

SECOND REGULAR SESSION
[CORRECTED]
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1759
93RD GENERAL ASSEMBLY

Reported from the Committee on Professional Registration and Licensing, March 9, 2006 with recommendation that House Committee Substitute for House Bill No. 1759 Do Pass by Consent. Referred to the Committee on Rules pursuant to Rule 25(26)(f).

STEPHEN S. DAVIS, Chief Clerk

5029L.02C

AN ACT

To repeal sections 334.706, 334.708, 334.715, and 334.721, RSMo, and to enact in lieu thereof four new sections relating to athletic trainers.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Sections 334.706, 334.708, 334.715, and 334.721, RSMo, are repealed and
2 four new sections enacted in lieu thereof, to be known as sections 334.706, 334.708, 334.715,
3 and 334.721, to read as follows:

334.706. 1. The board shall license applicants who meet the qualifications for athletic
2 trainers, who file for licensure, and who pay all fees required for this licensure.

3 2. The board shall:

4 (1) Prescribe application forms to be furnished to all persons seeking licensure pursuant
5 to sections 334.700 to 334.725;

6 (2) [Prepare and conduct examinations for applicants for licensure pursuant to sections
7 334.700 to 334.725;

8 (3)] Prescribe the form and design of the licensure to be issued pursuant to sections
9 334.700 to 334.725;

10 [(4)] (3) Set the fee for [examination,] licensure[,] and renewal thereof;

11 [(5)] (4) Keep a record of all of its proceedings regarding the Missouri athletic trainers
12 act and of all athletic trainers licensed in this state;

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

13 [(6)] (5) Annually prepare a roster of the names and addresses of all athletic trainers
14 licensed in this state, copies of which shall be made available upon request to any person paying
15 the fee therefor;

16 [(7)] (6) Set the fee for the roster at an amount sufficient to cover the actual cost of
17 publishing and distributing the roster;

18 [(8)] (7) Appoint members of the Missouri athletic trainer advisory committee;

19 [(9)] (8) Adopt an official seal.

20 3. The board may:

21 (1) Issue subpoenas to compel witnesses to testify or produce evidence in proceedings
22 to deny, suspend, or revoke a license or licensure;

23 (2) Promulgate rules pursuant to chapter 536, RSMo, in order to carry out the provisions
24 of sections 334.700 to 334.725;

25 (3) Establish guidelines for athletic trainers in sections 334.700 to 334.725.

26 4. No rule or portion of a rule promulgated under the authority of sections 334.700 to
27 334.725 shall become effective unless it has been promulgated pursuant to the provisions of
28 section 536.024, RSMo.

 334.708. 1. Any person seeking licensure pursuant to sections 334.700 to 334.725 **after**
2 **August 28, 2006**, must be a resident or in the process of establishing residency in this state and
3 [must meet at least one set of the following qualifications:

4 (1)] has met [all of] **and passed** the National Athletic Trainers Association [certification
5 qualifications;

6 (2) Holds a degree in physical therapy with at least a minor in physical education or
7 health which included a basic athletic training course and has spent at least two academic years,
8 military duty included, working under the direct supervision of a certified athletic trainer;

9 (3) Can show proof acceptable to the board of experience and educational quality equal
10 to that in subdivision (1), and can pass the examination for licensure pursuant to sections
11 334.700 to 334.725] **Board of Certification or its successor agency examination.**

12 2. The board shall grant, without examination, licensure to any qualified nonresident
13 athletic trainer holding a license or licensure in another state if such other state recognizes
14 licenses or licensure of the state of Missouri in the same manner.

 334.715. 1. The board may refuse to license any applicant or may suspend, revoke, or
2 refuse to renew the license of any licensee for any one or any combination of the causes provided
3 in section 334.100, or if the applicant or licensee:

4 (1) Violated or conspired to violate any provision of sections 334.700 to 334.725 or any
5 provision of any rule promulgated pursuant to sections 334.700 to 334.725; or

6 (2) Has been found guilty of unethical conduct as defined in the ethical standards of the
7 National Athletic Trainers Association or the National Athletic Trainers Association Board of
8 Certification **or its successor agency** as adopted and published by the committee and the board
9 and filed with the secretary of state.

10 2. Upon receipt of a written application made in the form and manner prescribed by the
11 board, the board may reinstate any license which has expired, been suspended or been revoked
12 or may issue any license which has been denied; provided, that no application for reinstatement
13 or issuance of license or licensure shall be considered until at least six months have elapsed from
14 the date of denial, expiration, suspension, or revocation when the license to be reinstated or
15 issued was denied issuance or renewal or was suspended or revoked for one of the causes listed
16 in subsection 1 of this section.

334.721. 1. Nothing in sections 334.700 to 334.725 shall be construed to authorize the
2 practice of medicine by any person not licensed by the state board of registration for the healing
3 arts.

4 2. The provisions of sections 334.700 to 334.725 shall not apply to the following
5 persons:

6 (1) Physicians and surgeons licensed by the state board of registration for the healing
7 arts;

8 (2) Dentists licensed by the Missouri dental board who confine their practice strictly to
9 dentistry;

10 (3) Optometrists licensed by the state board of optometry who confine their practice
11 strictly to optometry, as defined in section 336.010, RSMo;

12 (4) Nurses licensed by the state board of nursing who confine their practice strictly to
13 nursing;

14 (5) Chiropractors licensed by the state board of chiropractic examiners who confine
15 themselves strictly to the practice of chiropractic, as defined in section 331.010, RSMo;

16 (6) Podiatrists licensed by the state board of chiropody or podiatry who confine their
17 practice strictly to that of a podiatrist, as defined in section 330.010, RSMo;

18 (7) Professional physical therapists licensed by the state board of registration for the
19 healing arts who confine their practice strictly to professional physical therapy, as defined in
20 section 334.500;

21 (8) Coaches and physical education instructors in the performance of their duties;

22 (9) [Apprentice] Athletic [trainers] **training students** who confine themselves strictly
23 to their duties as defined in sections 334.700 to 334.725;

24 (10) Athletic trainers from other nations, states, or territories performing their duties for
25 their respective teams or organizations if they restrict their duties only to their teams or
26 organizations and only during the course of their teams' or organizations' stay in this state.

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