

2 **SSB 5598** - S AMD 059

3 By Senators Shin, Deccio, Thibaudeau and Rasmussen

4 ADOPTED 03/12/01

5 Strike everything after the enacting clause and insert the  
6 following:

7 NEW SECTION. **Sec. 1.** The legislature finds that registration of  
8 athletic trainers is in the interest of the public health, safety, and  
9 welfare.

10 NEW SECTION. **Sec. 2.** The definitions in this section apply  
11 throughout this chapter unless the context clearly requires otherwise.

12 (1) "Athletic injury" means an injury sustained by a person as a  
13 result of that person's participation in sports, games, or related  
14 skill activities.

15 (2) "Athletic trainer" means a person who practices athletic  
16 training.

17 (3) "Athletic training" means the practice of prevention,  
18 recognition, evaluation, management, disposition, treatment,  
19 rehabilitation, physical conditioning, or physical reconditioning of  
20 athletic injuries.

21 (4) "Department" means the department of health.

22 (5) "Secretary" means the secretary of health or the secretary's  
23 designee.

24 NEW SECTION. **Sec. 3.** No person may represent himself or herself  
25 as an athletic trainer by use of any title or description without being  
26 registered by the department under the provisions of this chapter.

27 NEW SECTION. **Sec. 4.** Nothing in this chapter may be construed to  
28 prohibit or restrict:

29 (1) The practice of an individual licensed, certified, or  
30 registered under the laws of this state and performing services within  
31 his or her authorized scope of practice;

1 (2) The practice by an individual employed by the government of the  
2 United States while engaged in the performance of duties prescribed by  
3 the laws of the United States; or

4 (3) The practice by a person who is a regular student in an  
5 educational program approved by the secretary, and whose performance of  
6 services is pursuant to a regular course of instruction or assignments  
7 from an instructor and under the general supervision of the instructor.

8 NEW SECTION. **Sec. 5.** In addition to any other authority provided  
9 by law, the secretary has the authority to:

10 (1) Adopt rules under chapter 34.05 RCW as required to implement  
11 this chapter;

12 (2) Establish all registration and renewal fees in accordance with  
13 RCW 43.70.250;

14 (3) Establish forms and procedures necessary to administer this  
15 chapter;

16 (4) Register an applicant or deny registration based upon  
17 unprofessional conduct or impairment governed by the uniform  
18 disciplinary act, chapter 18.130 RCW;

19 (5) Hire clerical, administrative, investigative, and other staff  
20 as needed to implement this chapter; and

21 (6) Maintain the official department record of all applicants and  
22 persons with registrations.

23 NEW SECTION. **Sec. 6.** An applicant shall identify the name and  
24 address of the applicant and other information required by the  
25 secretary necessary to establish whether there are grounds for denial  
26 of a registration or conditional registration under chapter 18.130 RCW.

27 NEW SECTION. **Sec. 7.** The secretary shall register an applicant on  
28 forms provided by the secretary. Each applicant shall pay a fee  
29 determined by the secretary under RCW 43.70.250. The fee must  
30 accompany the application.

31 NEW SECTION. **Sec. 8.** The secretary shall establish by rule the  
32 procedural requirements and fees for renewal of registration. Failure  
33 to renew invalidates the registration and all privileges granted by the  
34 registration.

1        NEW SECTION.    **Sec. 9.**    The uniform disciplinary act, chapter 18.130  
2    RCW, governs the issuance and denial of registration, uncertified and  
3    unauthorized practice, and the discipline of persons registered under  
4    this chapter.    The secretary is the disciplining authority under this  
5    chapter.

6        NEW SECTION.    **Sec. 10.**    (1) The provisions of this chapter relating  
7    to the regulation of athletic trainers are exclusive.    A governmental  
8    subdivision of this state may not enact a law or rule regulating  
9    athletic trainers, except as provided in subsections (2) and (3) of  
10   this section.

11        (2) This section does not prevent a political subdivision of this  
12   state from levying a business fee, business and occupation tax, or  
13   other tax upon athletic trainers, if the fee or tax is levied by the  
14   state on other types of businesses within its boundaries.

15        (3) This section does not prevent this state or a political  
16   subdivision of this state from regulating athletic trainers with  
17   respect to activities that are not regulated under this chapter.

18        **Sec. 11.**    RCW 18.130.040 and 1999 c 335 s 10 are each amended to  
19   read as follows:

20        (1) This chapter applies only to the secretary and the boards and  
21   commissions having jurisdiction in relation to the professions licensed  
22   under the chapters specified in this section.    This chapter does not  
23   apply to any business or profession not licensed under the chapters  
24   specified in this section.

25        (2)(a) The secretary has authority under this chapter in relation  
26   to the following professions:

27        (i) Dispensing opticians licensed under chapter 18.34 RCW;

28        (ii) Naturopaths licensed under chapter 18.36A RCW;

29        (iii) Midwives licensed under chapter 18.50 RCW;

30        (iv) Ocularists licensed under chapter 18.55 RCW;

31        (v) Massage operators and businesses licensed under chapter 18.108  
32   RCW;

33        (vi) Dental hygienists licensed under chapter 18.29 RCW;

34        (vii) Acupuncturists licensed under chapter 18.06 RCW;

35        (viii) Radiologic technologists certified and X-ray technicians  
36   registered under chapter 18.84 RCW;

1 (ix) Respiratory care practitioners licensed under chapter 18.89  
2 RCW;

3 (x) Persons registered or certified under chapter 18.19 RCW;

4 (xi) Persons registered as nursing pool operators under chapter  
5 18.52C RCW;

6 (xii) Nursing assistants registered or certified under chapter  
7 18.88A RCW;

8 (xiii) Health care assistants certified under chapter 18.135 RCW;

9 (xiv) Dietitians and nutritionists certified under chapter 18.138  
10 RCW;

11 (xv) Chemical dependency professionals certified under chapter  
12 18.205 RCW;

13 (xvi) Sex offender treatment providers certified under chapter  
14 18.155 RCW;

15 (xvii) Persons licensed and certified under chapter 18.73 RCW or  
16 RCW 18.71.205;

17 (xviii) Persons registered as adult family home providers and  
18 resident managers under RCW 18.48.020;

19 (xix) Denturists licensed under chapter 18.30 RCW;

20 (xx) Orthotists and prosthetists licensed under chapter 18.200 RCW;

21 (~~and~~)

22 (xxi) Surgical technologists registered under chapter 18.215 RCW;  
23 and

24 (xxii) Athletic trainers registered under chapter 18.-- RCW  
25 (sections 1 through 10 of this act).

26 (b) The boards and commissions having authority under this chapter  
27 are as follows:

28 (i) The podiatric medical board as established in chapter 18.22  
29 RCW;

30 (ii) The chiropractic quality assurance commission as established  
31 in chapter 18.25 RCW;

32 (iii) The dental quality assurance commission as established in  
33 chapter 18.32 RCW;

34 (iv) The board of hearing and speech as established in chapter  
35 18.35 RCW;

36 (v) The board of examiners for nursing home administrators as  
37 established in chapter 18.52 RCW;

38 (vi) The optometry board as established in chapter 18.54 RCW  
39 governing licenses issued under chapter 18.53 RCW;

1 (vii) The board of osteopathic medicine and surgery as established  
2 in chapter 18.57 RCW governing licenses issued under chapters 18.57 and  
3 18.57A RCW;

4 (viii) The board of pharmacy as established in chapter 18.64 RCW  
5 governing licenses issued under chapters 18.64 and 18.64A RCW;

6 (ix) The medical quality assurance commission as established in  
7 chapter 18.71 RCW governing licenses and registrations issued under  
8 chapters 18.71 and 18.71A RCW;

9 (x) The board of physical therapy as established in chapter 18.74  
10 RCW;

11 (xi) The board of occupational therapy practice as established in  
12 chapter 18.59 RCW;

13 (xii) The nursing care quality assurance commission as established  
14 in chapter 18.79 RCW governing licenses issued under that chapter;

15 (xiii) The examining board of psychology and its disciplinary  
16 committee as established in chapter 18.83 RCW; and

17 (xiv) The veterinary board of governors as established in chapter  
18 18.92 RCW.

19 (3) In addition to the authority to discipline license holders, the  
20 disciplining authority has the authority to grant or deny licenses  
21 based on the conditions and criteria established in this chapter and  
22 the chapters specified in subsection (2) of this section. This chapter  
23 also governs any investigation, hearing, or proceeding relating to  
24 denial of licensure or issuance of a license conditioned on the  
25 applicant's compliance with an order entered pursuant to RCW 18.130.160  
26 by the disciplining authority.

27 (4) All disciplining authorities shall adopt procedures to ensure  
28 substantially consistent application of this chapter, the Uniform  
29 Disciplinary Act, among the disciplining authorities listed in  
30 subsection (2) of this section.

31 NEW SECTION. **Sec. 12.** Sections 1 through 10 of this act  
32 constitute a new chapter in Title 18 RCW."

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4 On page 1, line 1 of the title, after "trainers;" strike the  
5 remainder of the title and insert "amending RCW 18.130.040; and adding  
6 a new chapter to Title 18 RCW."

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