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HOUSE BILL 2430

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State of Washington                      63rd Legislature                      2014 Regular Session

By Representatives Riccelli, Schmick, and Ormsby

Read first time 01/17/14. Referred to Committee on Health Care & Wellness.

1            AN ACT Relating to athletic trainers; and amending RCW 18.250.010,  
2 18.250.020, and 18.250.070.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4            **Sec. 1.** RCW 18.250.010 and 2007 c 253 s 2 are each amended to read  
5 as follows:

6            The definitions in this section apply throughout this chapter  
7 unless the context clearly requires otherwise.

8            (1) "Athlete" means a person who participates in exercise,  
9 recreation, sport, or games requiring physical strength,  
10 range-of-motion, flexibility, body awareness and control, speed,  
11 stamina, or agility, and the exercise, recreation, sports, or games are  
12 of a type conducted in association with an educational institution or  
13 professional, amateur, or recreational sports club or organization.

14            (2) "Athletic injury" means an injury or condition sustained by an  
15 athlete that affects the person's participation or performance in  
16 exercise, recreation, sport, or games and the injury or condition is  
17 within the professional preparation and education of an athletic  
18 trainer.

1 (3) "Athletic trainer" means a person who is licensed under this  
2 chapter. An athletic trainer can practice athletic training through  
3 the consultation, referral, or guidelines of a licensed health care  
4 provider working within their scope of practice.

5 (4)(a) "Athletic training" means the application of the following  
6 principles and methods as provided by a licensed athletic trainer:

7 (i) Risk management and prevention of athletic injuries through  
8 preactivity screening and evaluation, educational programs, physical  
9 conditioning and reconditioning programs, application of commercial  
10 products, use of protective equipment, promotion of healthy behaviors,  
11 and reduction of environmental risks;

12 (ii) Recognition, evaluation, and assessment of athletic injuries  
13 by obtaining a history of the athletic injury, inspection and palpation  
14 of the injured part and associated structures, and performance of  
15 specific testing techniques related to stability and function to  
16 determine the extent of an injury;

17 (iii) Immediate care of athletic injuries, including emergency  
18 medical situations through the application of first-aid and emergency  
19 procedures and techniques for nonlife-threatening or life-threatening  
20 athletic injuries;

21 (iv) Treatment, rehabilitation, and reconditioning of athletic or  
22 work-related injuries through the application of physical agents and  
23 modalities, therapeutic activities and exercise, standard reassessment  
24 techniques and procedures, commercial products, and educational  
25 programs, in accordance with guidelines established with a licensed  
26 health care provider as provided in RCW 18.250.070; and

27 (v) Referral of an athlete to an appropriately licensed health care  
28 provider if the athletic injury requires further definitive care or the  
29 injury or condition is outside an athletic trainer's scope of practice,  
30 in accordance with RCW 18.250.070.

31 (b) "Athletic training" does not include:

32 (i) The use of spinal adjustment or manipulative mobilization of  
33 the spine and its immediate articulations;

34 (ii) Orthotic or prosthetic services with the exception of  
35 evaluation, measurement, fitting, and adjustment of temporary,  
36 prefabricated or direct-formed orthosis as defined in chapter 18.200  
37 RCW;

1 (iii) The practice of occupational therapy as defined in chapter  
2 18.59 RCW;

3 (iv) The practice of (~~acupuncture~~) East Asian medicine as defined  
4 in chapter 18.06 RCW;

5 (v) Any medical diagnosis; and

6 (vi) Prescribing legend drugs or controlled substances, or surgery.

7 (5) "Committee" means the athletic training advisory committee.

8 (6) "Department" means the department of health.

9 (7) "Licensed health care provider" means a physician, physician  
10 assistant, osteopathic physician, osteopathic physician assistant,  
11 advanced registered nurse practitioner, naturopath, physical therapist,  
12 chiropractor, dentist, massage practitioner, acupuncturist,  
13 occupational therapist, or podiatric physician and surgeon.

14 (8) "Secretary" means the secretary of health or the secretary's  
15 designee.

16 **Sec. 2.** RCW 18.250.020 and 2007 c 253 s 3 are each amended to read  
17 as follows:

18 (1) In addition to any other authority provided by law, the  
19 secretary may:

20 (a) Adopt rules, in accordance with chapter 34.05 RCW, necessary to  
21 implement this chapter;

22 (b) Establish all license, examination, and renewal fees in  
23 accordance with RCW 43.70.250;

24 (c) Establish forms and procedures necessary to administer this  
25 chapter;

26 (d) Establish administrative procedures, administrative  
27 requirements, and fees in accordance with RCW 43.70.250 and 43.70.280.  
28 All fees collected under this section must be credited to the health  
29 professions account as required under RCW 43.70.320;

30 (e) Develop and administer, or approve, or both, examinations to  
31 applicants for a license under this chapter;

32 (f) Establish continuing education requirements by rule;

33 (g) Issue a license to any applicant who has met the education,  
34 training, and examination requirements for licensure and deny a license  
35 to applicants who do not meet the minimum qualifications for licensure.  
36 However, denial of licenses based on unprofessional conduct or impaired

1 practice is governed by the uniform disciplinary act, chapter 18.130  
2 RCW;

3 ~~((g))~~ (h) In consultation with the committee, approve  
4 examinations prepared or administered by private testing agencies or  
5 organizations for use by an applicant in meeting the licensing  
6 requirements under RCW 18.250.060;

7 ~~((h))~~ (i) Determine which states have credentialing requirements  
8 substantially equivalent to those of this state, and issue licenses to  
9 individuals credentialed in those states that have successfully  
10 fulfilled the requirements of RCW 18.250.080;

11 ~~((i))~~ (j) Hire clerical, administrative, and investigative staff  
12 as needed to implement and administer this chapter;

13 ~~((j))~~ (k) Maintain the official department record of all  
14 applicants and licensees; and

15 ~~((k))~~ (l) Establish requirements and procedures for an inactive  
16 license.

17 (2) The uniform disciplinary act, chapter 18.130 RCW, governs  
18 unlicensed practice, the issuance and denial of licenses, and the  
19 discipline of licensees under this chapter.

20 **Sec. 3.** RCW 18.250.070 and 2007 c 253 s 8 are each amended to read  
21 as follows:

22 (1) Except as necessary to provide emergency care of athletic  
23 injuries, an athletic trainer shall not provide treatment,  
24 rehabilitation, or reconditioning services to any person except as  
25 specified in guidelines established with a licensed health care  
26 provider who is licensed to perform the services provided in the  
27 guidelines.

28 (2) If there is no improvement in an athlete who has sustained an  
29 athletic injury or in a worker who has sustained a work-related injury  
30 within fifteen days of initiation of treatment, rehabilitation, or  
31 reconditioning, the athletic trainer must refer the athlete or worker  
32 to a licensed health care provider that is appropriately licensed to  
33 assist the athlete or worker.

34 (3) If an athletic injury or work-related injury requires  
35 treatment, rehabilitation, or reconditioning for more than forty-five  
36 days, the athletic trainer must consult with, or refer the athlete or

1 worker to, a licensed health care provider. The athletic trainer shall  
2 document the action taken.

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