or training, as described in paragraph (a) of this subsection, to participate in an athletic event or training no sooner than the day after the member experienced a blow to the head or body and only after the member:

(A) No longer exhibits signs, symptoms or behaviors consistent with a concussion; and

(B) Receives a medical release form from a health care professional.

(4) A coach may allow a member of a nonschool athletic team to participate in any athletic event or training at any time after an athletic trainer registered by the Board of Athletic Trainers determines that the member has not suffered a concussion. The athletic trainer may, but is not required to, consult with a health care professional in making the determination that the member has not suffered a concussion.

(5) The league governing body shall develop or use existing guidelines and other relevant materials, and shall make available those guidelines and materials, to inform and educate persons under 18 years of age desiring to be a member on a nonschool athletic team, the parents and legal guardians of the persons and the coaches about the symptoms and warning signs of a concussion.

(6) For each year of participation, and prior to a person under 18 years of age participating as a member on a nonschool athletic team, at least one parent or legal guardian of the person must acknowledge the receipt of the guidelines and materials described in subsection (5) of this section and the review of those guidelines and materials by:

(a) The parent or legal guardian of the person; and

(b) If the person is 12 years of age or older, the person.

(7) A league governing body may hold an informational meeting prior to the start of any season for each nonschool athletic team regarding the symptoms and warning signs of a concussion.

(8)(a) Any person who regularly serves as a coach or as a referee and who complies with the provisions of this section is immune from civil or criminal liability related to a head injury unless the person acted or failed to act because of gross negligence or willful or wanton misconduct.

(b) Nothing in this section shall be construed to affect the civil or criminal liability related to a head injury of a person who does not regularly serve as a coach or a referee. [2013 c.489 §1; 2015 c.392 §2]

**417.900** [Formerly 417.700; 1995 c.343 §44; repealed by 2007 c.765 §7]

# **Regulatory Report**

# Health Licensing Office



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Salem, OR 97301-1287  
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Web: [www.oregon.gov/oha/hlo](http://www.oregon.gov/oha/hlo)  
E-mail: [hlo.info@state.or.us](mailto:hlo.info@state.or.us)

## ***Board of Athletic Trainers***

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*March 1, 2016*

### ***2013 – 2015 Biennium***

Between July 1, 2013 and June 30, 2015, 5 complaints were received by the Office. Total open 0. Total closed 5.

<b>ANONYMOUS</b>	<b>CLIENTS</b>	<b>OTHER</b>
1	0	4

### ***2015 – 2017 Biennium***

Between July 1, 2015 and January 31, 2016, 1 complaint was received by the Office. Total open 1. Total closed 0.

<b>ANONYMOUS</b>	<b>CLIENTS</b>	<b>OTHER</b>
0	0	1

Other: Licensees  
General Public  
Internal

# **Deliberate on Contested Case**

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**The Board will leave the public meeting under ORS 192.690(1) to deliberate on contested case.**

# **Public/Interested Parties' Feedback**

# **Other Board Business**

