

To: House Business and Labor Committee  
From: Gary Lusin, PT, MS, ATC, CSCS  
Re: HB 461 – Licensing Athletic Trainers

I have been a **Certified Athletic Trainer** since 1978. I went through the curriculum program at the University of Montana.

I have been a **Licensed Physical Therapist** since 1981. I completed the Physical Therapy curriculum at the University of Montana.

I have been working in Bozeman since 1981 as owner of Advanced Performance and Rehabilitation Services, Inc. My work duties include areas specific to athletic training and physical therapy.

I am employed by the Bozeman School District to provide athletic training services at the middle school level. I also work closely with the Bozeman High School Athletic Trainers and the MSU Athletic Trainers.

From 1985-2000 I taught Sport Rehabilitation at MSU as part of the Internship program for Athletic Trainers. This was a 1 semester course designed to introduce athletic training students, as well as other students, to terminology, concepts, and minimal techniques primarily for the purpose of them having some background to communicate with other professionals involved in the rehabilitation care of injured athletes.

**I am not opposed to licensure of Athletic Trainers and in fact will support licensure as long as it is well thought out and is a bill that truly addresses the various needs of athletic trainers in Montana.**

**My concerns about the bill as an Athletic Trainer**

- I received the bill for the first time about 3 weeks ago. My ATC colleagues in the Bozeman area became aware of it within about a week after.
- An ATC colleague in Great Falls found out about the bill about a week ago.
- While the Montana Athletic Trainers Association has voted to pursue licensure, the association has not been able to discuss the proposed language.
- I still have not seen the current language and have been told it will be available today at this hearing.
- The original language was significantly slanted to “clinic trainers” and placed significant hardship on school trainers.
- The profession as a whole, in this state, has not had time or knowledge to adequately discuss the bill nor had the opportunity to create language that truly works for the Athletic Trainers in Montana.
- The initial language as well as my latest version (1-31-05), in my opinion, does not help the athletic trainers working in the school systems in this state.

- Many questions remain about the bill and how it will affect athletic trainers in different settings.
- It would be nice to have sufficient time for the Athletic Trainers in Montana to digest the bill language, work with other groups that may have concerns, and bring a bill forward that has broad consensus mainly of the athletic training community.

### **Specific Areas of Concern:**

#### **Section 2 – Definitions.**

- (1) “Athletic Injury” – this is a broad definition and should better describe what an athletic injury is relative to the history of the profession and the educational training completed.
- (3) “Athletic Training” – In my opinion this definition places undue hardship on the school trainers in particular. As it reads the school trainer will have to have “supervision and/or direction” from a physician, chiropractor, podiatrist, or physician assistant to do ANY of the duties listed in the definition. This is totally unreasonable and is not even necessary. Furthermore, it specifically denies athletic trainers from working with or taking direction from a physical therapist who may be rehabilitating one of their athletes and wants to transition some of the care to the athletic trainer. This is how the system works now and it works well. Placing undue restrictions on the school athletic trainers should be changed.

#### **Section 4 – Qualifications:**

- (1)(a) – It is unclear what examination will be required to pass to complete the application. I have been told it implies the NATA Board of Certification exam but it could be something else. Also, might it be a good idea for applying AT’s to take a jurisprudence exam as well to demonstrate their knowledge of the law? Should these not be spelled out in the statute to provide the AT Board direction on exams?
- (1)(c) – As I read this an applicant will have to produce the documents stated in order to qualify for licensure. This language appears to only recognize the athletic trainers who have graduated from a curriculum program. NATA did away with the **internship program** (which is what MSU had) around 2000. No one has been able to assure me that those trainers who went through the internship programs will qualify for licensure under this language. As I read this they will not be able to produce the documents this language is stating.
- (3)(b) – This may or may not appear in the language we see at the hearing. If it is in the bill then I would ask for what reason this language is in the bill, and what exactly is the language referring to. Clarification is necessary.

### Section 5 – License Revocation.

Again, this may have been addressed in the latest draft which I have not seen. If not then I would suggest that language be included to where an athletic trainer loses their license if they lose their certification.

There are other questions I have about dual licensure which I am trying to find out but to this point have not heard back from people I have contacted. If I am licensed as a PT and an ATC which license applies and when?

### Conclusion:

This bill is NOT being reviewed by the members of the MATA in sufficient detail to make this a good bill for the trainers of Montana.

There is no hurry to move this bill forward from a Montana perspective. However, there appears to be significant pressure from the NATA to push this through to meet their national agenda.

I am not opposed to licensure at all but the language needs to respect and preserve the athletic trainers in this state as to how they work.

More time is necessary to create language that reflects the needs of Montana athletic trainers. Given the time a good bill, supported by all, could be created.