

Introduced by

Human Services Committee

(At the request of the North Dakota Board of Athletic Trainers)

1 A BILL for an Act to amend and reenact subsections 1 and 2 of section 43-39-01, sections
2 43-39-05, and 43-39-08, subsection 3 of section 43-39-09, subsection 2 of section 43-39-10,
3 and section 43-39-11 of the North Dakota Century Code, relating to athletic trainers; to repeal
4 section 43-39-07 of the North Dakota Century Code, relating to grandfathering initial licensees;
5 and to provide a penalty.

6 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

7 **SECTION 1. AMENDMENT.** Subsections 1 and 2 of section 43-39-01 of the North Dakota
8 Century Code are amended and reenacted as follows:

- 9 1. ~~"Athletic trainer" means a person with specific qualifications set forth in section~~
10 ~~43-39-05, who is providing athletic training~~health care professional who collaborates
11 with physicians to optimize patient and client activity and participation in athletics,
12 work, and life.
- 13 2. ~~"Athletic training" means the practice of prevention, examination and diagnosis,~~
14 ~~recognition, evaluation, management, treatment, and disposition of athletic injuries.~~
15 ~~The term also means rehabilitation of athletic injuries, if under the order of a licensed~~
16 ~~physician. The term includes organization and administration of educational programs,~~
17 ~~athletic facilities, and the education and counseling of the public~~rehabilitation of
18 emergent, acute, subacute, and chronic neuromusculoskeletal conditions and certain
19 medical conditions in order to minimize subsequent impairments, functional limitations,
20 disability, and societal limitations. Athletic trainers work in varying settings, including
21 recreational facilities, schools, colleges, universities, professional sports teams,
22 hospitals, rehabilitation clinics, physicians' offices, corporate and industrial institutions,
23 the military, and the performing arts. Regardless of their practice setting, athletic

1 trainers practice athletic training or provide athletic training services according to their
2 education and state practice act.

3 **SECTION 2. AMENDMENT.** Section 43-39-05 of the North Dakota Century Code is
4 amended and reenacted as follows:

5 **43-39-05. Qualifications.**

6 To be eligible for an athletic trainer license, an applicant must meet all the requirements of
7 certification established by the ~~national athletic trainers association~~ board of certification,
8 incorporated.

9 **SECTION 3. AMENDMENT.** Section 43-39-08 of the North Dakota Century Code is
10 amended and reenacted as follows:

11 **43-39-08. Examination required.**

12 All license applicants must ~~pass an~~ have previously passed the board of certification,
13 incorporated, examination prescribed by the board unless they show proof of passage of a
14 board-approved equivalent examination. ~~The athletic trainer's examination must embrace such~~
15 ~~criteria as may be determined by the board.~~

16 **SECTION 4. AMENDMENT.** Subsection 3 of section 43-39-09 of the North Dakota Century
17 Code is amended and reenacted as follows:

18 3. A previously licensed person who ~~leaves the person's position of employment as an~~
19 athletic trainer for any reason for one year or more and has requested license renewal
20 must ~~show continued education credits as established and approved by the~~
21 ~~board~~ have active status from the board of certification, incorporated.

22 **SECTION 5. AMENDMENT.** Subsection 2 of section 43-39-10 of the North Dakota Century
23 Code is amended and reenacted as follows:

24 2. Nothing in this chapter shall be construed to authorize the practice of medicine by any
25 person. The provisions of this chapter do not apply to physicians licensed by the North
26 Dakota state board of medical examiners; to dentists, duly qualified and registered
27 under the laws of this state who confine their practice strictly to dentistry; to licensed
28 optometrists who confine their practice strictly to optometry as defined by law; to
29 licensed chiropractors who confine their practice strictly to chiropractic as defined by
30 law; to occupational therapists who confine their practice to occupational therapy; to
31 nurses who practice nursing only; to duly licensed chiropodists or podiatrists who

1 confine their practice strictly to chiropody or podiatry as defined by law; to registered
2 physical therapists; to ~~masseurs or masseuses~~massage therapists in their particular
3 sphere of labor; nor to commissioned or contract physicians or physical therapists or
4 physical therapists' assistants in the United States army, navy, air force, marine corps,
5 and public health and marine health service.

6 **SECTION 6. AMENDMENT.** Section 43-39-11 of the North Dakota Century Code is
7 amended and reenacted as follows:

8 **43-39-11. Penalty.**

9 Any person ~~violating any of the provisions of~~practicing as an athletic trainer without a
10 license as required by this chapter is guilty of a class B misdemeanor.

11 **SECTION 7. REPEAL.** Section 43-39-07 of the North Dakota Century Code is repealed.