

GEORGIA BOARD OF ATHLETIC TRAINER EXAMINERS
Teleconference Minutes
Monday, September 26, 2016 – 1:00 p.m.

The Georgia Board of Athletic Trainer Examiners met via teleconference on Monday, September 26, 2016.

Board Members Present

Russell Hoff, Chairperson
Dr. James Scott, Board Member
Jeff Porter, Board Member

Administrative Staff Present

Adrienne Price, Executive Director
Kathy Osier, Licensing Supervisor
Michelle Foster, Board Support Specialist

Attorney General's Office Present

Reagan Dean, Senior Assistant Attorney General

Board Members Not Present

Paul White, Board Member

Visitors Present

No Visitors Present

Call To Order: Mr. Hoff established that a quorum of the Board was present and called the meeting to order at 1:06 p.m.

OPEN SESSION

Agenda The Board accepts the agenda as amended.

Open Session Minutes

1) June 6, 2016 Teleconference Minutes

Mr. Porter motioned, Dr. Scott seconded, and the Board voted unanimously in favor of the motion to approve the June 6, 2016 open session teleconference minutes as presented.

2) July 25, 2016 Teleconference Minutes

Mr. Porter motioned, Dr. Scott seconded, and the Board voted unanimously in favor of the motion to approve the July 25, 2016 open session teleconference minutes as amended.

Licenses to Ratify: May 31, 2016 – September 23, 2016

Dr. Scott motioned, Mr. Porter seconded, and the Board voted unanimously in the favor of the motion to ratify the licenses by application and by reinstatement that were issued in accordance with Board Rules and Policies between board meetings.

Discussion - Bipartisan Bill Aims To Create National Telemedicine Model

The Board accepted the correspondence regarding the Bipartisan Bill to Create a National Telemedicine Model as information.

Discussion - Rule 53-6-.03. Reinstatement

Mr. Hoff motioned, Dr. Scott seconded, and the Board voted unanimously in the favor of the motion to refer the proposed amendment as presented below to Board Rule 53-6-.03 to the Attorney General's Office for a Memorandum of Authority, and if there are no objections noted, vote to post.

Rule 53-6-.03. Reinstatement

(1) A license which is revoked for failure to renew may be reinstated, ~~upon~~ at the discretion of the ~~the~~ Board, within two years from its expiration date upon receipt of:

(a) ~~A~~ complete reinstatement application and fee;

~~(b) Verification of forty (40) hours Continuing Education obtained within two years prior to of the date of the reinstatement application and the reinstatement fee.~~

~~(c) Proof of current certification from the Board of Certification (BOC) for Athletic Trainers.~~

~~(2) A license which is expired for two years or more may be reinstated at the discretion of the Board through if the applicant. A license which is expired for two years or more may be reinstated at the discretion of the Board through if the applicant.~~

~~(a) Meetsing current licensure requirements;~~

~~(b) Submission of a complete reinstatement application, with the required fee; and,~~

~~(c) Submits verification of forty (40) hours of Continuing Education obtained within two years prior to ~~of~~ the date of the reinstatement application.~~

~~(3) If the license is reinstated during the first year of the current biennium, the licensee is required to meet the continuing education requirements in Board Rule 53-6-.01 in order to renew the license. The continuing education hours submitted to reinstate the license may not be used to satisfy the continuing education requirements for the renewal of the license.~~

~~(4) If the license is reinstated during the second year of the current biennium, the licensee is exempt from meeting the continuing education requirements for the renewal of the license in that current biennium.~~

Cite as Ga. Comp. R. & Regs. R. 53-6-.03

Authority: O.C.G.A. Secs. [43-1-4](#), [43-1-7](#), [43-1-25](#), [43-5-6](#), [43-5-9](#).

History. Original Rule entitled "Reinstatement" adopted. F. Apr. 28, 1989; eff. May 18, 1989.

Amended: F. Dec. 4, 2012; eff. Dec. 24, 2012.

Mr. Hoff motioned, Dr. Scott seconded, and the Board voted unanimously in favor of the motion that the formulation and adoption of this rule does not impose excessive regulatory cost on any licensee and any cost to comply with the proposed rule cannot be reduced by a less expensive alternative.

Ms. Hoff motioned, Dr. Scott seconded and the Board voted unanimously in favor of the motion that it is legal or feasible to meet the objectives of O.C.G.A. §§ 43-1-25, 43-24A-19(2), and 43-24A-3(4) to adopt or implement differing actions for businesses as listed in O.C.G.A. § 50-13-4(3)(A), (B), (C), and (D). The formulation and adoption of these rules will impact every licensee in the same manner and each licensee is independently licensed in the field of physical therapy.

Discussion - Rule 53-6-.04 Inactive Status

Mr. Porter motioned, Dr. Scott seconded, and the Board voted unanimously in favor of the motion to refer the proposed amendment to Board Rule 53-6-.04 as presented below to the Attorney General's Office for a Memorandum of Authority and if there are no objections noted, vote to post.

Rule 53-6-.04. Inactive Status

(1) A licensee may apply for inactive status of a license by submitting an affidavit to the Board requesting inactive status. The affidavit must also affirm that while on inactive status the licensee:

(a) Will not practice athletic training in Georgia or hold themselves out to the public as an athletic trainer in Georgia; and,

(b) Understands that to practice or hold oneself out to the public as an athletic trainer in the state of Georgia constitutes unlicensed practice and will subject the licensee to disciplinary action.

(2) While the athletic trainer's license is classified as inactive, that athletic trainer shall not be required to obtain continuing education. ~~An athletic trainer whose license is on inactive status shall not represent himself/herself to the public as being able to practice as an athletic trainer.~~

~~(2) A licensee may maintain his/her license on inactive status for no more than five years. If licensee does not apply to reactivate his/her license before the end of the five year period, the license will be revoked for failure to reactivate. In order to obtain a new license, a person whose license has been revoked for failure to reactivate must apply for licensure by examination following the procedure set out in Chapter 53-3.~~

~~(3) A licensee may apply for inactive status by submitting an affidavit to the Board requesting inactive status and affirming that while on inactive status he/she will not practice athletic training in Georgia or hold themselves out to the public as an athletic trainer in Georgia. The licensee shall forward their biennial renewal license card to the Board with their affidavit but shall be permitted to retain the decorative wall certificate. An athletic trainer whose license is on inactive status shall not represent himself/herself to the public as being able to practice as an athletic trainer.~~

~~(2) A licensee may maintain his/her license on inactive status for no more than five years. If licensee does not apply to reactivate his/her license before the end of the five year period, the license will be revoked for failure to reactivate. In order to obtain a new license, a person whose license has been revoked for failure to reactivate must apply for licensure by examination following the procedure set out in Chapter 53-3.~~

~~(3) A licensee may apply for inactive status by submitting an affidavit to the Board requesting inactive status and affirming that while on inactive status he/she will not practice athletic training in Georgia or hold themselves out to the public as an athletic trainer in Georgia. The licensee shall forward their biennial renewal license card to the Board with their affidavit but shall be permitted to retain the decorative wall certificate.~~

(443) The board will reactivate a license ~~if the licensee submits~~ upon receipt of the following upon receipt of the following:

(a) A complete Application for Reactivation ~~with the non-refundable fee within five years of the date that the license was placed in an inactive status;~~

(b) ~~Reactivation Fee (See Fee Schedule);~~ Reactivation Fee (See Fee Schedule);
~~(c)~~

~~(e)~~ Evidence of completion of six hours of continuing education approved by the Board for each year the license was inactive. However, no proof of continuing education will be required of an applicant for reactivation who during the period that the Georgia license was inactive was:

- (1) ~~pp~~ Practicing with an active license in a jurisdiction that requires continuing education to maintain that license; or
- (2) ~~pp~~ Practicing with NATA certification in a jurisdiction that has licensing requirement.

(4) An athletic trainer may maintain the license on inactive status for no more than five (5) years from the date the status was changed. If the license holder does not apply to reactivate the license before the end of the five year period, the athletic trainer will be required to submit:

(a) A complete reinstatement application with the required non-refundable fee; and,

(b) A verification of forty (40) hours of Continuing Education, approved by the Board, which was obtained within two years preceding the date of the reinstatement application.

(c) Proof of current certification from the Board of Certification (BOC) for Athletic Trainers.

(d) Further verification of any information submitted with the application may be required by the Board.

Cite as Ga. Comp. R. & Regs. R. 53-6-.04

Authority: O.C.G.A. Sec. 43-5-6.

History: Original Rule entitled "Inactive Status" adopted. F. Jul. 30, 1992; eff. Aug. 19, 1992.

Amended: F. May 11, 1994; eff. May 31, 1994.

Mr. Hoff motioned, Dr. Scott seconded, and the Board voted unanimously in favor of the motion that the formulation and adoption of this rule does not impose excessive regulatory cost on any licensee and any cost to comply with the proposed rule cannot be reduced by a less expensive alternative.

Ms. Hoff motioned, Dr. Scott seconded and the Board voted unanimously in favor of the motion that it is legal or feasible to meet the objectives of O.C.G.A. §§ 43-1-25, 43-24A-19(2), and 43-24A-3(4) to adopt or implement differing actions for businesses as listed in O.C.G.A. § 50-13-4(3)(A), (B), (C), and (D). The formulation and adoption of these rules will impact every licensee in the same manner and each licensee is independently licensed in the field of physical therapy.

Discussion – Rule 53-6-.05 Licensure for Military Spouses - House Bill 821

Dr. Scott motioned, Mr. Porter seconded, and the Board voted unanimously in favor of the motion to refer the proposed amendment to Board Rule 53-6-.05 as presented below to the Attorney General's Office for a Memorandum of Authority and if there are not objections noted, vote to post.

Rule 53-3-.05. Repealed-Licensure for Military Spouses and Transitioning Service Members

(1) A military spouse or transitioning service member, as defined in O.C.G.A. § 43-1-34, is deemed eligible to apply for licensure if the applicant:

- (a) Has submitted a complete application along with a fee in the amount established by the Board;
- (b) Is entitled to an athletic trainer's license by possessing the qualifications enumerated in Code Section 43-5-8; satisfactorily completes an examination approved by the Board, and has not committed an act which constitutes grounds for denial of a license under Code Section 43-5-10.
- (c) Is a holder of a valid athletic trainer license in another State for which the training, experience and testing substantially meet or exceed the requirements under this state to obtain a license; and, is obtaining a specialty, certification, training, or experience in the military while a service member which substantially meets or exceeds the requirements to obtain a license in this state; and
- (d) Submits verification of an active license in good standing from another state or specialty, certification, training, or experience in the military while a service member which substantially meets or exceeds the requirements to obtain a license in this state.

(2) The Board may request further verification of any credential submitted if deemed necessary to evaluate the application.

Cite as Ga. Comp. R. & Regs. R. 53-3-.05

Authority: O.C.G.A. Secs. 43-1-25, 43-5-8, 43-5-9.

History: Original Rule entitled "Passing Score" adopted. F. June 8, 1978; eff. June 28, 1978.

Repealed: F. Apr. 28, 1989, eff. May 18, 1989.

Mr. Hoff motioned, Dr. Scott seconded, and the Board voted unanimously in favor of the motion that the formulation and adoption of this rule does not impose excessive regulatory cost on any licensee and any cost to comply with the proposed rule cannot be reduced by a less expensive alternative.

Ms. Hoff motioned, Dr. Scott seconded and the Board voted unanimously in favor of the motion that it is legal or feasible to meet the objectives of O.C.G.A. §§ 43-1-25, 43-24A-19(2), and 43-24A-3(4) to adopt or implement differing actions for businesses as listed in O.C.G.A. § 50-13-4(3)(A), (B), (C), and (D). The formulation and adoption of these rules will impact every licensee in the same manner and each licensee is independently licensed in the field of physical therapy.

Board Chairperson's Report

No report presented.

Executive Director's Report

The Executive Director's report presented the Board with statistical data relevant to the processing of applications and complaints/compliance matters which have occurred since the last meeting. Also, Ms. Price informed the Board that the Executive Directors were advised that according to Janet Wray's interpretation of the law, a Voluntary Cease and Desist (C&D) Order can no longer be issued unless the Board has voted to do so or unless there is a policy in place providing specific guidelines as to when the SOS Investigators would have the authority to issue a Voluntary C&D on behalf of the Board. As a result, if the Board desires for a C&D to be issued on its behalf by the SOS Investigators to an individual engaging in ULP, the Board will need to draft a policy that it wishes to adopt and refer it to the Governor's office and/or his designee to review before it can be adopted.

She also reported that the Professional Licensing Boards Division will be undergoing some changes over the next 6 months to a year to include transitioning from use of the Epiware Product to Sharepoint, which is a Microsoft Product, for the review of Board meeting materials. The Board will have an opportunity to receive some training on the use of Sharepoint once the HC2 section has received training. The MyLicense Office Database is used to house information regarding licensing, complaints and compliance matters. It is being redesigned to give staff the ability to mine data for reporting purposes more readily, to improve transparency to applicants regarding what documents have been received in the office, provide more real time information about the status of their application and will eventually enable the Division to move all applications and other processes, such as verification and wall certificate requests, online.

Ms. Price stated that in addition to those changes, the building itself will be undergoing renovations beginning August 15, 2016. Although this Board does not come to the office in most cases, she wanted the Board to be aware that eventually the Boards will no longer be entering the Division through the current lobby but will rather be entering through the courtyard into what is currently labeled as Building B, where investigations is housed. Staff will attempt to give updates as they are shared and asks for the Board's patience as the work environment changes. She asked that the Board keep in mind that we all will need to remain flexible with the schedule during this time as it may change once the renovations begin. Ultimately, the look and feel of the building and work spaces will be vastly improved.

Dr. Scott motioned, Mr. Porter seconded, and the Board voted unanimously in favor of the motion to accept the Executive Director's Report as presented.

Miscellaneous Discussions

No miscellaneous discussions.

Dr. Scott motioned, Mr. Porter seconded, and the Board voted to enter into Executive Session in accordance with O.C.G.A. § 43-1-2(k) (1) (2), O.C.G.A. § 50-14-2(1), O.C.G.A. § 43-1-2-(k) (4), O.C.G.A. § 43-1-19 (h) (2) & (4) to receive and review information pertaining to Applications, receive the Attorney General's, Cognizant, and Enforcement Reports. Voting in favor of the motion were those present who included Board members Mr. Hoff, Mr. Porter and Dr. Scott.

At the conclusion of Executive Session on Monday, June 6, 2016, Mr. Hoff declared the meeting to be "open" pursuant to the Open and Public Meeting Act O.C.G.A. § 50-14-1 et seq. No votes were obtained during Executive Session.

OPEN SESSION

Executive Session Minutes

Dr. Scott motioned, Mr. Porter seconded, and the Board voted unanimously in favor of the motion to approve the June 6, 2016 executive session teleconference minutes and the July 25, 2016 executive session teleconference minutes as presented.

Attorney General's Report – R. Dean

There are no open cases at this time and addressed a memorandum of advice to the Board. Mr. Hoff motioned, Dr. Scott seconded, and the Board voted unanimously in favor of the motion to accept the Attorney General's Office report as presented.

Cognizant Report – R. Hoff

Mr. Porter motioned, Dr. Scott seconded, and the Board voted unanimously in favor of the motion to accept the following recommendations made in Executive Session:

- 1) AT160007 Close the case with no action.
- 2) AT160010 Table pending completion of the investigation.

Executive Discussion - Request for Reconsideration

Mr. Porter motioned, Mr. Porter seconded, and the Board voted unanimously in favor of the motion to accept the following recommendations made in Executive Session:

- 1) W.S. Uphold the previous motion and notify the attorney and the former applicant that the Board may not waive any portion of O.C.G.A. § 43-5-9 nor may the Board grant any type of "grandfather" provision which is not expressly stated within the law. As a result, the former applicant will need to meet the current requirements for licensure to include submitting an application for licensure with the applicable fee, graduating from a CAATE accredited college or university in the athletic training program, and passing the BOC for Athletic Trainers. Refer individual to the BOC to determine what remedies that they may have available to him to assist him in meeting the education requirements.

Applications for Board Review

Mr. Hoff motioned, Dr. Scott seconded, and the Board voted unanimously in favor of the motion to accept the following recommendations made in Executive Session:

Inactive Status Requests

- 1) C.W. Approve the request for inactive status.
- 2) J.G. Approve the request for inactive status
- 3) M.H. Approve the request for inactive status
- 4) S.P. Approve the request for inactive status

Applications

- 1) E.S. Issue the license.

Adjournment There being no other business to discuss, the meeting was adjourned at 2:25 p.m.

Minutes recorded by:	Michelle Foster, Board Support Specialist
Minutes reviewed by:	Kathy Osier, Licensing Supervisor & Adrienne Price, Executive Director
Minutes approved on:	December 20, 2016

RUSSELL HOFF
BOARD PRESIDENT

ADRIENNE PRICE
EXECUTIVE DIRECTOR