

SECOND REGULAR SESSION
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 756
93RD GENERAL ASSEMBLY

Reported from the Committee on Financial and Governmental Organizations and Elections, March 9, 2006, with recommendation that the Senate Committee Substitute do pass and be placed on the Consent Calendar.

3816S.02C

TERRY L. SPIELER, Secretary.

AN ACT

To repeal sections 334.706, 334.708, 334.715, and 334.721, RSMo, and to enact in lieu thereof four new sections relating to licensure of athletic trainers.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Sections 334.706, 334.708, 334.715, and 334.721, RSMo, are
2 repealed and four new sections enacted in lieu thereof, to be known as sections
3 334.706, 334.708, 334.715, and 334.721, to read as follows:

334.706. 1. The board shall license applicants who meet the qualifications
2 for athletic trainers, who file for licensure, and who pay all fees required for this
3 licensure.

4 2. The board shall:

5 (1) Prescribe application forms to be furnished to all persons seeking
6 licensure pursuant to sections 334.700 to 334.725;

7 (2) [Prepare and conduct examinations for applicants for licensure
8 pursuant to sections 334.700 to 334.725;

9 (3)] Prescribe the form and design of the licensure to be issued pursuant
10 to sections 334.700 to 334.725;

11 [(4)] (3) Set the fee for examination, licensure, and renewal thereof;

12 [(5)] (4) Keep a record of all of its proceedings regarding the Missouri
13 athletic trainers act and of all athletic trainers licensed in this state;

14 [(6)] (5) Annually prepare a roster of the names and addresses of all
15 athletic trainers licensed in this state, copies of which shall be made available
16 upon request to any person paying the fee therefor;

17 [(7)] (6) Set the fee for the roster at an amount sufficient to cover the

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

18 actual cost of publishing and distributing the roster;

19 ~~[(8)]~~ **(7)** Appoint members of the Missouri athletic trainer advisory
20 committee;

21 ~~[(9)]~~ **(8)** Adopt an official seal.

22 3. The board may:

23 (1) Issue subpoenas to compel witnesses to testify or produce evidence in
24 proceedings to deny, suspend, or revoke a license or licensure;

25 (2) Promulgate rules pursuant to chapter 536, RSMo, in order to carry out
26 the provisions of sections 334.700 to 334.725;

27 (3) Establish guidelines for athletic trainers in sections 334.700 to
28 334.725.

29 4. No rule or portion of a rule promulgated under the authority of sections
30 334.700 to 334.725 shall become effective unless it has been promulgated
31 pursuant to the provisions of section 536.024, RSMo.

334.708. 1. Any person seeking licensure pursuant to sections 334.700 to
2 334.725 **after August 28, 2006**, must be a resident or in the process of
3 establishing residency in this state and must [meet at least one set of the
4 following qualifications:

5 (1) Has met all of the National Athletic Trainers Association certification
6 qualifications;

7 (2) Holds a degree in physical therapy with at least a minor in physical
8 education or health which included a basic athletic training course and has spent
9 at least two academic years, military duty included, working under the direct
10 supervision of a certified athletic trainer;

11 (3) Can show proof acceptable to the board of experience and educational
12 quality equal to that in subdivision (1), and can pass the examination for
13 licensure pursuant to sections 334.700 to 334.725] **have passed the National
14 Athletic Trainers Association Board of Certification, or its successor
15 agency, examination.**

16 2. The board shall grant, without examination, licensure to any qualified
17 nonresident athletic trainer holding a license or licensure in another state if such
18 other state recognizes licenses or licensure of the state of Missouri in the same
19 manner.

334.715. 1. The board may refuse to license any applicant or may
2 suspend, revoke, or refuse to renew the license of any licensee for any one or any
3 combination of the causes provided in section 334.100, or if the applicant or
4 licensee:

5 (1) Violated or conspired to violate any provision of sections 334.700 to
6 334.725 or any provision of any rule promulgated pursuant to sections 334.700 to
7 334.725; or

8 (2) Has been found guilty of unethical conduct as defined in the ethical
9 standards of the National Athletic Trainers Association or the National Athletic
10 Trainers Association Board of Certification, **or its successor agency**, as adopted
11 and published by the committee and the board and filed with the secretary of
12 state.

13 2. Upon receipt of a written application made in the form and manner
14 prescribed by the board, the board may reinstate any license which has expired,
15 been suspended or been revoked or may issue any license which has been denied;
16 provided, that no application for reinstatement or issuance of license or licensure
17 shall be considered until at least six months have elapsed from the date of denial,
18 expiration, suspension, or revocation when the license to be reinstated or issued
19 was denied issuance or renewal or was suspended or revoked for one of the causes
20 listed in subsection 1 of this section.

334.721. 1. Nothing in sections 334.700 to 334.725 shall be construed to
2 authorize the practice of medicine by any person not licensed by the state board
3 of registration for the healing arts.

4 2. The provisions of sections 334.700 to 334.725 shall not apply to the
5 following persons:

6 (1) Physicians and surgeons licensed by the state board of registration for
7 the healing arts;

8 (2) Dentists licensed by the Missouri dental board who confine their
9 practice strictly to dentistry;

10 (3) Optometrists licensed by the state board of optometry who confine
11 their practice strictly to optometry, as defined in section 336.010, RSMo;

12 (4) Nurses licensed by the state board of nursing who confine their
13 practice strictly to nursing;

14 (5) Chiropractors licensed by the state board of chiropractic examiners
15 who confine themselves strictly to the practice of chiropractic, as defined in
16 section 331.010, RSMo;

17 (6) Podiatrists licensed by the state board of chiropody or podiatry who
18 confine their practice strictly to that of a podiatrist, as defined in section 330.010,
19 RSMo;

20 (7) Professional physical therapists licensed by the state board of
21 registration for the healing arts who confine their practice strictly to professional

22 physical therapy, as defined in section 334.500;

23 (8) Coaches and physical education instructors in the performance of their
24 duties;

25 (9) [Apprentice] Athletic [trainers] **training students** who confine
26 themselves strictly to their duties as defined in sections 334.700 to 334.725;

27 (10) Athletic trainers from other nations, states, or territories performing
28 their duties for their respective teams or organizations if they restrict their duties
29 only to their teams or organizations and only during the course of their teams' or
30 organizations' stay in this state.

Unofficial ✓

Bill

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