



Ohio Occupational Therapy, Physical Therapy,  
and Athletic Trainers Board

*Athletic Trainers Section*  
*July 14, 2010*  
*9:30 a.m.*

**Members Present**

Rebekah Bower, AT, Secretary  
Jason Dapore, DO  
Brian Hartz, AT, PhD  
Aaron Galpert, AT  
Vincent O'Brien, AT, Chairperson

**Staff**

H. Jeffery Barker, Investigator  
Diane Moore, Executive Assistant  
Lisa Ratinaud, Enforcement Division Supervisor  
Jeffrey Rosa, Executive Director  
Andrew Snouffer, Investigator

**Legal Counsel**

Yvonne Tertel, AAG

**Guest**

Gary Lake, OATA

**Call to Order**

The meeting was called to order by the Section Chair, Vincent O'Brien, at 9:30 a.m.

**Approval of Minutes**

**Action:** Brian Hartz moved that the minutes from the May 12, 2010 meeting be approved as submitted. Rebekah Bower seconded the motion. The motion carried.

**Executive Director Report**

- The Executive Director informed the Section that the athletic trainer's renewals have been mailed.
- The Executive Director reported that the occupational therapy assistant renewal has been completed.
- The Executive Director reported that there was no reason why Board spending for Fiscal Year 2011 should not come under the appropriation authority of \$900,000.
- The Executive Director reported that the Fiscal Year 2012-2013 budget requests are due to the Office of Budget and Management by November 1, 2010.

The formal Executive Director's report is attached to the minutes for reference.

**Action:** Brian Hartz moved to go into executive session to discuss personnel matters. Aaron Galpert seconded the motion.

The Executive Director called the Roll:

**Roll Call**

Rebekah Bower	Yes
Jason Dapore	Yes
Aaron Galpert	Yes
Brian Hartz	Yes
Vincent O'Brien	Yes

The section went into executive session at 9:46 am and came out at 9:51 am. There was no action taken.

**Discussion of Law Changes**

The Executive Director discussed the draft rules regarding confidential personal information. **Action:** Brian Hartz moved that the Section file the confidential personal information rules. Rebekah Bower seconded the motion. The motion carried.

### **Administrative Reports**

#### **Continuing Education**

Brian Hartz reported that there were two continuing education applications approved since the May 12, 2010 Section meeting.

Brian Hartz discussed whether the Section would waive the five hours of in person continuing education requirement for a licensed athletic trainer currently taking courses as part of a physician assistant's masters degree program. As stated in rule 4755-45-01 of the Administrative Code, the Section will require this individual to comply with the requirements of paragraph (C)(1) of rule 4755-45-01 of the Administrative Code.

#### **Event Approval**

Vincent O'Brien reported that the Section approved three events pursuant to rule 4755-43-11 since the May 12, 2010 Section meeting.

The Section discussed the need to continue to proactively contact sports teams and organizations regarding the event approval requirements.

#### **Licensure Applications**

**Action:** Rebekah Bower moved that the Athletic Trainers Section ratify, as submitted, the athletic training licenses issued by examination, endorsement, and reinstatement by the Ohio Occupational Therapy, Physical Therapy, and Athletic Trainers Board from May 12, 2010, through July 14, 2010, taking into account those licenses subject to discipline, surrender, or non-renewal. Brian Hartz seconded the motion. The motion carried.

#### **Examination Applicants**

Allbaugh, Daniel	Boeing, Miriam	Bowers, Katie
Bright, John	Burck, Karen	Campolieti, Tessa
Carzoo, Stephanie	Counts, Leigh	Daily, Robert
Danielson, Lauren	Debarbrie, Corey	Eyler, Courtney
Gabler, Conrad	Gagin, Lawrence	Greisiger, Katherine
Hardbarger, Ashley	Hilvers, Jeanne	Hoops, Allyson
Howell, Michael	Itano, Keisuke	Luc, Brittney
Lundstrom, Melissa	Marley, Cynthia	Mason, Christine
May, Amanda	Nelson, Brian	Nutting, Lisa
Quick, Anna	Ruffing, Jared	Spriggs, Kyle
Waters, Gretchen	Wyse, Courtney	Zumdick, Lindsay

#### **Endorsement Applicants**

Cubick, Erin	Haynes, Hannah	Luka, Julie
McCord, Dennis	Schimmoeller, Kyle	Schneider, Gregory
Schuk, Michael	Westrick, Stephanie	

#### **Reinstatement Applicants**

Steidel, Megan

#### **Case Review Liaison Report**

The Enforcement Division opened zero new cases and closed zero cases since the May 12, 2010 meeting. There are currently two open cases. There is one non-disciplinary consent agreement being monitored

#### **Assistant Attorney General Report**

Yvonne Tertel, AAG, had no formal report.

#### **Affidavit Hearing**

Good afternoon. My name is Vincent O'Brien, Chairman of the Athletic Trainers Section of the Ohio Occupational Therapy, Physical Therapy and Athletic Trainers Board. Let the record show that these proceedings were called to order at 10:00 am on July 14, 2010, at the Vern Riffe Center, 77 South High Street, Columbus, Ohio, 43215. The Executive Director called the roll. Members of the Board present for the proceedings are:

Rebekah Bower	Present
Jason Dapore	Present
Aaron Galpert	Present
Brian Hertz	Present
Vincent O'Brien	Present

It will be noted for the record that a majority of the members of the Board are present. There will be one adjudication proceeding today. The proceeding is in the matter of case number AT-10-010, John Martini, AT.000912.

This proceeding shall be an affidavit-based adjudication relative to a Notice of Opportunity for Hearing mailed to the respondent in the aforementioned case and believed to have been properly serviced according to the Administrative Procedures Act (Chapter 119. of the Ohio Revised Code).

As the respondent did not properly request a hearing in the case, this proceeding will be held before the board pursuant to *Goldman v. State Medical Board of Ohio*. The individual named does not have the ability to present written or oral testimony today, but may be present to hear the proceedings and outcome.

You have already received a sworn affidavit from the Board Investigator and accompanying exhibits for the Goldman Proceeding in your board packet.

The affidavit contains the evidence and testimony upon which you will deliberate. I trust that each of you has had the opportunity to review the affidavit and accompanying exhibits. If not, you may review it now.

In lieu of a stenographic record being made, let the minutes reflect the sworn affidavit and exhibits shall be kept as the official record of the proceeding in the aforementioned matter in the Board office.

I will now recognize Assistant Attorney General, Yvonne Tertel, for the purpose of providing a brief synopsis of the case.

Ms. Tertel reviewed the case for the Board.

Having heard Ms. Tertel's synopsis, may I now have motion to admit the sworn affidavit and the accompanying exhibits in the aforementioned case into evidence?

**Action:** Brian Hertz moved to accept the facts and exhibits outlined in the affidavit for John Martini, case AT-10-010. Jason Dapore seconded the motion. Aaron Galpert abstained from voting. The motion carried.

There being no further evidence to come before the board, these proceedings are now closed at 10:08am.

The procedural and jurisdictional matters having being satisfied, we will now continue with the proceeding by deliberation on the sworn affidavit and exhibits. A written copy of the board's decision will be mailed to the respondent.

At this time, is there a motion to go into private session for the purpose of quasi-judicial deliberation on this matter?

**Action:** Rebekah Bower moved to go into private session for the purpose of quasi-judicial deliberation on this matter. Brian Hertz seconded the motion.

Jeffrey Rosa called roll:

Rebekah Bower	Yes
Jason Dapore	Yes
Aaron Galpert	Yes
Brian Hertz	Yes

Vincent O'Brien                      Yes

The Section went into private session at 10:09 am and came out at 10:17 am. Aaron Galpert left the room during private session and did not participate in the deliberations. The Section requested that the Executive Director stay in the room.

**Action:** Brian Hertz moved to revoke the license of John Martini, AT.000912, based on the affidavit and information before us. Rebekah Bower seconded the motion. Aaron Galpert abstained from voting. The motion carried.

### **Old Business**

#### **Update on Use of Pharmaceuticals in Athletic Training FAQ**

The Section made revisions to the draft guidelines for the use of pharmaceuticals in athletic training based on the Ohio Pharmacy Board recommendations. The Section will post a frequently asked question to on the Board website. The Section will review the additional edits at the September 2010 Section meeting.

### **New Business**

#### **Emergency Response CE Course**

The Section reviewed the *Emergency Response Course* sponsored by the Sports Physical Therapy Section of the American Physical Therapy Association and determined that there is no violation of the Ohio Athletic Training Practice Act. Gary Lake, OATA Internal Vice President, will relay to the leadership of the OATA the Section's position regarding the course.

#### **Michigan Athletic Training Law**

The Section discussed the Michigan Athletic Trainer's Board's delegation rules and how those rules will be applied to non-Michigan licensed athletic trainers traveling to Michigan with a visiting athletic team. Under the Michigan Athletic Training Practice Act, athletic trainers licensed in any state outside of Michigan are prohibited to practice athletic training in Michigan, unless they practice under the supervision and delegation of a Michigan licensee. The Executive Director will forward this information to the Board of Certification, Ohio Athletic Trainer's Association, and to the Great Lakes Athletic Trainers Association.

### **Ohio Athletic Trainers Association (OATA)**

Gary Lake reported that OATA supports keeping the physician member on the Athletic Trainers Section. In addition, OATA will draft a process for selection of the physician member, which will be similar to the process used to recommend the Athletic Trainer members of the Board.

### **Items for the Next Meeting**

- Ohio Jurisprudence Examination Revisions
- Update on the Use of Pharmaceuticals in Athletic Training
- Elections

### **Next Meeting Date**

The next meeting date of the Athletic Trainers Section will be Thursday, September 9, 2010.

**Adjournment**

Brian Hartz moved that the meeting be adjourned. Jason Dapore seconded the motion. The motion carried. The meeting adjourned at 11:10 a.m.

Respectfully submitted,  
Diane Moore

---

Vincent O'Brien, AT, Chairperson  
Ohio Occupational Therapy, Physical Therapy, and  
Athletic Trainers Board, Athletic Trainers Section

---

Rebekah Bower, AT, Secretary  
Ohio Occupational Therapy, Physical Therapy, and  
Athletic Trainers Board, Athletic Trainers Section

---

Jeffrey M. Rosa, Executive Director  
Ohio Occupational Therapy, Physical Therapy, and  
Athletic Trainers Board

**RB:jmr:dm**



Ohio Occupational Therapy, Physical Therapy,  
and Athletic Trainers Board

*Athletic Trainers Section Strategic Planning Retreat*  
*July 14, 2010*  
*1:00 p.m.*

**Members Present**

Rebekah Bower, AT, Secretary  
Jason Dapore, DO  
Aaron Galpert, AT  
Brian Hartz, AT  
Vincent O'Brien, AT, Chairperson

**Staff**

Diane Moore, Executive Assistant  
Jeffrey Rosa, Executive Director

**Guests**

Gary Lake, OATA  
Paul Miller  
William R. Davis

**Call to Order**

The meeting was called to order by the Section Chair, Vincent O'Brien, at 12:40 p.m.

**Discuss Scenario-based Ethics Activities**

The Section reviewed sample case studies provided by the enforcement staff. The Section identified potential case topics such as: referrals, athletic trainer/team physician relationship, treatment protocols, boundary violations, permission to treat an athlete, fraudulent billing (e.g.: billing for services not rendered, medical records), pharmaceuticals and generic epi-pens, documentation, and personal behavior/impaired practice. Vincent O'Brien will work with the enforcement staff in drafting ethical scenarios. The Section will utilize these case studies for discussion at the Board sponsored CE presentations and Ohio Athletic Trainer's Association presentations.

The Section discussed holding the CE presentation in Columbus, Ohio yearly, in addition to offering the CE presentation in two other cities.

The Section will present at the OATA Conference on May 6-8, 2011 in Dayton, Ohio.

**Review Potential Statute/Rule Revisions**

**Physician Member Serving on the AT Section**

The Section discussed the historic and current role of the physician member on the Athletic Trainers Section. The Section is exploring whether to seek a law change to change the composition of the Section from four athletic trainers and one physician to five athletic trainers.

Representatives from the Ohio Athletic Trainer's Association explained why the OATA would prefer to maintain the physician member of the Section.

The Section, when needed, would like a mechanism to get the input of a physician on certain practice issues. The Section will continue to discuss the physician member roles and goals at the September 2010 Section meeting.

**AT to AT Referral**

The Ohio Athletic Training Practice Act does not clearly address situations where an athletic trainer would refer the care of an individual to another athletic trainer. The Section will contact the Board of Certification to see if the issue of AT to AT referrals has been discussed in other states.

The Section will continue to send out the reminders of the guidelines for travelling team athletes prior to the football season. The Section will continue to educate athletic training professionals on concussion management, return to play decisions, and the guidelines for care and treatment of visiting team athletes through the FAQ's on the Board website and through the listserv and OATA monthly newsletter.

**Continuing Competence**

The Section will draft proposed language to change the continuing education reference to continuing competence in sections 4755.61 (A)(13) and 4755.63.

Entry-Level Educational Requirements

The Section discussed further defining the entry-level requirements for foreign educated applicant to be substantially equivalent to the educational requirements for US educated applicants for licensure in the State of Ohio. This change would require an amendment to the Revised Code.

Documentation

The Section discussed drafting revisions to the code of ethics to include minimal acceptable documentation requirements.

Athletic Trainers Out of Practice Re-entering the Workforce

The Section discussed the need for athletic trainers to demonstrate entry-level competence prior to returning to the workforce after being out of practice for five or more years. Vincent O'Brien will work with the Executive Director on draft language for requirements for out of practice athletic trainers returning to active practice. The Section will review the draft language at the September 2010 Section meeting. The Section will check with the Board of Certification to determine if it would allow an individual to take the BOC Certification Examination for licensure purposes only.

Adjournment

Rebekah Bower moved that the meeting be adjourned. Brian Hartz seconded the motion. The motion carried. The meeting adjourned at 3:30 pm.

Respectfully submitted,  
Diane Moore

---

Vincent O'Brien, AT, Chairperson  
Ohio Occupational Therapy, Physical Therapy, and  
Athletic Trainers Board, Athletic Trainers Section

---

Rebekah Bower, AT, Secretary  
Ohio Occupational Therapy, Physical Therapy, and  
Athletic Trainers Board, Athletic Trainers Section

---

Jeffrey M. Rosa, Executive Director  
Ohio Occupational Therapy, Physical Therapy, and  
Athletic Trainers Board

RB:jmr:dm