

SENATE BILL REPORT

SB 5308

As Reported by Senate Committee On:
Health & Long Term Care, February 2, 2023

Title: An act relating to athletic trainers.

Brief Description: Concerning athletic trainers.

Sponsors: Senators Cleveland and Rivers.

Brief History:

Committee Activity: Health & Long Term Care: 1/26/23, 2/02/23 [DPS].

Brief Summary of First Substitute Bill

- Expands the term athlete to include engaging in activities for the benefits of health and wellness.
- Defines an athletic trainer as a health care provider.
- Allows licensed athletic trainers to administer medications as prescribed by an authorized health practitioner for the practice of athletic training.

SENATE COMMITTEE ON HEALTH & LONG TERM CARE

Majority Report: That Substitute Senate Bill No. 5308 be substituted therefor, and the substitute bill do pass.

Signed by Senators Cleveland, Chair; Robinson, Vice Chair; Rivers, Ranking Member; Muzzall, Assistant Ranking Member; Conway, Dhingra, Holy, Padden, Randall and Van De Wege.

Staff: Andie Parnell (786-7439)

Background: Athletic trainers are persons licensed by the Secretary of Health to provide:

- risk management and prevention of athletic injuries;

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.

- recognition, evaluation, and assessment of athletic injuries;
- immediate care of athletic injuries, including through the application of first-aid and emergency procedures;
- treatment, rehabilitation, and reconditioning of athletic injuries in accordance with guidelines established with a licensed health care provider;
- treatment, rehabilitation, and reconditioning of work-related injuries, under the direct supervision of, and in accordance with, a plan of care for an individual worker established by a provider authorized to provide physical medicine and rehabilitation services; and
- referral of an athlete to an appropriately licensed health care provider if the athletic injury requires further definitive care, or the injury or condition is outside an athletic trainer's scope of practice.

An athletic trainer may purchase, store, and administer over-the-counter medications such as pain relievers, hydrocortisone, fluocinonide, topical anesthetics, silver sulfadiazine, lidocaine, magnesium sulfate, zinc oxide, and other similar medications, as prescribed by an authorized health care practitioner for the practice of athletic training. An athletic trainer may not administer any medications to a student in a public or private school, but may administer over-the-counter medications to a minor in other settings with written consent from the minor's parent or guardian. An athletic trainer who has completed an anaphylaxis training program may administer an epinephrine autoinjector.

Summary of Bill (First Substitute): "Athlete" means a person who participates in exercise, recreation, activities, sport or games requiring physical strength, range-of-motion, flexibility, body awareness and control, speed, stamina or agility; and the exercise, recreation, activities, sports, or games are of a type conducted for the benefits of health and wellness or in association with an educational institution or professional, amateur, or recreational sports club, or a hospital or industrial-based organization.

An athletic trainer means a health care provider who is licensed by the Secretary of Health to practice athletic training. A licensed athletic trainer may purchase, store, and administer over-the-counter medications as prescribed by an authorized health care practitioner for the practice of athletic training. A licensed athletic trainer who has completed accredited training programs on pharmacology and medication administration may purchase, store, and administer medications in accordance with the programs, as prescribed by an authorized healthcare practitioner for the practice of athletic training.

EFFECT OF CHANGES MADE BY HEALTH & LONG TERM CARE COMMITTEE (First Substitute):

- Allows athletic trainers to purchase, store, and administer over-the-counter medications, as prescribed by an authorized health care practitioner for the practice of athletic training.
- Requires an athletic trainer to complete accredited training programs on

- pharmacology and medication administration before being permitted to purchase, store, and administer medications in accordance with the programs, as prescribed by an authorized health care practitioner for the practice of athletic training.
- Modifies the definition of athlete to include persons who participate in exercise, recreation, activities, sports or games conducted for the benefits of health and wellness in association with a hospital or industrial based organization.

Appropriation: None.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony on Original Bill: *The committee recommended a different version of the bill than what was heard.* PRO: This bill seeks to acknowledge all athlete populations cared for by athletic trainers and athletic trainers' education and training in regards to medications. The addition of the term "activities" to the definition of athlete supports athletic trainers caring for nontraditional athletes. The addition of "for the benefits of health and wellness" also supports that not all athletes come from the traditional athletic settings like education or recreational sports clubs. By updating the statute language and definitions, we are ensuring athletic trainers are able to practice to the fullest extent of their extensive knowledge and training.

CON: The definition of athlete to include activities for the benefit of health and wellness is overbroad, and needs more specificity to what athletic trainers are trying to achieve.

OTHER: The current bill language is broader than just restoring the ability for athletic trainers to purchase, store, and administer over-the-counter medications. We would suggest a tiered system where the ability for athletic trainers to purchase, store and administer over-the-counter medication is consistent with their training. The expansion of the term athlete could mean that anyone in any setting can be an athlete for the benefit of health and wellness. A sunrise review on the scope of this expansion would help understand the need for this scope change and whether athletic trainers have sufficient preparation to keep patients safe.

Persons Testifying: PRO: Senator Annette Cleveland, Prime Sponsor; Ciara Ashworth, Washington State Athletic Trainers' Association; Charlie Brown, WA State Athletic Trainers Association.

CON: Melissa Johnson, APTA Washington.

OTHER: Josh Cobbley, Northwest Return To Work; Amy Brackenbury, Washington State Medical Association (WSMA).

Persons Signed In To Testify But Not Testifying: No one.