

Amendments to House Bill No. 461
1st Reading Copy

Requested by Representative Elsie Arntzen

For the House Business and Labor Committee

Prepared by Greg Petesch
March 29, 2005 (10:28am)

1. Page 1, line 18.

Strike: "7"

Insert: "8"

2. Page 1, line 23.

Following: "with"

Insert: "and does not have a vested interest in"

3. Page 2, line 6.

Strike: "7"

Insert: "8"

4. Page 2, following line 7.

Insert: "(1) "Athlete" means a person who participates in an athletic activity that involves exercises, sports, or games requiring physical strength, agility, flexibility, range of motion, speed, or stamina and which exercises, sports, or games are of the type conducted in association with an educational institution or a professional, amateur, or recreational sports club or organization."

Renumber: subsequent subsections

5. Page 2, line 8.

Following: "injury"

Strike: "sustained by a physically active individual"

Insert: "received by an athlete"

6. Page 2, line 9.

Strike: "for a fee"

7. Page 2, line 10.

Strike: "for a fee"

8. Page 2, line 11.

Strike: "rehabilitation"

Insert: "reconditioning"

Strike: "upon"

Insert: "under"

Strike: "referral, order, and"

Insert: "supervision or"

9. Page 2, lines 12 through 16.

Following: "20." on line 12

Strike: remainder of line 12 through line 16 in their entirety

Insert: "The term includes the following:

(a) the use of heat, light, sound, cold, electricity, exercise, reconditioning, or mechanical devices related to the care and conditioning of athletes;

(b) the organization and administration of athletic training programs and athletic facilities; and

(c) the education and counseling of the public on matters related to athletic training."

10. Page 2, line 19.

Strike: "7"

Insert: "8"

11. Page 2, line 22.

Strike: "7"

Insert: "8"

12. Page 2, line 23.

Strike: "7"

Insert: "8"

13. Page 3, line 13.

Strike: "Except as provided in subsection (4), a"

Insert: "A"

14. Page 3, line 20 through line 23.

Strike: subsection (4) in its entirety

15. Page 3, line 26.

Strike: "7"

Insert: "8"

16. Page 4, line 5.

Strike: "7"

Insert: "8"

17. Page 4, lines 6 and 7.

Strike: "the abbreviations" on line 6 through "abbreviations" on line 7

Insert: "the abbreviation"

18. Page 4, line 17.

Strike: ""intern", "student", or "trainee""

Insert: ""athletic training student""

19. Page 4, line 21.

Strike: ""student athletic trainer""

Insert: ""student assistant""

20. Page 4, line 24.

Following: line 23

Insert: "NEW SECTION. Section 7. Application and administration of topical medications. (1) A licensed athletic trainer may apply or administer topical medications by:

- (a) direct application;
- (b) iontophoresis, a process by which topical medications are applied through the use of electricity; or
- (c) phonophoresis, a process by which topical medications are applied through the use of ultrasound.

(2) A licensed athletic trainer may apply or administer the following topical medications:

- (a) bactericidal agents;
- (b) debriding agents;
- (c) anesthetic agents;
- (d) anti-inflammatory agents;
- (e) antispasmodic agents; and
- (f) adrenocorticosteroids.

(3) Topical medications applied or administered by a licensed athletic trainer must be prescribed on a specific or standing basis by a licensed medical practitioner authorized to order or prescribe topical medications and must be purchased from a pharmacy certified under 37-7-321. Topical medications dispensed under this section must comply with packaging and labeling guidelines developed by the board of pharmacy under Title 37, chapter 7.

(4) Appropriate recordkeeping is required of a licensed athletic trainer who applies or administers topical medications

as authorized in this section."
Renumber: subsequent sections

21. Page 4, line 26.

Strike: "7"

Insert: "8"

22. Page 5, line 2.

Strike: "7"

Insert: "8"

23. Page 5, line 3.

Strike: "7"

Insert: "8"

- END -

HOUSE BILL 461
Sponsor's Amendments
General Description

Tuesday, March 29, 4:30 p.m.

As a result of many, many meetings between the sponsor and the two major parties on this bill, the following amendments are proposed for HB 461.

Ten separate amendments (#1, #3, #10, #11, #12, #15, #16, #21, #22 and #23) correct one typographical error found throughout the original bill.

Amendment #2 is a four-word amendment to Section 1 that strengthens the credentials required of the public member.

Amendment #4 is the heart of the bill, and the amendment that, after literally dozens of exchanges, satisfies both major parties involved in the bill. It defines an athlete broadly enough to cover the work that athletic trainers currently perform, while keeping the definition narrow enough to prevent expansion of athletic trainers' current work environment.

Amendment #5 simply defines an athletic injury as an injury received by an athlete. This language is also the result of much work and compromise by both parties.

Amendments #6 and #7 remove the term "for a fee" from the bill so that athletic trainers are covered when performing voluntary services, such as Special Olympics.

Amendments #8, #9 and #20 more precisely define athletic training, based on the actual education and experience of athletic trainers. This is also compromise language.

Amendments #13 and #14 remove the grandfathering clause from the original bill. Language for grandfathering clauses is always difficult to construct in a way that adequately guards public safety, and the negative impact of excluding such a clause would be limited in Montana.

Amendments #17, #18 and #19 remove potential confusion about applicable abbreviations and titles.

