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**INDIANA PROFESSIONAL LICENSING AGENCY
INDIANA ATHLETIC TRAINERS BOARD**

Practice Ruling #2023-12-2

February 20, 2024

NOTICE: Under IC 4-22-7-7, this document is required to be published in the Indiana Register and is effective on its date of publication. It shall remain in effect until the date it is superseded or deleted by the publication of a new document in the Indiana Register. The publication of this document will provide the general public with information about the board's or commission's official position concerning a specific issue.

ISSUES

Are athletic trainers prohibited from assisting in the operating room when otherwise certified to do so?

STATEMENT OF FACTS

The requesting party works in surgical administration at an Indiana hospital. The hospital employs surgical first assistants. The requesting party represents that the surgical first assistants are certified by the National Board of Surgical Technology and Surgical Assisting (NBSTSA) or National Commission for the Certification of Surgical Assistants (NCCSA). Many of the surgical first assistants are also licensed in Indiana as Athletic Trainers.

DISCUSSION

Based on the foregoing facts, the requesting party seeks clarity as to whether licensed athletic trainers are prohibited from assisting in surgical operations. The Board regulates the practice of athletic training in Indiana. "Athletic training" includes:

. . . the practice of prevention, recognition, assessment, athletic training diagnosis, management, treatment, disposition, rehabilitation, and reconditioning of athletic injuries under the direction and supervision of a licensed physician, osteopath,

podiatrist, or chiropractor. However, in a clinic accessible to the general public, the term means practicing athletic training only upon the referral, order, and supervision of a licensed physician, osteopath, podiatrist, chiropractor, or specific licensed designees such as nurse practitioners or physician assistants. The term includes the following:

- (1) Practice that may be conducted by an athletic trainer through the use of heat, light, sound, cold, electricity, manual therapies, exercise, rehabilitation, or mechanical devices related to the care and the reconditioning of athletes.
- (2) The organization and administration of educational programs and athletic facilities.
- (3) The education and the counseling of the public on matters related to athletic training.

Ind. Code § 25-5.1-1-4(a). Individuals not licensed by the Board may not practice “athletic training.” Ind. Code § 25-5.1-4-1.

The Board does not regulate conduct outside the scope of “athletic training.” See Ind. Code § 25-5.1-2-6(2). Accordingly, the Board cannot prohibit licensed athletic trainers from engaging in lawful activities outside the scope of “athletic training.”

Surgical first assistants do not perform work within the scope of “athletic training.” Rather, their practice is governed by certifications from either NBSTSA or NCCSA. The Board cannot prohibit individuals certified to perform surgical assisting activities from doing so – regardless of whether those individuals are licensed as athletic trainers.

RULING

Based on the information provided, an athletic trainer is not prohibited from performing surgical assisting services when otherwise certified to do so. This ruling shall not be construed to permit performance of surgical assisting services by an athletic trainer simply by virtue of their licensure as an athletic trainer.

CAVEAT

This ruling is issued on the assumption that the facts and circumstances as stated by the requesting party are correct. If the facts and circumstances given are not correct, or if they change, then the requesting party may not rely on it. However, other practitioners with substantially identical factual situations may rely on this ruling for informational purposes in conducting their practice. If a practitioner

relies on this ruling and the Board or Commission discovers, upon examination, that the fact situation of the practitioner is different in any material respect from the facts and circumstances given in this ruling, then the ruling will not afford the practitioner any protection. Subsequent material changes in statute, regulation, or case law will void the ruling.