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Sequence Number: 09-12-13
 Notice ID(s): 2070
 File Date: 9/11/13

Notice of Rulemaking Hearing

Hearings will be conducted in the manner prescribed by the Uniform Administrative Procedures Act, Tennessee Code Annotated, Section 4-5-204. For questions and copies of the notice, contact the person listed below.

Agency/Board/Commission:	Board of Athletic Trainers
Division:	
Contact Person:	Marc Guilford, Assistant General Counsel
Address:	Office of General Counsel 665 Mainstream Drive Nashville, Tennessee 37243
Phone:	(615) 741-1611
Email:	Marc.Guilford@tn.gov

Any Individuals with disabilities who wish to participate in these proceedings (to review these filings) and may require aid to facilitate such participation should contact the following at least 10 days prior to the hearing:

ADA Contact:	ADA Coordinator
Address:	710 James Robertson Parkway, Andrew Johnson Building, 5 th Floor, Nashville, Tennessee 37243
Phone:	(615) 741-6350
Email:	Tina.M.Harris2@tn.gov

Hearing Location(s) (for additional locations, copy and paste table)

Address 1:	Metro Center
Address 2:	665 Mainstream Drive, Poplar Conference Room
City:	Nashville, Tennessee
Zip:	37228
Hearing Date :	11/7/2013
Hearing Time:	9:00 a.m. <input checked="" type="checkbox"/> CST/CDT <input type="checkbox"/> EST/EDT

Additional Hearing Information:

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Revision Type (check all that apply):

- Amendment
- New
- Repeal

Rule(s) (ALL chapters and rules contained in filing must be listed. If needed, copy and paste additional tables to accommodate more than one chapter. Please enter only **ONE** Rule Number/Rule Title per row.)

Chapter Number	Chapter Title
0150-01	General Rules and Regulations Governing the Practice of Athletic Trainers
Rule Number	Rule Title

0150-01-.01	Definitions
0150-01-.05	Licensure Process
0150-01-.08	Examinations
0150-01-.09	Licensure Renewal and Reinstatement
0150-01-.11	Retirement and Reactivation of License
0150-01-.12	Continuing Education
0150-01-.13	Professional Ethics

(Place substance of rules and other info here. Statutory authority must be given for each rule change. For information on formatting rules go to <http://state.tn.us/sos/rules/1360/1360.htm>)

Substance of Proposed Rules

Rule 0150-01-.01 Definitions is amended by deleting paragraph (6) in its entirety and substituting instead the following language, so that as amended, the new paragraph (6) shall read:

- (6) BOC – Board of Certification, Inc., or its successor organization.

Authority: T.C.A. § 63-24-111.

Rule 0150-01-.05 Licensure Process is amended by deleting both instances of the word “NATABOC” from subparagraph (2)(f) and replacing them with the word “BOC”.

Authority: T.C.A. § 63-24-111.

Rule 0150-01-.08 Examinations is amended by deleting all four instances of the word “NATABOC” from subparagraphs (2)(a), (2)(b), and (2)(c), and replacing them with the word “BOC”.

Authority: T.C.A. § 63-24-111.

Rule 0150-01-.09 Licensure Renewal and Reinstatement is amended by deleting subparagraph (2)(c) in its entirety and substituting instead the following language, so that as amended, the new subparagraph (2)(c) shall read:

- (c) Submit documentation demonstrating successful completion of the continuing education requirements, as provided in rule 0150-01-.12, which must have been completed pursuant to the schedule set out in Rule 0150-01-.12(1)(a); and

Authority: T.C.A. §§ 63-24-105 and 63-24-111.

Rule 0150-01-.11 Retirement and Reactivation of License is amended by deleting subparagraph (3)(c) in its entirety and substituting instead the following language, so that as amended, the new subparagraph (3)(c) shall read:

- (c) Submit documentation demonstrating successful completion of the continuing education requirements, as provided in rule 0150-01-.12, which must have been initiated and completed within the two (2) years prior to submission of the application for reactivation; and

Authority: T.C.A. §§ 63-24-105 and 63-24-111.

Rule 0150-01-.12 Continuing Education is amended by deleting paragraphs (1), (2), (3), and (4) in their entirety and substituting instead the following language, so that as amended, the new paragraphs (1), (2), (3), and (4) shall read:

- (1) Continuing Education – Hours Required
 - (a) All athletic trainers must complete fifty (50) hours of acceptable continuing education during the two (2) calendar years (January 1 – December 31) that precede the licensure renewal year.
 - (b) For applicants approved for initial licensure by examination, successfully completing the requirements of Rules 0150-01-.05 and 0150-01-.08, as applicable, shall constitute compliance with this rule for the period preceding their first license renewal.
 - (c) For applicants approved for licensure by reciprocity, evidence demonstrating compliance with the continuing education requirements for their current, out-of-state active athletic

trainer license or certificate shall constitute compliance with this rule for the period preceding their first license renewal.

- (d) Any individual course will not be counted toward the required hourly total more than once per continuing education cycle, regardless of the number of times the course is attended or completed by any individual during that cycle.
- (e) The Board may waive or otherwise modify the requirements of this rule in cases where there is retirement, illness, disability, or for other good cause that prevents a licensee from obtaining the requisite number of continuing education hours. Requests for waivers or modification should be sent in writing to the Board prior to the end of the continuing education cycle in which the continuing education is required to be obtained.

(2) Continuing Education – Proof of Compliance

- (a) The due date for completion of the required continuing education is the December 31st immediately preceding the licensee's license expiration date.
- (b) All athletic trainers must indicate, by their signature on the license renewal form, that they have completed the required number of continuing education hours in the continuing education cycle preceding renewal. An athletic trainer who falsely indicates on a renewal form that he or she has completed the required number of continuing education hours may be subject to discipline under T.C.A. § 63-24-107(b)(6) and Rule 0150-01-.15(1)(c).
- (c) All athletic trainers must retain documentation of completion of all continuing education hours. This documentation must be retained for a period of four (4) years from the end of each renewal cycle in which the continuing education was acquired. This documentation must be produced for inspection and verification if requested in writing by the Board or its designee. Certificates verifying the licensed individual's completion of the continuing education program(s) should include:
 - 1. Continuing education program's sponsor and BOC-approved provider number, date, length in minutes or hours awarded, program title, and licensee's name and license number; or
 - 2. An original letter from the continuing education program's sponsor indicating the date, length in minutes or hours awarded, program title and BOC-approved provider number, and licensee's name and license number.
- (d) If a person submits documentation for continuing education that is not clearly identifiable as acceptable continuing education, the Board may request a written description of the education and how it applies to the practice as an athletic trainer.

(3) Acceptable continuing education – To satisfy the requirements of this rule, the continuing education must be approved in content, structure, and format by the BOC.

(4) Violations

- (a) Any athletic trainer who falsely attests to completion of the required hours of continuing education may be subject to disciplinary action pursuant to Rule 0150-01-.15.
- (b) Any athletic trainer who fails to obtain the required continuing education hours may be subject to disciplinary action pursuant to Rule 0150-01-.15 and may not be allowed to renew licensure.
- (c) Continuing education hours obtained as a result of compliance with the terms of a Board order in any disciplinary action shall not be credited toward the continuing education hours required to be obtained in any continuing education cycle.

Rule 0150-01-.13 Professional Ethics is amended by deleting the word "NATABOC" in subparagraph (3)(a) and replacing it with the word "BOC".

Authority: T.C.A. § 63-24-111.

I certify that the information included in this filing is an accurate and complete representation of the intent and scope of rulemaking proposed by the agency.

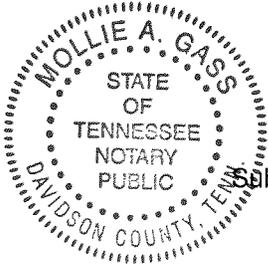
Date: 9/11/13

Signature: *Marc Guilford*

Name of Officer: Marc Guilford

Assistant General Counsel

Title of Officer: Department of Health



My Commission Expires JULY 7, 2014

Subscribed and sworn to before me on: September 11, 2013

Notary Public Signature: *Mollie A. Gass*

My commission expires on: 1/7/14

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Filed with the Department of State on: 9/11/13

Tre Hargett

Tre Hargett
Secretary of State

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