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Senate Bill 184 (Substitute S-1 as passed by the Senate)  
Sponsor: Senator Curtis S. VanderWall  
Committee: Regulatory Reform

Date Completed: 6-26-19

### **RATIONALE**

The Public Health Code prohibits an individual from engaging in the practice of athletic training unless he or she is licensed. To receive a license, the individual must apply to the Department of Licensing and Regulatory Affairs (LARA), meet certain requirements, and pay fees prescribed under the Code. These requirements include at least 75 clock hours of continuing education within each three-year license cycle. Evidently, the way these provisions are written require the Legislature to revise the Code if LARA and/or the Michigan Athletic Trainer Board wish to modify any requirements necessary to receive the athletic trainer license, which is viewed by some as an onerous and lengthy process. Because healthcare is constantly evolving, some have suggested streamlining that process by allowing those requirements to be changed through the administrative rules process, instead of requiring legislative action to do so.

### **CONTENT**

**The bill would amend Part 179 (Athletic Training) of the Public Health Code to do the following:**

- Delete a requirement that the LARA issue an athletic trainer license for a three-year license cycle.**
- Delete a 75-clock-hour continuing education requirement for athletic trainers.**
- Require the Department, in consultation with the Michigan Athletic Trainer Board, to promulgate rules to establish continuing education requirements for athletic trainers.**
- Delete a provision requiring an athletic trainer to submit along with his or her application for license renewal proof that he or she completed courses in first aid and cardiopulmonary resuscitation (CPR) and that he or she holds a valid certification in first aid and CPR issued by the organization offering the training.**

The Code requires LARA to issue a license as an athletic trainer to an individual who applies to LARA on the prescribed form, meets the requirements for licensure, and pays the prescribed fees. The license is issued for a three-year license cycle. The bill would delete the requirement that LARA issue a license for a three-year license cycle.

The Department must promulgate rules to require at least 75 clock hours of continuing education within each three-year license cycle in subjects related to athletic training and approved by the Department. Under the bill, instead, LARA, in consultation with the Michigan Athletic Trainer Board, would have to promulgate rules to establish continuing education requirements for athletic trainers. Notwithstanding other requirements in Part 161 (General Provisions), beginning the license cycle after the effective date of those rules, an individual would have to meet those continuing education requirements. The Department, in consultation with the Board, would have to promulgate rules to require licensees seeking renewal to furnish evidence acceptable to LARA

and the Board of the successful completion, during the preceding license cycle, of those continuing education requirements.

Under the Code, the license is renewable upon payment of the prescribed license renewal fee (currently listed at \$205.60 on the Department's application for licensure and relicensure form) and submission to the Department of proof of satisfactory completion of at least 75 clock hours of continuing education with the three-year license cycle in subjects related to athletic training and approved by the Department. Under the bill, instead, the license would be renewable after payment of the prescribed license renewal fee and the successful completion of the requirements for license renewal in the rules promulgated above.

In addition to the continuing education requirements, the Code requires an athletic trainer to submit along with his or her application for license renewal proof satisfactory to LARA of both of the following:

- That he or she has successfully completed a course of training in first aid, CPR, and automated external defibrillator use for health care professionals or emergency services personnel approved by the Department and offered or approved by the American Red Cross, the American Heart Association, or a comparable organization.
- That he or she holds, at the time of application for renewal and at all times during the previous license period, a valid certification in first aid and CPR issued by the organization offering the training.

The bill would delete these provisions.

MCL 333.17905 & 333.17906

## **ARGUMENTS**

*(Please note: The arguments contained in this analysis originate from sources outside the Senate Fiscal Agency. The Senate Fiscal Agency neither supports nor opposes legislation.)*

### **Supporting Argument**

As healthcare continues to evolve, LARA and the Michigan Athletic Trainer Board will have to update the continuing education requirements for athletic trainers to ensure proper delivery of healthcare and the safety of patients. Currently, any modifications to the requirements necessitate legislative action, which can be both burdensome and time consuming. By removing the continuing education requirements from the Public Health Code and requiring LARA to address those requirements in its administrative rules, the bill would allow LARA and the Board to be more reactive to shifts in the healthcare industry and would ensure that all athletic trainers receive the most current and important education related to the profession.

### **Supporting Argument**

Other licensed professions, such as physical therapy and occupational therapy, already allow LARA and their respective boards to determine each occupations' continuing education requirements. The bill would ensure that athletic training is regulated in a similar manner to other healthcare professions in the State.

Legislative Analyst: Drew Krogulecki

## **FISCAL IMPACT**

The bill would have no fiscal impact on State or local government.

Fiscal Analyst: Elizabeth Raczkowski

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.