

By: Senator(s) Dearing

To: Public Health and Welfare

COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 2600

1 AN ACT RELATING TO THE MISSISSIPPI ATHLETIC TRAINERS
2 LICENSURE ACT; TO AMEND SECTIONS 73-55-3, 73-55-5, 73-55-7,
3 73-55-9, 73-55-13, 73-55-15 AND 73-55-19, MISSISSIPPI CODE OF
4 1972, TO PROVIDE DEFINITIONS, TO PROVIDE FOR THE USE OF
5 DESCRIPTIVE TITLES TO THE PUBLIC, TO PRESCRIBE LICENSING
6 REQUIREMENTS FOR ATHLETIC TRAINERS, TO AUTHORIZE IMMEDIATE CARE
7 AND TREATMENT PROVIDED BY ATHLETIC TRAINERS, TO PROVIDE FOR FEES
8 AND CONTINUING EDUCATION REQUIREMENTS, AND TO PROVIDE FOR
9 REVOCATION OR SUSPENSION OF LICENSES; TO REPEAL SECTION 73-55-11,
10 MISSISSIPPI CODE OF 1972, WHICH PROVIDES STANDARDS FOR FIRST AID
11 RENDERED BY ATHLETIC TRAINERS AND PROVIDES A GRANDFATHER PROVISION
12 FOR PERSONS PREVIOUSLY ENGAGED AS ATHLETIC TRAINERS; AND FOR
13 RELATED PURPOSES.

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

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

17 73-55-3. The following words and phrases shall have the
18 meanings ascribed herein unless the context clearly indicates
19 otherwise:

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

22 (b) "Athlete" means an individual who participates in
23 exercises, sports or games requiring physical strength, agility,
24 flexibility, range of motion, speed or stamina; or an individual
25 with an athletic injury that a licensed physician, nurse
26 practitioner or physician assistant deems would benefit from
27 athletic training services.

28 (c) "Athletic training" means the treatment of an
29 athlete for risk management and athletic injury prevention, the
30 clinical evaluation and assessment of an athlete for an injury or
31 illness, or both, the immediate care and treatment of an



32 individual for an injury or illness, or both, and the
33 rehabilitation and reconditioning of an athlete's injury or
34 illness, or both, as long as those activities are performed under
35 the direction or supervision of a licensed physician, nurse
36 practitioner or physician assistant. The practice of athletic
37 training does not include the practice of physical therapy, the
38 practice of medicine, the practice of osteopathic medicine and
39 surgery, the practice of chiropractic, or the practice of nursing.

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

55 * * *

56 (e) "Athletic injury" means any injury sustained by a
57 person as a result of such person's participation in sports, games
58 or recreational activities requiring physical strength,
59 flexibility, range of motion, speed or stamina, or comparable
60 injury.

61 (f) "Board" means the State Board of Health.

62 (g) "Physician" means a physician licensed by the State
63 Board of Medical Licensure.

64 * * *



65 (h) "BOC, Inc." means the Board of Certification,
66 Incorporated, or its successor agency, the national credentialing
67 agency of athletic trainers, formerly referred to as the National
68 Athletic Trainers' Association Board of Certification, Inc.

69 (i) "Clinical setting" means a hospital, department,
70 outpatient facility or clinic whose primary purpose is sports
71 medicine, rehabilitation or wellness.

72 (j) "Nonclinical setting" means a location where
73 school, professional, recreational or sanctioned amateur athletic
74 activities are being held.

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

77 73-55-5. No person shall engage in athletic training or use
78 the titles "athletic trainer," * * * "certified athletic trainer"
79 or "licensed athletic trainer" or use the letters "LAT" * * * or
80 "AT" or any other facsimile thereof, whether or not compensation
81 is received or expected, unless he is licensed as an athletic
82 trainer in this state as provided in this chapter.

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

85 73-55-7. Any person seeking licensure as an athletic
86 trainer * * * shall meet at least one (1) of the following
87 requirements:

88 (a) Satisfactorily complete all of the BOC, Inc.,
89 qualifications and be certified as an athletic trainer in good
90 standing * * *.

91 (b) Hold a degree in physical therapy and complete the
92 BOC, Inc., certification requirements.

93 * * *

94 Each application or filing made under this section shall
95 include the social security number(s) of the applicant in
96 accordance with Section 93-11-64, Mississippi Code of 1972.



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

99 73-55-9. The athletic trainer functioning in the nonclinical
100 and clinical setting may, under the direction of a licensed
101 physician, nurse practitioner or physician assistant, evaluate,
102 treat and provide appropriate immediate care and treatment to
103 injuries incurred by an athlete during participation in or
104 training for scholastic, recreational, professional or sanctioned
105 amateur athletic activities. * * * Evaluation and treatment by an
106 athletic trainer in the nonclinical setting to supportive staff,
107 spectators and other persons other than an athlete shall be
108 limited to immediate care and treatment. An athletic trainer
109 functioning in a clinical setting may evaluate and provide
110 treatment for an athletic injury under the direction or referral
111 of a licensed physician, nurse practitioner or physician
112 assistant. An athletic trainer functioning in the nonclinical and
113 clinical setting may use therapeutic exercise and modalities such
114 as heat, cold, light, air, massage, water, sound and electricity
115 for the treatment of musculoskeletal injuries and the use of
116 passive (manual and mechanical) techniques for the purpose of
117 treatment. * * *

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

120 73-55-13. (1) * * * A person licensed as an athletic
121 trainer under this chapter shall pay to the board a fee not to
122 exceed Three Hundred Dollars (\$300.00) for every three-year period
123 for a renewal of his license.

124 (2) Continuing education requirements for license renewal
125 shall be fulfilled during three-year periods running concurrently
126 with the requirement to maintain certification through the BOC,
127 Inc. Proof of the completion of continuing education as required
128 by this section shall be turned in to the board at the time of
129 renewal of license.



130 * * *

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

133 73-55-15. (1) Nothing in this chapter shall be construed to
134 authorize the practice of medicine or nursing by any person not
135 licensed by the State Board of Medical Licensure or the
136 Mississippi Board of Nursing.

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

140 (a) Physicians and surgeons licensed by the State Board
141 of Medical Licensure.

142 (b) Dentists licensed by the State Board of Dental
143 Examiners.

144 (c) Optometrists licensed by the State Board of
145 Optometry.

146 (d) Nurses licensed by the Mississippi Board of
147 Nursing * * *.

148 (e) Chiropractors licensed by the State Board of
149 Chiropractic Examiners.

150 (f) Podiatrists licensed by the State Board of Medical
151 Licensure.

152 (g) Physical therapists licensed by the State Board of
153 Physical Therapy.

154 (h) Occupational therapists licensed by the State
155 Department of Health.

156 (i) Massage therapists licensed by the State Board of
157 Massage Therapy.

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

160 (a) Coaches and physical education instructors in the
161 performance of their duties.

162 * * *



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

167 **SECTION 7.** Section 73-55-11, Mississippi Code of 1972, which
168 provides standards for first aid rendered by athletic trainers and
169 provides a grandfather provision for persons previously engaged as
170 athletic trainers, is hereby repealed.

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

