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**SUBSTITUTE SENATE BILL 5308**

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**State of Washington**

**68th Legislature**

**2023 Regular Session**

**By** Senate Health & Long Term Care (originally sponsored by Senators Cleveland and Rivers)

READ FIRST TIME 02/03/23.

1 AN ACT Relating to athletic trainers; and amending RCW 18.250.010  
2 and 18.250.110.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 18.250.010 and 2020 c 80 s 25 are each amended to  
5 read as follows:

6 The definitions in this section apply throughout this chapter  
7 unless the context clearly requires otherwise.

8 (1) "Athlete" means a person who participates in exercise,  
9 recreation, activities, sport, or games requiring physical strength,  
10 range-of-motion, flexibility, body awareness and control, speed,  
11 stamina, or agility, and the exercise, recreation, activities,  
12 sports, or games are of a type conducted for the benefits of health  
13 and wellness in association with an educational institution or  
14 professional, amateur, or recreational sports club, or  
15 (~~organization~~) a hospital or industrial-based organization.

16 (2) "Athletic injury" means an injury or condition sustained by  
17 an athlete that affects the person's participation or performance in  
18 exercise, recreation, activities, sport, or games and the injury or  
19 condition is within the professional preparation and education of an  
20 athletic trainer.

1 (3) "Athletic trainer" means a (~~person~~) health care provider  
2 who is licensed under this chapter. An athletic trainer can practice  
3 athletic training through the consultation, referral, or guidelines  
4 of a licensed health care provider as defined in subsection (7) of  
5 this section working within their scope of practice.

6 (4) (a) "Athletic training" means the application of the following  
7 principles and methods as provided by a licensed athletic trainer:

8 (i) Risk management and prevention of athletic injuries through  
9 preactivity screening and evaluation, educational programs, physical  
10 conditioning and reconditioning programs, application of commercial  
11 products, use of protective equipment, promotion of healthy  
12 behaviors, and reduction of environmental risks;

13 (ii) Recognition, evaluation, and assessment of athletic injuries  
14 by obtaining a history of the athletic injury, inspection and  
15 palpation of the injured part and associated structures, and  
16 performance of specific testing techniques related to stability and  
17 function to determine the extent of an injury;

18 (iii) Immediate care of athletic injuries, including emergency  
19 medical situations through the application of first-aid and emergency  
20 procedures and techniques for nonlife-threatening or life-threatening  
21 athletic injuries;

22 (iv) Treatment, rehabilitation, and reconditioning of athletic  
23 injuries through the application of physical agents and modalities,  
24 therapeutic activities and exercise, standard reassessment techniques  
25 and procedures, commercial products, and educational programs, in  
26 accordance with guidelines established with a licensed health care  
27 provider as provided in RCW 18.250.070;

28 (v) Treatment, rehabilitation, and reconditioning of work-related  
29 injuries through the application of physical agents and modalities,  
30 therapeutic activities and exercise, standard reassessment techniques  
31 and procedures, commercial products, and educational programs, under  
32 the direct supervision of and in accordance with a plan of care for  
33 an individual worker established by a provider authorized to provide  
34 physical medicine and rehabilitation services for injured workers;  
35 and

36 (vi) Referral of an athlete to an appropriately licensed health  
37 care provider if the athletic injury requires further definitive care  
38 or the injury or condition is outside an athletic trainer's scope of  
39 practice, in accordance with RCW 18.250.070.

40 (b) "Athletic training" does not include:

1 (i) The use of spinal adjustment or manipulative mobilization of  
2 the spine and its immediate articulations;

3 (ii) Orthotic or prosthetic services with the exception of  
4 evaluation, measurement, fitting, and adjustment of temporary,  
5 prefabricated or direct-formed orthosis as defined in chapter 18.200  
6 RCW;

7 (iii) The practice of occupational therapy as defined in chapter  
8 18.59 RCW;

9 (iv) The practice of acupuncture and Eastern medicine as defined  
10 in chapter 18.06 RCW;

11 (v) Any medical diagnosis; and

12 (vi) Prescribing legend drugs or controlled substances, or  
13 surgery.

14 (5) "Committee" means the athletic training advisory committee.

15 (6) "Department" means the department of health.

16 (7) "Licensed health care provider" means a physician, physician  
17 assistant, osteopathic physician, advanced registered nurse  
18 practitioner, naturopath, physical therapist, chiropractor, dentist,  
19 massage therapist, acupuncturist, occupational therapist, or  
20 podiatric physician and surgeon.

21 (8) "Secretary" means the secretary of health or the secretary's  
22 designee.

23 **Sec. 2.** RCW 18.250.110 and 2019 c 358 s 3 are each amended to  
24 read as follows:

25 (1) An athletic trainer licensed under this chapter may purchase,  
26 store, and administer over-the-counter (~~(topical)~~) medications (~~(such~~  
27 ~~as hydrocortisone, fluocinonide, topical anesthetics, silver~~  
28 ~~sulfadiazine, lidocaine, magnesium sulfate, zinc oxide, and other~~  
29 ~~similar medications)), as prescribed by an authorized health care  
30 practitioner for the practice of athletic training.~~

31 (a) An athletic trainer may not administer any medications to a  
32 student in a public school as defined in RCW 28A.150.010 or private  
33 schools governed by chapter 28A.195 RCW.

34 (b) An athletic trainer may administer medications consistent  
35 with this section to a minor in a setting other than a school, if the  
36 minor's parent or guardian provides written consent.

37 (2) An athletic trainer licensed under this chapter who has  
38 completed accredited training programs on pharmacology and medication  
39 administration may purchase, store, and administer medications in

1 accordance with the programs, as prescribed by an authorized health  
2 care practitioner for the practice of athletic training.

3 (3) An athletic trainer licensed under this chapter who has  
4 completed an anaphylaxis training program in accordance with RCW  
5 70.54.440 may administer an epinephrine autoinjector to any  
6 individual who the athletic trainer believes in good faith is  
7 experiencing anaphylaxis as authorized by RCW 70.54.440.

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