

SENATE BILL NO. 2295

Introduced by

Senators Dever, Warner

Representatives Hofstad, Mooney, Rohr

1 A BILL for an Act to amend and reenact sections 43-39-01 and 43-39-04 and subdivision d of
2 subsection 1 of section 43-39-10 of the North Dakota Century Code, relating to the regulation of
3 athletic trainers; and to provide a penalty.

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

5 **SECTION 1. AMENDMENT.** Section 43-39-01 of the North Dakota Century Code is
6 amended and reenacted as follows:

7 **43-39-01. Definitions.**

- 8 1. "Athletic trainer" means ~~a person~~ an individual with specific qualifications set forth in
9 section 43-39-05, who is providing athletic training services in accordance with the
10 individual's education.
- 11 2. "Athletic training" means the ~~practice of prevention, recognition, evaluation,~~
12 ~~management, treatment, and disposition of athletic injuries. The term also means~~
13 ~~rehabilitation of athletic injuries, if under the order of a licensed physician. The term~~
14 ~~includes organization and administration of educational programs, athletic facilities,~~
15 ~~and the education and counseling of the public~~ comprehensive management of injuries
16 and illnesses to prevent, clinically evaluate, assess, provide immediate care, treat,
17 rehabilitate, and recondition.
- 18 3. "Board" means the North Dakota board of athletic trainers established in section
19 43-39-02.
- 20 4. "Physician" means ~~a doctor of medicine~~ an individual licensed to practice as a physician
21 under chapter 43-17.

22 **SECTION 2. AMENDMENT.** Section 43-39-04 of the North Dakota Century Code is
23 amended and reenacted as follows:

24 **43-39-04. Unlawful practice.**

- 1 1. ~~No~~A person may not practice athletic training or hold that person out as being an
2 athletic trainer in this state unless that person is an individual licensed in accordance
3 with this chapter.
- 4 2. ~~No~~A person may not consult, teach, or supervise or hold that person out as being able
5 to consult, teach, or supervise athletic training curricular courses in this state unless
6 that person is an individual licensed in accordance with this chapter or chapter 43-17,
7 or possesses a degree in a health-related field.
- 8 3. ~~No~~A person may not represent that person as being a licensed athletic trainer or use
9 in connection with that person's name any letters, words, or insignia indicating or
10 implying that the person is a licensed athletic trainer unless that person is an individual
11 licensed in accordance with this chapter.

12 **SECTION 3. AMENDMENT.** Subdivision d of subsection 1 of section 43-39-10 of the North
13 Dakota Century Code is amended and reenacted as follows:

- 14 d. Is guilty of treating or undertaking to treat ~~ailments of human beings~~an
15 individual's injury or illness, except as authorized pursuant to this chapter, or
16 undertaking to practice independent of the ~~order~~direction of a licensed physician,
17 or is guilty of any act derogatory to the dignity and morals of the profession of
18 athletic training.