

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8 (Section scheduled to be repealed on January 1, 2006)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 carries out the practice of prevention, recognition,
22 evaluation, management, treatment, disposition, and
23 rehabilitation related to the care of athletes. of-his-or-her
24 team--physician--or--consulting--physician,--carries--out--the
25 practice---of---prevention/emergency---care---or---physical
26 reconditioning-of-injuries-incurred-by-athletes-participating
27 in---an---athletic---program---conducted--by--an--educational
28 institution,--professional--athletic--organization,--or
29 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 trainer
15 staff;

16 G. coordination with a team physician to provide:

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

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

21 (iii) follow-up injury care,

22 (iv) rehabilitation and reconditioning
23 programs, and

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

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

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

33 J. maintenance of complete and accurate records of
34 all athletic injuries and treatments rendered.

1 To carry out these functions the athletic trainer is
 2 authorized to utilize modalities including, but not limited
 3 to, such-as heat, light, sound, cold, electricity, exercise,
 4 water, therapeutic massage, mobilization, or mechanical and
 5 assistive devices related to treatment and rehabilitation
 6 care-and-reconditioning.

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

10 (6) "Athlete" means an individual who participates in
 11 sports, athletic competitions or practices, fitness training,
 12 conditioning, or recreational activities, as determined by a
 13 physician.

14 (7) "Athletic trainer aide" means a person who has
 15 received on-the-job training specific to the facility in
 16 which he or she is employed on either a paid or volunteer
 17 basis, but is not enrolled in an accredited athletic training
 18 curriculum.

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

20 (225 ILCS 5/4) (from Ch. 111, par. 7604)

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

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

29 Nothing in this Act shall be construed as preventing or
 30 restricting any of the following practices the-practice,
 31 services, or activities of:

32 (1) Any person licensed or registered in this State by
 33 any other law from engaging in the profession or occupation

1 for which he or she is licensed or registered.†-er

2 (2) Any person employed as an athletic trainer by the
3 Government of the United States, if such person provides
4 athletic training solely under the direction or control of
5 the organization by which he or she is employed.†-er

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

21 (4) (Blank). ~~Any person fulfilling the supervised work~~
22 ~~experience requirements of Section 9 of this Act, if such~~
23 ~~activities and services constitute a part of the experience~~
24 ~~necessary to meet the requirements of that Section;†-er~~

25 (5) The practice of athletic training under the
26 supervision of a licensed athletic trainer by one who has
27 applied in writing to the Department for licensure and has
28 complied with all the provisions of Section 9 except the
29 passing of the examination to be eligible to receive such
30 license. In no event shall this exemption extend to any
31 person for longer than 3 months. Anyone who has previously
32 failed the examination or fails the examination during this 3
33 months shall immediately cease practice as an athletic
34 trainer and shall not engage in the practice of athletic

1 training again until he or she passes the examination.;-er

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

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

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

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

26 (10) Athletic training by persons actively licensed as
27 an athletic trainer in another state or currently certified
28 by the National Athletic Trainers Association Board of
29 Certification, Inc., if the person's home state does not
30 regulate the practice of athletic training, under the
31 supervision of an Illinois licensed athletic trainer at a
32 special athletic tournament or event conducted by a
33 sanctioned amateur athletic organization (including, but not
34 limited to, the Prairie State Games and the Special Olympics)

1 for no more than 4 days. This shall not include contests or
2 events that are part of a scheduled series of regular season
3 events.

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

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

12 (225 ILCS 5/6) (from Ch. 111, par. 7606)

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

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

25 Members shall serve 4 year terms and until their
26 successors are appointed and-qualified--except--that--of--the
27 initial--appointments, 1--1--member shall be appointed to serve
28 for one year, 2 shall be appointed to serve for 2 years, 2
29 shall be appointed to serve for 3 years, and the remaining
30 one, who shall be the public member, shall be appointed to
31 serve for 4 years, and until their successors are appointed
32 and-qualified. No member shall be reappointed to the Board
33 for more than 2 terms. Appointments to fill vacancies shall

1 be made in the same manner as original appointments, for the
2 unexpired portion of the vacated term. ~~Initial terms shall~~
3 ~~begin upon the effective date of this Act.~~

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

6 The Director may terminate the appointment of any member
7 for cause which in the opinion of the Director reasonably
8 justifies such termination.

9 The Director shall consider the recommendation of the
10 Board on questions involving standards of professional
11 conduct, discipline, and qualifications of candidates and
12 license holders under this Act.

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

14 (225 ILCS 5/9) (from Ch. 111, par. 7609)

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

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

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

27 (b) gives proof of certification, on the date of
28 application, in First Aid and CPR/AED or the equivalent based
29 on American Red Cross standards; and graduation from a 4-year
30 ~~accredited college or university and has met the following~~
31 ~~minimum athletic training curriculum requirements established~~
32 ~~by the Board;~~

33 ~~Completion of the following specific course requirements:~~

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

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

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

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

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

31 (225 ILCS 5/10) (from Ch. 111, par. 7610)

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

33 Sec. 10. License expiration; renewal; continuing

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

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

10 (225 ILCS 5/13) (from Ch. 111, par. 7613)

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

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

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

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

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

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

15 (i) Anatomy.

16 (ii) Physiology.

17 (iii) Physiology of exercise

18 (iv) Applied anatomy and kinesiology.

19 (v) Psychology (2 courses).

20 (vi) Nutrition.

21 (vii) Remedial exercise or therapeutic
22 exercise.

23 (viii) Personal, Community, and School
24 Health

25 (ix) Techniques of athletic training
26 (fundamentals)

27 (x) Advanced techniques of athletic
28 training (modalities and administration).

29 (xi) Clinical experience (1500 hours)
30 over a minimum of a 2-year academic period
31 within a 5 year calendar period.

32 The Department may request a personal interview of an
33 applicant before the Board to further evaluate his or her
34 qualifications for license.

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

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

7 (225 ILCS 5/16) (from Ch. 111, par. 7616)

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

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

16 (A) Material misstatement in furnishing information to
17 the Department;

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

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

25 (D) Making any misrepresentation for the purpose of
26 obtaining registration, or violating any provision of this
27 Act;

28 (E) Professional incompetence;

29 (F) Malpractice;

30 (G) Aiding or assisting another person in violating any
31 provision of this Act or rules;

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

1 (I) Engaging in dishonorable, unethical, or
2 unprofessional conduct of a character likely to deceive,
3 defraud or harm the public;

4 (J) Habitual intoxication or addiction to the use of
5 drugs;

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

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

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

18 (N) Abandonment of an athlete;

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

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

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

29 (R) Solicitation of professional services other than by
30 permitted institutional policy;

31 (S) The use of any words, abbreviations, figures or
32 letters with the intention of indicating practice as an
33 athletic trainer without a valid license as an athletic
34 trainer under this Act;

1 (T) The treatment of injuries of athletes by a licensed
2 athletic trainer except by the referral of a physician,
3 podiatrist, or dentist;

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

7 (V) Willfully violating or knowingly assisting in the
8 violation of any law of this State relating to the practice
9 of abortion;

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

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

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

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

26 The determination by a circuit court that a licensee is
27 subject to involuntary admission or judicial admission as
28 provided in the Mental Health and Developmental Disabilities
29 Code operates as an automatic suspension. Such suspension
30 will end only upon a finding by a court that the athletic
31 trainer is no longer subject to involuntary admission or
32 judicial admission and issues an order so finding and
33 discharging the athlete; and upon the recommendation of the
34 Board to the Director that the licensee be allowed to resume

1 his or her practice.

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

3 (225 ILCS 5/17.5)

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

5 Sec. 17.5. Unlicensed Unregistered practice; violation;
6 civil penalty.

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

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

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

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

26 (225 ILCS 5/34.1 new)

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

28 Sec. 34.1. Partial invalidity. If any portion of this
29 Act is held invalid, the invalidity of that portion shall not
30 affect any other portion of this Act that can be given effect
31 without the invalid portion.

1 (225 ILCS 5/34.2 new)

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

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

10 (225 ILCS 5/34 rep.)

11 Section 10. The Illinois Athletic Trainers Practice Act
12 is amended by repealing Section 34.

13 Section 99. Effective date. This Act takes effect upon
14 becoming law.