

By: Representative Flaggs

To: Public Health and Human  
ServicesCOMMITTEE SUBSTITUTE  
FOR  
HOUSE BILL NO. 640

1 AN ACT TO AMEND SECTION 73-55-3, MISSISSIPPI CODE OF 1972, TO  
2 REVISE CERTAIN DEFINITIONS UNDER THE ATHLETIC TRAINERS LICENSURE  
3 ACT; TO AMEND SECTION 73-55-5, MISSISSIPPI CODE OF 1972, TO  
4 REQUIRE LICENSING OF ALL ATHLETIC TRAINERS; TO AMEND SECTION  
5 73-55-7, MISSISSIPPI CODE OF 1972, TO STATE THE REQUIREMENTS FOR  
6 LICENSURE OF ATHLETIC TRAINERS; TO AMEND SECTION 73-55-9,  
7 MISSISSIPPI CODE OF 1972, TO SPECIFY THE TYPES OF TREATMENT THAT  
8 ATHLETIC TRAINERS MAY RENDER IN CLINICAL AND NONCLINICAL SETTINGS;  
9 TO AMEND SECTION 73-55-13, MISSISSIPPI CODE OF 1972, TO REVISE  
10 CONTINUING EDUCATION REQUIREMENTS FOR ATHLETIC TRAINERS; TO AMEND  
11 SECTION 73-55-15, MISSISSIPPI CODE OF 1972, TO CLARIFY WHAT  
12 PROFESSIONS MAY PRACTICE AS ATHLETIC TRAINERS WITHOUT AN ATHLETIC  
13 TRAINERS LICENSE; TO REPEAL SECTION 73-55-11, MISSISSIPPI CODE OF  
14 1972, WHICH PROVIDES FOR LICENSURE OF ANY ATHLETIC TRAINER ON JULY  
15 1, 1991, WHO SUBMITTED PROOF OF TWO YEARS EXPERIENCE; AND FOR  
16 RELATED PURPOSES.

17 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

18 **SECTION 1.** Section 73-55-3, Mississippi Code of 1972, is  
19 amended as follows:

20 73-55-3. The following words and phrases shall have the  
21 meanings ascribed herein unless the context clearly indicates  
22 otherwise:

23 (a) "Advisory council" means the Mississippi Council of  
24 Advisors in Athletic Training established in this chapter.

25 (b) "Athletic training" means the treatment of an  
26 athlete for risk management and athletic injury prevention, the  
27 clinical evaluation and assessment of an athlete for an injury or  
28 illness, or both, the immediate care and treatment of an  
29 individual for an injury or illness, or both, and the  
30 rehabilitation and reconditioning of an athlete's injury or  
31 illness, or both, as long as those activities are performed under  
32 the direction or supervision of a licensed physician, nurse  
33 practitioner or physician assistant. The practice of athletic



34 training does not include the practice of physical therapy, the  
35 practice of medicine, the practice of osteopathic medicine and  
36 surgery, the practice of nursing or the practice of chiropractic.

37 (c) "Athletic trainer" means a person licensed by the  
38 State Department of Health as an athletic trainer after meeting  
39 the requirements of this chapter and rules and regulations  
40 promulgated pursuant to this chapter, who, upon the advice,  
41 consent and oral or written prescriptions or referrals of a  
42 licensed physician, nurse practitioner or physician assistant,  
43 carries out the practice of athletic training, and in carrying out  
44 these functions the athletic trainer is authorized to use physical  
45 modalities, such as heat, light, sound, cold, electricity or  
46 mechanical devices related to prevention, recognition, evaluation,  
47 management, disposition, rehabilitation and treatment. An  
48 athletic trainer shall practice only in those areas in which the  
49 athletic trainer is competent by reason of training or experience  
50 that can be substantiated by records or other evidence found  
51 acceptable by the board in the exercise of the board's considered  
52 discretion.

53 (d) "Athletic injury" means any injury sustained by a  
54 person as a result of the person's participation in sports, games  
55 or recreational activities requiring physical strength,  
56 flexibility, range of motion, speed or stamina, or comparable  
57 injury.

58 (e) "Athlete" means an individual who participates in  
59 exercises, sports, or games requiring physical strength, agility,  
60 flexibility, range of motion, speed or stamina; or an individual  
61 with an athletic injury that a licensed physician, nurse  
62 practitioner or physician assistant deems would benefit from  
63 athletic training services.

64 (f) "Department" means the State Department of Health.



65 (g) "Clinical setting" means a hospital, department,  
66 outpatient facility or clinic whose primary purpose is sports  
67 medicine, rehabilitation or wellness.

68 (h) "Nonclinical setting" means a location where  
69 school, professional, recreational or sanctioned amateur athletic  
70 activities are being held.

71 (i) "Board" means the State Board of Health.

72 (j) "Physician" means a physician licensed by the State  
73 Board of Medical Licensure.

74 (k) "BOC, Inc.," means the Board of Certification,  
75 Incorporated, or its successor agency, the National Credentialing  
76 Agency of Athletic Trainers; formerly referred to as the National  
77 Athletic Trainers' Association Board of Certification, Inc.

78 **SECTION 2.** Section 73-55-5, Mississippi Code of 1972, is  
79 amended as follows:

80 73-55-5. No person shall engage in athletic training or use  
81 the titles "athletic trainer," \* \* \* "certified athletic trainer"  
82 or "licensed athletic trainer" or use the letters "LAT," \* \* \* or  
83 "AT" or any other facsimile thereof, whether or not compensation  
84 is received or expected, unless he or she is licensed as an  
85 athletic trainer in this state as provided in this chapter.

86 **SECTION 3.** Section 73-55-7, Mississippi Code of 1972, is  
87 amended as follows:

88 73-55-7. Any person seeking licensure as an athletic  
89 trainer \* \* \* shall meet at least one (1) of the following  
90 requirements:

91 (a) Satisfactorily complete all of the BOC, Inc.,  
92 qualifications and be certified as an athletic trainer in good  
93 standing \* \* \*.

94 (b) Hold a degree in physical therapy and complete BOC,  
95 Inc., certification requirements.

96 \* \* \*



97 Each application or filing made under this section shall  
98 include the social security number(s) of the applicant in  
99 accordance with Section 93-11-64.

100 **SECTION 4.** Section 73-55-9, Mississippi Code of 1972, is  
101 amended as follows:

102 73-55-9. The athletic trainer functioning in the nonclinical  
103 and clinical setting may, under the direction of a physician,  
104 nurse practitioner or physician assistant, evaluate, treat and  
105 provide appropriate immediate care and treatment to injuries  
106 incurred by an athlete during participation in or training for  
107 scholastic, recreational, professional or sanctioned amateur  
108 athletic activities. \* \* \* Evaluation and treatment by an  
109 athletic trainer in the nonclinical setting to supportive staff,  
110 spectators and other persons other than an athlete shall be  
111 limited to immediate care and treatment. An athletic trainer  
112 functioning in a clinical setting may evaluate and provide  
113 treatment for an athletic injury under the direction or referral  
114 of a licensed physician, nurse practitioner or physician  
115 assistant. An athletic trainer functioning in the nonclinical and  
116 clinical setting may use therapeutic exercise and modalities such  
117 as heat, cold, light, air, massage, water, sound and electricity  
118 for the treatment of musculoskeletal injuries and the use of  
119 passive (manual and mechanical) techniques for the purpose of  
120 treatment. \* \* \*

121 **SECTION 5.** Section 73-55-13, Mississippi Code of 1972, is  
122 amended as follows:

123 73-55-13. (1) Except as provided in Section 33-1-39, a  
124 person licensed as an athletic trainer under this chapter shall  
125 pay to the board a fee not to exceed Three Hundred Dollars  
126 (\$300.00) for every three-year period for a renewal of his  
127 license.

128 (2) Continuing education requirements for license renewal  
129 shall be fulfilled during three-year periods running concurrently



130 with the requirement to maintain certification through the BOC,  
131 Inc. Proof of the completion of continuing education as required  
132 by this section shall be turned in to the board at the time of  
133 renewal of license.

134 \* \* \*

135 **SECTION 6.** Section 73-55-15, Mississippi Code of 1972, is  
136 amended as follows:

137 73-55-15. (1) Nothing in this chapter shall be construed to  
138 authorize the practice of medicine or nursing by any person not  
139 licensed by the State Board of Medical Licensure or the  
140 Mississippi Board of Nursing.

141 (2) Nothing in this chapter shall be construed as preventing  
142 or restricting any of the following persons from engaging in the  
143 profession or occupation for which they are licensed:

144 (a) Physicians and surgeons licensed by the State Board  
145 of Medical Licensure.

146 (b) Dentists licensed by the State Board of Dental  
147 Examiners.

148 (c) Optometrists licensed by the State Board of  
149 Optometry.

150 (d) Nurses licensed by the Mississippi Board of Nursing

151 \* \* \*.

152 (e) Chiropractors licensed by the State Board of  
153 Chiropractic Examiners.

154 (f) Podiatrists licensed by the State Board of Medical  
155 Licensure.

156 (g) Physical therapists licensed by the State Board of  
157 Physical Therapy.

158 (h) Occupational therapists licensed by the State  
159 Department of Health.

160 (i) Massage therapists licensed by the State Board of  
161 Massage Therapy.



162           (3) The provisions of this chapter shall not restrict any of  
163 the following persons:

164           (a) Coaches and physical education instructors in the  
165 performance of their duties.

166       \* \* \*

167           (b) Athletic trainers from other nations, states or  
168 territories performing their duties for their respective teams or  
169 organizations and only during the course of their team or  
170 organization's stay in this state.

171       **SECTION 7.** Section 73-55-11, Mississippi Code of 1972, which  
172 provides for licensure of any athletic trainer on July 1, 1991,  
173 who submitted proof of two-years' experience, is repealed.

174       **SECTION 8.** This act shall take effect and be in force from  
175 and after July 1, 2009.

