

# HOUSE BILL No. 1102

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 25-1; IC 25-5.1.

**Synopsis:** Athletic trainers. Provides that athletic trainers must be licensed. (Current law requires athletic trainers to be certified.) Provides that therapeutic soft tissue techniques are considered athletic training. Requires the Indiana athletic trainers board to adopt continuing education standards that conform with the standards of the National Athletic Trainers Association. Requires an individual to be employed in Indiana for at least 90 consecutive days before applying for an athletic trainer's license instead of requiring the applicant to be a resident of Indiana. Includes rehabilitation as a course that an individual must have completed to be licensed as an athletic trainer. Provides that a licensed athletic trainer may be directly reimbursed by  
(Continued next page)

**Effective:** July 1, 1998.

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January 6, 1998, read first time and referred to Committee on Public Health.

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Digest Continued

a client. Licenses individuals who currently hold a valid athletic trainer's certificate. Makes conforming amendments.



Introduced

Second Regular Session 110th General Assembly (1998)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 1997 General Assembly.

## HOUSE BILL No. 1102

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A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

*Be it enacted by the General Assembly of the State of Indiana:*

- 1 SECTION 1. IC 25-1-5-3, AS AMENDED BY P.L.147-1997,  
2 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3 JULY 1, 1998]: Sec. 3. (a) There is established the health professions  
4 bureau. The bureau shall perform all administrative functions, duties,  
5 and responsibilities assigned by law or rule to the executive director,  
6 secretary, or other statutory administrator of the following:  
7 (1) Board of chiropractic examiners (IC 25-10-1).  
8 (2) State board of dental examiners (IC 25-14-1).  
9 (3) Indiana state board of health facility administrators  
10 (IC 25-19-1).  
11 (4) Medical licensing board of Indiana (IC 25-22.5-2).  
12 (5) Indiana state board of nursing (IC 25-23-1).  
13 (6) Indiana optometry board (IC 25-24).  
14 (7) Indiana board of pharmacy (IC 25-26).  
15 (8) Board of podiatric medicine (IC 25-29-2-1).

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- 1 (9) Board of environmental health specialists (IC 25-32).  
 2 (10) Speech-language pathology and audiology board  
 3 (IC 25-35.6-2).  
 4 (11) State psychology board (IC 25-33).  
 5 (12) Indiana board of veterinary medical examiners (IC 15-5-1.1).  
 6 (13) Controlled substances advisory committee (IC 35-48-2-1).  
 7 (14) Committee of hearing aid dealer examiners (IC 25-20).  
 8 (15) Indiana physical therapy committee (IC 25-27).  
 9 (16) Respiratory care committee (IC 25-34.5).  
 10 (17) Occupational therapy committee (IC 25-23.5).  
 11 (18) Social worker, marriage and family therapist, and mental  
 12 health counselor board (IC 25-23.6).  
 13 (19) Physician assistant committee (IC 25-27.5).  
 14 (20) Indiana athletic trainers certification board (IC 25-5.1-2-1).  
 15 (21) Indiana dietitians certification board (IC 25-14.5-2-1).  
 16 (22) Indiana hypnotist committee ( IC 25-20.5-1-7).

17 (b) Nothing in this chapter may be construed to give the bureau  
 18 policy making authority, which authority remains with each board.

19 SECTION 2. IC 25-1-7-1, AS AMENDED BY P.L.147-1997,  
 20 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 21 JULY 1, 1998]: Sec. 1. As used in this chapter:

22 "Board" means the appropriate agency listed in the definition of  
 23 regulated occupation in this section.

24 "Director" refers to the director of the division of consumer  
 25 protection.

26 "Division" refers to the division of consumer protection, office of  
 27 the attorney general.

28 "Licensee" means a person who is:

- 29 (1) licensed, certified, or registered by a board listed in this  
 30 section; and  
 31 (2) the subject of a complaint filed with the division.

32 "Person" means an individual, a partnership, a limited liability  
 33 company, or a corporation.

34 "Regulated occupation" means an occupation in which a person is  
 35 licensed, certified, or registered by one (1) of the following:

- 36 (1) Indiana board of accountancy (IC 25-2.1-2-1).  
 37 (2) Board of registration for architects (IC 25-4-1-2).  
 38 (3) Indiana auctioneer commission (IC 25-6.1-2-1).  
 39 (4) State board of barber examiners (IC 25-7-5-1).  
 40 (5) State boxing commission (IC 25-9-1).  
 41 (6) Board of chiropractic examiners (IC 25-10-1).  
 42 (7) State board of cosmetology examiners (IC 25-8-3-1).



- 1 (8) State board of dental examiners (IC 25-14-1).
- 2 (9) State board of funeral and cemetery service (IC 25-15-9).
- 3 (10) State board of registration for professional engineers
- 4 (IC 25-31-1-3).
- 5 (11) Indiana state board of health facility administrators
- 6 (IC 25-19-1).
- 7 (12) Medical licensing board of Indiana (IC 25-22.5-2).
- 8 (13) Indiana state board of nursing (IC 25-23-1).
- 9 (14) Indiana optometry board (IC 25-24).
- 10 (15) Indiana board of pharmacy (IC 25-26).
- 11 (16) Indiana plumbing commission (IC 25-28.5-1-3).
- 12 (17) Board of podiatric medicine (IC 25-29-2-1).
- 13 (18) Board of environmental health specialists (IC 25-32-1).
- 14 (19) State psychology board (IC 25-33).
- 15 (20) Speech-language pathology and audiology board
- 16 (IC 25-35.6-2).
- 17 (21) Indiana real estate commission (IC 25-34.1-2).
- 18 (22) Indiana board of veterinary medical examiners (IC 15-5-1.1).
- 19 (23) Department of natural resources for purposes of licensing
- 20 water well drillers under IC 25-39-3.
- 21 (24) Respiratory care committee (IC 25-34.5).
- 22 (25) Private detectives licensing board (IC 25-30-1-5.1).
- 23 (26) Occupational therapy committee (IC 25-23.5).
- 24 (27) Social worker, marriage and family therapist, and mental
- 25 health counselor board (IC 25-23.6).
- 26 (28) Real estate appraiser licensure and certification board
- 27 (IC 25-34.1-8).
- 28 (29) State board of registration for land surveyors
- 29 (IC 25-21.5-2-1).
- 30 (30) Physician assistant committee (IC 25-27.5).
- 31 (31) Indiana athletic trainers ~~certification~~ board (IC 25-5.1-2-1).
- 32 (32) Indiana dietitians certification board (IC 25-14.5-2-1).
- 33 (33) Indiana hypnotist committee (IC 25-20.5-1-7).
- 34 (34) Any other occupational or professional agency created after
- 35 June 30, 1981.
- 36 SECTION 3. IC 25-1-8-1, AS AMENDED BY P.L.147-1997,
- 37 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 38 JULY 1, 1998]: Sec. 1. As used in this chapter, "board" means any of
- 39 the following:
- 40 (1) Indiana board of accountancy (IC 25-2.1-2-1).
- 41 (2) Board of registration for architects (IC 25-4-1-2).
- 42 (3) Indiana auctioneer commission (IC 25-6.1-2-1).



- 1 (4) State board of barber examiners (IC 25-7-5-1).
- 2 (5) State boxing commission (IC 25-9-1).
- 3 (6) Board of chiropractic examiners (IC 25-10-1).
- 4 (7) State board of cosmetology examiners (IC 25-8-3-1).
- 5 (8) State board of dental examiners (IC 25-14-1).
- 6 (9) State board of funeral and cemetery service (IC 25-15).
- 7 (10) State board of registration for professional engineers
- 8 (IC 25-31-1-3).
- 9 (11) Indiana state board of health facility administrators
- 10 (IC 25-19-1).
- 11 (12) Medical licensing board of Indiana (IC 25-22.5-2).
- 12 (13) Mining board (IC 22-10-1.5-2).
- 13 (14) Indiana state board of nursing (IC 25-23-1).
- 14 (15) Indiana optometry board (IC 25-24).
- 15 (16) Indiana board of pharmacy (IC 25-26).
- 16 (17) Indiana plumbing commission (IC 25-28.5-1-3).
- 17 (18) Board of environmental health specialists (IC 25-32-1).
- 18 (19) State psychology board (IC 25-33).
- 19 (20) Speech-language pathology and audiology board
- 20 (IC 25-35.6-2).
- 21 (21) Indiana real estate commission (IC 25-34.1-2-1).
- 22 (22) Until July 1, 1996, Indiana state board of television and radio
- 23 service examiners (IC 25-36-1).
- 24 (23) Indiana board of veterinary medical examiners
- 25 (IC 15-5-1.1-3).
- 26 (24) Department of insurance (IC 27-1).
- 27 (25) State police department (IC 10-1-1-1), for purposes of
- 28 certifying polygraph examiners under IC 25-30-2.
- 29 (26) Department of natural resources for purposes of licensing
- 30 water well drillers under IC 25-39-3.
- 31 (27) Private detectives licensing board (IC 25-30-1-5.1).
- 32 (28) Occupational therapy committee (IC 25-23.5-2-1).
- 33 (29) Social worker, marriage and family therapist, and mental
- 34 health counselor board (IC 25-23.6-2-1).
- 35 (30) Real estate appraiser licensure and certification board
- 36 (IC 25-34.1-8).
- 37 (31) State board of registration for land surveyors
- 38 (IC 25-21.5-2-1).
- 39 (32) Physician assistant committee (IC 25-27.5).
- 40 (33) Indiana athletic trainers ~~certification~~ board (IC 25-5.1-2-1).
- 41 (34) Board of podiatric medicine (IC 25-29-2-1).
- 42 (35) Indiana dietitians certification board (IC 25-14.5-2-1).



1 (36) Any other occupational or professional agency created after  
2 June 30, 1981.

3 SECTION 4. IC 25-1-9-1, AS AMENDED BY P.L.147-1997,  
4 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
5 JULY 1, 1998]: Sec. 1. As used in this chapter, "board" means any of  
6 the following:

- 7 (1) Board of chiropractic examiners (IC 25-10-1).
- 8 (2) State board of dental examiners (IC 25-14-1).
- 9 (3) Indiana state board of health facility administrators  
10 (IC 25-19-1).
- 11 (4) Medical licensing board of Indiana (IC 25-22.5-2).
- 12 (5) Indiana state board of nursing (IC 25-23-1).
- 13 (6) Indiana optometry board (IC 25-24).
- 14 (7) Indiana board of pharmacy (IC 25-26).
- 15 (8) Board of podiatric medicine (IC 25-29-2-1).
- 16 (9) Board of environmental health specialists (IC 25-32).
- 17 (10) Speech-language pathology and audiology board  
18 (IC 25-35.6-2).
- 19 (11) State psychology board (IC 25-33).
- 20 (12) Indiana board of veterinary medical examiners (IC 15-5-1.1).
- 21 (13) Indiana physical therapy committee (IC 25-27-1).
- 22 (14) Respiratory care committee (IC 25-34.5).
- 23 (15) Occupational therapy committee (IC 25-23.5).
- 24 (16) Social worker, marriage and family therapist, and mental  
25 health counselor board (IC 25-23.6).
- 26 (17) Physician assistant committee (IC 25-27.5).
- 27 (18) Indiana athletic trainers ~~certification~~ board (IC 25-5.1-2-1).
- 28 (19) Indiana dietitians certification board (IC 25-14.5-2-1).
- 29 (20) Indiana hypnotist committee ( IC 25-20.5-1-7).

30 SECTION 5. IC 25-5.1-1-4 IS AMENDED TO READ AS  
31 FOLLOWS [EFFECTIVE JULY 1, 1998]: Sec. 4. "Athletic training"  
32 means the practice of prevention, recognition, assessment,  
33 management, treatment, disposition, and reconditioning of athletic  
34 injuries under the direction of a licensed ~~team medical doctor;~~  
35 **physician**, osteopath, podiatrist, or chiropractor. The term includes the  
36 following:

- 37 (1) Practice that may be conducted by an athletic trainer through  
38 the use of heat, light, sound, cold, electricity, exercise,  
39 **therapeutic soft tissue techniques**, or mechanical devices related  
40 to the care and the conditioning of athletes.
- 41 (2) The organization and administration of educational programs  
42 and athletic facilities.



- 1 (3) The education and the counseling of the public on matters  
 2 related to athletic training.
- 3 SECTION 6. IC 25-5.1-1-5 IS AMENDED TO READ AS  
 4 FOLLOWS [EFFECTIVE JULY 1, 1998]: Sec. 5. "Board" refers to the  
 5 Indiana athletic trainers ~~certification~~ board established by  
 6 IC 25-5.1-2-1.
- 7 SECTION 7. IC 25-5.1-2-1 IS AMENDED TO READ AS  
 8 FOLLOWS [EFFECTIVE JULY 1, 1998]: Sec. 1. The Indiana athletic  
 9 trainers ~~certification~~ board is established.
- 10 SECTION 8. IC 25-5.1-2-6 IS AMENDED TO READ AS  
 11 FOLLOWS [EFFECTIVE JULY 1, 1998]: Sec. 6. The board shall do  
 12 the following:
- 13 (1) Organize by electing a president, vice president, and secretary.
- 14 (2) Adopt rules under IC 4-22-2 to do the following:
- 15 (A) Provide for the ~~certification~~ **licensure** of athletic trainers.
- 16 (B) Fix application fees, examination fees, and ~~certification~~  
 17 **licensure** fees.
- 18 (C) Establish standards for the practice of athletic training  
 19 under this article.
- 20 **(D) Establish standards for continuing education that**  
 21 **conform with the standards of NATA.**
- 22 ~~(D)~~ **(E)** Otherwise implement this article.
- 23 (3) Prescribe the application forms to be furnished to all persons  
 24 seeking to be ~~certified~~ **licensed** under this article.
- 25 (4) Prescribe the form and design of the ~~certificate~~ **license** to be  
 26 issued under this article.
- 27 (5) Conduct hearings, keep records of proceedings, and do all  
 28 things necessary to properly administer and enforce this article.
- 29 (6) Publish and make available the following upon request and for  
 30 a fee not to exceed the actual cost of printing and mailing:
- 31 (A) Requirements for issuance of an athletic trainer's  
 32 ~~certificate~~ **license** under this article.
- 33 (B) Rules adopted under this article.
- 34 (7) Maintain and make available as required by IC 4-1-6 and  
 35 IC 5-14-3 a register of each ~~certified~~ **licensed** athletic trainer in  
 36 Indiana, including each ~~certified~~ **licensed** athletic trainer's last  
 37 known address and the expiration date and identification number  
 38 of the ~~certified~~ **licensed** athletic trainer's ~~certificate~~ **license**.
- 39 (8) Contract with the NATA board of certification to prepare,  
 40 conduct, and score NATA's current professional examination as  
 41 the qualifying examination for athletic trainers under this article.
- 42 SECTION 9. IC 25-5.1-3-1 IS AMENDED TO READ AS



1 FOLLOWS [EFFECTIVE JULY 1, 1998]: Sec. 1. (a) To qualify for a  
 2 ~~certificate license~~ under this article, an individual must satisfy the  
 3 following requirements:

4 (1) Satisfactorily complete an application for ~~certification~~  
 5 **licensure** in accordance with the rules adopted by the board.

6 (2) Pay the application fees, examination fees, and ~~certification~~  
 7 **licensure** fees established by the board.

8 (3) Be a ~~resident of~~ **employed in Indiana for at least ninety (90)**  
 9 **consecutive days before the date of application.**

10 (4) Not have been convicted of a crime that has a direct bearing  
 11 on the applicant's ability to practice competently as determined by  
 12 the board.

13 (5) Not have had disciplinary action taken against the applicant or  
 14 the applicant's ~~certificate license~~ by the board or by the licensing  
 15 agency of another state or jurisdiction by reason of the applicant's  
 16 inability to safely practice athletic training with those reasons for  
 17 discipline still being valid as determined by the board.

18 (6) Show to the satisfaction of the board that the applicant has  
 19 received at least a baccalaureate degree from an institution of  
 20 higher education that meets the academic standards for athletic  
 21 trainers established by NATA and described in subsection (b).

22 (7) Except to the extent that section 6 of this chapter applies,  
 23 successfully pass the qualifying examination adopted by the board  
 24 as described in IC 25-5.1-2-6(8).

25 (b) The minimum academic standards for athletic trainers ~~certified~~  
 26 **licensed** under this article as required under subsection (a)(6) include  
 27 the satisfactory completion of an academic program that includes at  
 28 least the following accredited courses:

29 (1) Human anatomy.

30 (2) Human physiology.

31 (3) Physiology of exercise.

32 (4) Kinesiology.

33 (5) Personal health.

34 (6) Basic athletic training.

35 (7) Advanced athletic training.

36 (8) Clinical experience as prescribed by the board.

37 (9) Therapeutic ~~exercise and~~ modalities.

38 **(10) Rehabilitation.**

39 (c) The examination described in subsection (a)(7) shall be offered  
 40 two (2) times during each calendar year.

41 SECTION 10. IC 25-5.1-3-2 IS AMENDED TO READ AS  
 42 FOLLOWS [EFFECTIVE JULY 1, 1998]: Sec. 2. Except as provided



1 in section 3 of this chapter, the board shall issue a ~~certificate~~ **license** to  
 2 an individual who:

- 3 (1) meets the conditions set out in section 1 of this chapter; and  
 4 (2) is otherwise qualified for ~~certification~~ **licensure** under this  
 5 article.

6 SECTION 11. IC 25-5.1-3-3 IS AMENDED TO READ AS  
 7 FOLLOWS [EFFECTIVE JULY 1, 1998]: Sec. 3. The board may  
 8 refuse to issue a ~~certificate~~ **license** to an applicant for ~~certification~~  
 9 **licensure** under section 1 of this chapter if:

- 10 (1) the board determines during the application process that the  
 11 applicant committed an act that would have subjected the  
 12 applicant to disciplinary sanction under section 1(a)(5) of this  
 13 chapter if the applicant had been:

14 (A) certified **before July 1, 1998; or**

15 (B) licensed **after June 30, 1998;**

16 in Indiana when the act occurred; or

- 17 (2) the applicant has had a:

18 (A) certificate revoked under IC 25-1-1.1 **before July 1, 1998;**

19 **or**

20 (B) **license revoked under IC 25-1-1.1 after June 30, 1998.**

21 SECTION 12. IC 25-5.1-3-4 IS AMENDED TO READ AS  
 22 FOLLOWS [EFFECTIVE JULY 1, 1998]: Sec. 4. (a) A ~~certificate~~  
 23 **license** issued by the board expires on a date established by the bureau  
 24 under IC 25-1-5-4 in each even-numbered year.

25 (b) An individual may renew a ~~certificate~~ **license** by paying a  
 26 renewal fee not later than the expiration date of the ~~certificate~~ **license**.

27 (c) If an individual fails to timely pay a renewal fee as required by  
 28 subsection (b), the individual's ~~certificate~~ **license** becomes invalid  
 29 without any action being taken by the board.

30 SECTION 13. IC 25-5.1-3-5 IS AMENDED TO READ AS  
 31 FOLLOWS [EFFECTIVE JULY 1, 1998]: Sec. 5. (a) Except as  
 32 provided in subsection (b), an individual whose ~~certificate~~ **license** has  
 33 expired may have the ~~certificate~~ **license** renewed for not more than  
 34 three (3) years after the date of expiration upon:

- 35 (1) payment of all past due fees and a penalty fee set by the board;

36 **and**

- 37 (2) **submission of proof to the board that the individual has**  
 38 **completed the number of hours of continuing education**  
 39 **during the expired period that are required under**  
 40 **IC 25-5.1-2-6(2)(D).**

41 (b) If an individual's ~~certificate~~ **license** has been expired for more  
 42 than three (3) years, the individual must file a new application.



1 SECTION 14. IC 25-5.1-3-6 IS AMENDED TO READ AS  
 2 FOLLOWS [EFFECTIVE JULY 1, 1998]: Sec. 6. If an individual who  
 3 applies for a ~~certificate license~~ under this article meets any of the  
 4 following conditions, the individual may be exempted from the  
 5 examination requirement under section 1(a)(7) of this chapter by action  
 6 of the board:

7 (1) The individual is ~~certified licensed~~ to practice athletic training  
 8 in another state, if the other state's standards for ~~certification~~  
 9 **licensure** are at least equal to the standards for ~~certification~~  
 10 **licensure** in Indiana.

11 (2) The individual is ~~certified licensed~~ by NATA and is otherwise  
 12 qualified for ~~certification licensure~~ under this article.

13 (3) The individual is certified by an organization recognized by  
 14 the National Commission on Competency Assurance and is  
 15 otherwise qualified for ~~certification licensure~~ under this article.

16 SECTION 15. IC 25-5.1-4-1 IS AMENDED TO READ AS  
 17 FOLLOWS [EFFECTIVE JULY 1, 1998]: Sec. 1. An individual may  
 18 not use the title "~~certified~~ **licensed** athletic trainer" unless the  
 19 individual is ~~certified licensed~~ under this article.

20 SECTION 16. IC 25-5.1-5 IS ADDED TO THE INDIANA CODE  
 21 AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE  
 22 JULY 1, 1998]:

23 **Chapter 5. Services**

24 **Sec. 1. An athletic trainer licensed under this article may be**  
 25 **directly reimbursed by a client for services rendered.**

26 SECTION 17. [EFFECTIVE JULY 1, 1998] (a) **Notwithstanding**  
 27 **IC 25-5.1, as amended by this act, an individual who holds a valid**  
 28 **athletic trainer's certificate on June 30, 1998, is considered to hold**  
 29 **a valid athletic trainer's license under IC 25-5.1, as amended by**  
 30 **this act, after June 30, 1998. The individual need not reapply for a**  
 31 **replacement license under IC 25-5.1, as amended by this act, and**  
 32 **the certificate shall be treated as a valid license issued under**  
 33 **IC 25-5.1, as amended by this act, until the certificate's expiration**  
 34 **date.**

35 (b) **An athletic trainer's license described in subsection (a)**  
 36 **expires on the date the athletic trainer's certificate would have**  
 37 **expired if the amendments to IC 25-5.1 by this act had not been**  
 38 **enacted.**

39 (c) **This SECTION expires July 1, 2000.**

