

1 AN ACT concerning athletic trainers.

2 Be it enacted by the People of the State of Illinois,
3 represented in the General Assembly:

4 Section 5. The Illinois Athletic Trainers Practice Act
5 is amended by changing Sections 3, 4, 6, 9, 10, 13, 16, and
6 17.5 and adding Sections 34.1 and 34.2 as follows:

7 (225 ILCS 5/3) (from Ch. 111, par. 7603)

8 (Section scheduled to be repealed on January 1, 2006)

9 Sec. 3. Definitions. As used in this Act:

10 (1) "Department" means the Department of Professional
11 Regulation.

12 (2) "Director" means the Director of Professional
13 Regulation.

14 (3) "Board" means the Illinois Board of Athletic
15 Trainers appointed by the Director.

16 (4) "Licensed athletic trainer" means a person licensed
17 to practice athletic training under as defined in this Act
18 and with the specific qualifications set forth in Section 9
19 of this Act who, upon the direction or referral of a
20 physician licensed under the Medical Practice Act of 1987
21 limited to the issues of the foot and ankle, carries out the
22 practice of prevention, recognition, evaluation, management,
23 treatment, disposition, and rehabilitation of athletic
24 injuries. of--his--or--her--team--physician--or--consulting
25 physician, carries out the practice of prevention/emergency
26 care--or--physical--reconditioning--of--injuries--incurred by
27 athletes participating in an athletic program conducted by an
28 educational institution, professional athletic organization,
29 or sanctioned amateur athletic organization employing the
30 athletic trainer; or a person who, under the direction of a
31 physician, carries out comparable functions for a health

1 organization-based-extramural-program--of--athletic--training
2 services--for--athletes. Specific duties of the athletic
3 trainer include but are not limited to:

4 A. supervision of the selection, fitting, and
5 maintenance of protective equipment;

6 B. provision of assistance to the coaching staff in
7 the development and implementation of conditioning
8 programs;

9 C. counseling of athletes on nutrition and hygiene;

10 D. supervision of athletic training facility and
11 inspection of playing facilities;

12 E. selection and maintenance of athletic training
13 equipment and supplies;

14 F. instruction and supervision of student athletic
15 trainers and athletic training aides trainer-staff;

16 G. coordination with a team or consulting physician
17 to provide:

18 (i) pre-participation pre-competition physical
19 exam and health history updates,

20 (ii) game coverage or phone access to a
21 physician or paramedic,

22 (iii) follow-up injury care,

23 (iv) rehabilitation and reconditioning
24 programs, and

25 (v) assistance on all matters pertaining to
26 the health and well-being of athletes; -

27 H. provision of on-site injury care and evaluation
28 as well as appropriate transportation, follow-up
29 treatment and rehabilitation as necessary for all
30 injuries sustained by athletes in the program;

31 I. with a physician, determination of when an
32 athlete may safely return to full participation
33 post-injury; and

34 J. maintenance of complete and accurate records of

1 all athletic injuries and treatments rendered.

2 To carry out these functions the athletic trainer is
3 authorized to utilize modalities including, but not limited
4 to, such-as heat, light, sound, cold, electricity, exercise,
5 therapeutic massage, mobilization, application of topical
6 medications used in generally accepted rehabilitation
7 protocols when prescribed by a physician, or durable medical
8 equipment and mechanical devices related to treatment and
9 rehabilitation. An athletic trainer is not authorized to
10 utilize chiropractic techniques care-and-reconditioning.

11 (5) "Referral" means the guidance and or direction to
12 the-athletic--trainer given by the physician, who shall
13 maintain supervision of the athlete.

14 (6) "Athletic injury" means an injury sustained by an
15 individual that effects the individual's participation or
16 performance in sports, games, recreation, or exercise, or an
17 injury or condition identified by a licensed physician as
18 benefiting from athletic training services.

19 (7) "Athletic training aide" means a person who has
20 received on-the-job training specific to the facility in
21 which he or she is employed, but is not enrolled in an
22 accredited athletic training curriculum.

23 (Source: P.A. 91-357, eff. 7-29-99.)

24 (225 ILCS 5/4) (from Ch. 111, par. 7604)

25 (Section scheduled to be repealed on January 1, 2006)

26 Sec. 4. Licensure requirement - Exempt activities.
27 After the effective date of this Act, no person shall provide
28 any of the services set forth in subsection (4) of Section 3
29 of this Act, or use the title "athletic trainer" or
30 "certified athletic trainer" or "athletic trainer certified"
31 or the letters "A.T.", "C.A.T.", "A.T.C.", "A.C.T.", or
32 "I.A.T.L." after his name, unless licensed under this Act.

33 Nothing in this Act shall be construed as preventing or

1 restricting any of the following practices ~~the practice,~~
2 services, or activities of:

3 (1) Any person licensed or registered in this State by
4 any other law from engaging in the profession or occupation
5 for which he or she is licensed or registered. ~~;~~

6 (2) Any person employed as an athletic trainer by the
7 Government of the United States, if such person provides
8 athletic training solely under the direction or control of
9 the organization by which he or she is employed. ~~;~~

10 (3) Any person pursuing a course of study leading to a
11 degree or certificate in athletic training at an accredited
12 ~~or approved~~ educational program or at a non-accredited
13 program that has a formal matriculation agreement with an
14 accredited program if such activities and services constitute
15 a part of a supervised course of study involving daily
16 personal or verbal contact at the site of supervision between
17 the athletic training student and the licensed athletic
18 trainer who plans, directs, advises, and evaluates the
19 student's athletic training experience. The supervising
20 licensed athletic trainer must be on-site where the athletic
21 training experience hours are being obtained. A person
22 meeting the criteria under this item (3) must be ~~;~~ ~~and if~~
23 ~~such person is~~ designated by a title which clearly indicates
24 his or her status as a student or trainee. ~~;~~

25 (4) (Blank). ~~Any person fulfilling the supervised work~~
26 ~~experience requirements of Section 9 of this Act, if such~~
27 ~~activities and services constitute a part of the experience~~
28 ~~necessary to meet the requirements of that Section;~~

29 (5) The practice of athletic training under the
30 supervision of a licensed athletic trainer by one who has
31 applied in writing to the Department for licensure and has
32 complied with all the provisions of Section 9 except the
33 passing of the examination to be eligible to receive such
34 license. In no event shall this exemption extend to any

1 person for longer than 3 months. Anyone who has previously
2 failed the examination or fails the examination during this 3
3 months shall immediately cease practice as an athletic
4 trainer and shall not engage in the practice of athletic
5 training again until he or she passes the examination.;-er

6 (6) Any person in a coaching position from rendering
7 emergency care on an as needed basis to the athletes under
8 his or her supervision when a licensed athletic trainer is
9 not available.;-er

10 (7) Any person who is an athletic trainer from another
11 nation, state, or territory acting as an athletic trainer
12 while performing his duties for his or her respective
13 non-Illinois based team or organization, so long as he or she
14 restricts his or her duties to his or her team or
15 organization during the course of his or her team's or
16 organization's stay in this State. For the purposes of this
17 Act, a team shall be considered based in Illinois if its home
18 contests are held in Illinois, regardless of the location of
19 the team's administrative offices.

20 (8) Athletic training by persons licensed in another
21 state who have applied in writing to the Department for
22 licensure by endorsement for no longer than 6 months or until
23 such time that notification has been given that licensure has
24 been granted or denied, whichever period of time is lesser.

25 (9) Athletic training by one who has applied in writing
26 to the Department for licensure and has complied with all the
27 provisions of Section 9 for no longer than 6 months or until
28 such time that notification has been given that licensure has
29 been granted or denied, whichever period of time is lesser.

30 (10) Athletic training by persons actively licensed as
31 an athletic trainer in another state or currently certified
32 by the National Athletic Trainers Association Board of
33 Certification, Inc., if the person's home state does not
34 regulate the practice of athletic training, under the

1 supervision of an Illinois licensed athletic trainer at a
 2 special athletic tournament or event conducted by a
 3 sanctioned amateur athletic organization (including, but not
 4 limited to, the Prairie State Games and the Special Olympics)
 5 for no more than 4 days. This shall not include contests or
 6 events that are part of a scheduled series of regular season
 7 events.

8 (11) Athletic training aides from performing patient care
 9 activities under the on-site supervision of a licensed
 10 athletic trainer. These patient care activities shall not
 11 include interpretation of referrals, evaluation procedures,
 12 the planning of or major modifications to patient programs,
 13 or solo practice or event coverage without immediate access
 14 to a licensed athletic trainer.

15 (Source: P.A. 89-216, eff. 1-1-96.)

16 (225 ILCS 5/6) (from Ch. 111, par. 7606)

17 (Section scheduled to be repealed on January 1, 2006)

18 Sec. 6. Athletic Training Board; appointment;
 19 membership; term; duties. The Director shall appoint an
 20 Illinois Board of Athletic Trainers as follows: 7 6 persons
 21 who shall be appointed by and shall serve in an advisory
 22 capacity to the Director. Two members must be licensed
 23 physicians; 4 3 members must be registered athletic trainers
 24 in good standing, and actively engaged in the practice of or
 25 teaching of athletic training in this State; and 1 member
 26 must be a public member who is not registered under this Act,
 27 or a similar Act of another jurisdiction, and is not a
 28 provider of athletic health care service.

29 Members shall serve 4 year terms and until their
 30 successors are appointed and qualified ~~except that of the~~
 31 ~~initial appointments, 1 member shall be appointed to serve~~
 32 ~~for one year, 2 shall be appointed to serve for 2 years, 2~~
 33 ~~shall be appointed to serve for 3 years, and the remaining~~

1 ~~one, who shall be the public member, shall be appointed to~~
 2 ~~serve for 4 years, and until their successors are appointed~~
 3 ~~and qualified.~~ No member shall be reappointed to the Board
 4 for more than 2 terms. Appointments to fill vacancies shall
 5 be made in the same manner as original appointments, for the
 6 unexpired portion of the vacated term. ~~Initial terms shall~~
 7 ~~begin upon the effective date of this Act.~~

8 The membership of the Board should reasonably reflect
 9 representation from the geographic areas in this State.

10 The Director may terminate the appointment of any member
 11 for cause which in the opinion of the Director reasonably
 12 justifies such termination.

13 The Director shall consider the recommendation of the
 14 Board on questions involving standards of professional
 15 conduct, discipline, and qualifications of candidates and
 16 license holders under this Act.

17 (Source: P.A. 91-827, eff. 6-13-00.)

18 (225 ILCS 5/9) (from Ch. 111, par. 7609)

19 (Section scheduled to be repealed on January 1, 2006)

20 Sec. 9. Educational and professional requirements. A
 21 person having the qualifications prescribed in this Section
 22 shall be qualified to receive a license as an athletic
 23 trainer if he or she:

24 (a) has graduated from a curriculum in athletic training
 25 accredited ~~approved by the Department. In approving a~~
 26 ~~curriculum in athletic training, the Department shall~~
 27 ~~consider, but not be bound by, accreditation~~ by the Joint
 28 Review Committee on Athletic Training (JRC-AT) of the
 29 Commission ~~Committee~~ on Accreditation of Allied Health
 30 Education Programs (CAAHEP) or its successor entity; or

31 (b) gives proof of certification, on the date of
 32 application, in First Aid and CPR/AED or the equivalent based
 33 on American Red Cross standards; and graduation from a 4-year

1 accredited--college--or--university-and-has-met-the-following
2 minimum-athletic-training-curriculum-requirements-established
3 by-the-Board:

4 Completion-of-the-following-specific-course-requirements:

- 5 (1)--Anatomy
- 6 (2)--Physiology
- 7 (3)--Physiology-of-Exercise
- 8 (4)--Applied-Anatomy-and-Kinesiology
- 9 (5)--Psychology-(2-courses)
- 10 (6)--First-Aid-and-CPR-or-equivalent--(American--Red
11 Cross-standards)
- 12 (7)--Nutrition
- 13 (8)--Remedial-Exercise-or-Therapeutic-Exercise
- 14 (9)--Personal-,Community-,and-School-Health
- 15 (10)--Techniques-of-Athletic-Training-(fundamentals)
- 16 (11)--Advanced---Techniques---of--Athletic--Training
17 (modalities-,administration)
- 18 (12)--Clinical--Experience--(1500--hours)---over---a
19 minimum--of--a--2--year--academic--period-within-a-5-year
20 calendar-period.

21 (c) has passed an examination approved by the Department
22 to determine his or her fitness for practice as an athletic
23 trainer, or is entitled to be licensed without examination as
24 provided in Sections 7 and 8 of this Act.

25 The Department may request a personal interview of an
26 applicant before the Board committee to further evaluate his
27 or her qualifications for a license.

28 An applicant has 3 years from the date of his or her
29 application to complete the application process. If the
30 process has not been completed in 3 years, the application
31 shall be denied, the fee forfeited, and the applicant must
32 reapply and meet the requirements in effect at the time of
33 reapplication.

34 (Source: P.A. 89-216, eff. 1-1-96.)

(225 ILCS 5/10) (from Ch. 111, par. 7610)

(Section scheduled to be repealed on January 1, 2006)

Sec. 10. License expiration; renewal; continuing education requirement. The expiration date of licenses issued under this Act shall be set by rule. Licenses shall be renewed according to procedures established by the Department and upon payment of the renewal fee established herein and notarized proof of completion 40-contact-hours of approved continuing education relating to the performance and practice of athletic training. The number of hours required and their composition shall be set by rule.

(Source: P.A. 89-216, eff. 1-1-96; 89-626, eff. 8-9-96.)

(225 ILCS 5/13) (from Ch. 111, par. 7613)

(Section scheduled to be repealed on January 1, 2006)

Sec. 13. Endorsement. The Department may, at its discretion, license as an athletic trainer, without examination, on payment of the fee, an applicant for licensure who is an athletic trainer registered or licensed under the laws of another state if the requirements pertaining to athletic trainers in such state were at the date of his or her registration or licensure substantially equal to the requirements in force in Illinois on that date. If the requirements of that state are not substantially equal to the Illinois requirements or, if at the time of application, the state in which the applicant has been practicing does not regulate the practice of athletic training, and the applicant began practice in that state prior to January 1, 2004, a person having the qualifications prescribed in this Section shall be qualified to receive a license as an athletic trainer if he or she:

- (1) has passed an examination approved by the Department to determine his or her fitness for practice as an athletic trainer;

1 (2) gives proof of certification on the date of
2 application in First Aid and CPR/AED or the equivalent
3 based on American Red Cross standards; and

4 (3)(A) has graduated from a curriculum in
5 athletic training approved by the Department. In
6 approving a curriculum in athletic training, the
7 Department shall consider, but not be bound by,
8 accreditation by the Joint Review Committee on
9 Athletic Training (JRC-AT) of the Commission on
10 Accreditation of Allied Health Education Programs
11 (CAAHEP) or its successor entity; or

12 (B) gives proof of graduation from a 4-year
13 accredited college or university and has met the
14 following minimum athletic training curriculum
15 requirements established by the Board, which shall
16 include completion of all of the following specific
17 course requirements:

18 (i) Anatomy.

19 (ii) Physiology.

20 (iii) Physiology of exercise

21 (iv) Applied anatomy and kinesiology.

22 (v) Psychology (2 courses).

23 (vi) Nutrition.

24 (vii) Remedial exercise or therapeutic
25 exercise.

26 (viii) Personal, Community, and School
27 Health

28 (ix) Techniques of athletic training
29 (fundamentals)

30 (x) Advanced techniques of athletic
31 training (modalities and administration).

32 (xi) Clinical experience (1500 hours)
33 over a minimum of a 2-year academic period
34 within a 5 year calendar period.

1 The Department may request a personal interview of an
2 applicant before the Board to further evaluate his or her
3 qualifications for license.

4 Applicants have 3 years from the date of application to
5 complete the application process. If the process has not
6 been completed in 3 years, the application shall be denied,
7 the fee forfeited and the applicant must reapply and meet the
8 requirements in effect at the time of reapplication.

9 (Source: P.A. 89-216, eff. 1-1-96.)

10 (225 ILCS 5/16) (from Ch. 111, par. 7616)

11 (Section scheduled to be repealed on January 1, 2006)

12 Sec. 16. Refusal to issue, suspension, or revocation of
13 license. The Department may refuse to issue or renew, or may
14 revoke, suspend, place on probation, reprimand, or take other
15 disciplinary action as the Department may deem proper,
16 including fines not to exceed \$1,000 for each violation, with
17 regard to any licensee for any one or combination of the
18 following:

19 (A) Material misstatement in furnishing information to
20 the Department;

21 (B) Negligent or intentional disregard of this Act, or
22 of the rules or regulations promulgated hereunder;

23 (C) Conviction of any crime under the laws of the United
24 States or any state or territory thereof that is (i) a
25 felony, (ii) ~~or~~ a misdemeanor, and an essential element of
26 which is dishonesty, or (iii) ~~of~~ any crime that is directly
27 related to the practice of the profession;

28 (D) Making any misrepresentation for the purpose of
29 obtaining registration, or violating any provision of this
30 Act;

31 (E) Professional incompetence;

32 (F) Malpractice;

33 (G) Aiding or assisting another person in violating any

1 provision of this Act or rules;

2 (H) Failing, within 60 days, to provide information in
3 response to a written request made by the Department;

4 (I) Engaging in dishonorable, unethical, or
5 unprofessional conduct of a character likely to deceive,
6 defraud or harm the public;

7 (J) Habitual intoxication or addiction to the use of
8 drugs;

9 (K) Discipline by another state, District of Columbia,
10 territory, or foreign nation, if at least one of the grounds
11 for the discipline is the same or substantially equivalent to
12 those set forth herein;

13 (L) Directly or indirectly giving to or receiving from
14 any person, firm, corporation, partnership, or association
15 any fee, commission, rebate, or other form of compensation
16 for any professional services not actually or personally
17 rendered;

18 (M) A finding that the licensee after having his or her
19 license placed on probationary status has violated the terms
20 of probation;

21 (N) Abandonment of an athlete;

22 (O) Willfully making or filing false records or reports
23 in his or her practice, including but not limited to false
24 records filed with State agencies or departments;

25 (P) Willfully failing to report an instance of suspected
26 child abuse or neglect as required by the Abused and
27 Neglected Child Reporting Act;

28 (Q) Physical illness, including but not limited to
29 deterioration through the aging process, or loss of motor
30 skill that results in the inability to practice the
31 profession with reasonable judgment, skill, or safety;

32 (R) Solicitation of professional services other than by
33 permitted institutional policy;

34 (S) The use of any words, abbreviations, figures or

1 letters with the intention of indicating practice as an
2 athletic trainer without a valid license as an athletic
3 trainer under this Act;

4 (T) The treatment of injuries of athletes by a licensed
5 athletic trainer except by the referral of a physician,
6 podiatrist, or dentist;

7 (U) Willfully violating or knowingly assisting in the
8 violation of any law of this State relating to the use of
9 habit-forming drugs;

10 (V) Willfully violating or knowingly assisting in the
11 violation of any law of this State relating to the practice
12 of abortion;

13 (W) Continued practice by a person knowingly having an
14 infectious communicable or contagious disease;

15 (X) Being named as a perpetrator in an indicated report
16 by the Department of Children and Family Services pursuant to
17 the Abused and Neglected Child Reporting Act and upon proof
18 by clear and convincing evidence that the licensee has caused
19 a child to be an abused child or neglected child as defined
20 in the Abused and Neglected Child Reporting Act;

21 (Y) Failure to file a return, or to pay the tax,
22 penalty, or interest shown in a filed return, or to pay any
23 final assessment of tax, penalty, or interest, as required by
24 any tax Act administered by the Illinois Department of
25 Revenue, until such time as the requirements of any such tax
26 Act are satisfied; or

27 (Z) Failure to fulfill continuing education requirements
28 as prescribed in Section 10 of this Act.

29 The determination by a circuit court that a licensee is
30 subject to involuntary admission or judicial admission as
31 provided in the Mental Health and Developmental Disabilities
32 Code operates as an automatic suspension. Such suspension
33 will end only upon a finding by a court that the athletic
34 trainer is no longer subject to involuntary admission or

1 judicial admission and issues an order so finding and
2 discharging the athlete; and upon the recommendation of the
3 Board to the Director that the licensee be allowed to resume
4 his or her practice.

5 (Source: P.A. 91-357, eff. 7-29-99.)

6 (225 ILCS 5/17.5)

7 (Section scheduled to be repealed on January 1, 2006)

8 Sec. 17.5. Unlicensed Unregistered practice; violation;
9 civil penalty.

10 (a) Any person who practices, offers to practice,
11 attempts to practice, or holds oneself out to practice as a
12 licensed registered athletic trainer without being licensed
13 registered under this Act shall, in addition to any other
14 penalty provided by law, pay a civil penalty to the
15 Department in an amount not to exceed \$5,000 for each offense
16 as determined by the Department. The civil penalty shall be
17 assessed by the Department after a hearing is held in
18 accordance with the provisions set forth in this Act
19 regarding the provision of a hearing for the discipline of a
20 licensee.

21 (b) The Department has the authority and power to
22 investigate any and all unlicensed activity.

23 (c) The civil penalty shall be paid within 60 days after
24 the effective date of the order imposing the civil penalty.
25 The order shall constitute a judgment and may be filed and
26 execution had thereon in the same manner as any judgment from
27 any court of record.

28 (Source: P.A. 89-474, eff. 6-18-96.)

29 (225 ILCS 5/34.1 new)

30 (Section scheduled to be repealed on January 1, 2006)

31 Sec. 34.1. Partial invalidity. If any portion of this
32 Act is held invalid, the invalidity of that portion shall not

1 affect any other portion of this Act that can be given effect
2 without the invalid portion.

3 (225 ILCS 5/34.2 new)

4 (Section scheduled to be repealed on January 1, 2006)

5 Sec. 34.2. Emergency care without fee; liability. Any
6 licensed athletic trainer, as defined in Section 3 of this
7 Act, who in good faith provides emergency care without fee to
8 any person, shall not, as a result of his acts or omissions,
9 except willful and wanton misconduct on the part of such
10 person in providing such care, be liable for civil damages to
11 a person to whom such care is provided.

12 (225 ILCS 5/34 rep.)

13 Section 10. The Illinois Athletic Trainers Practice Act
14 is amended by repealing Section 34.

15 Section 99. Effective date. This Act takes effect upon
16 becoming law.