



Ohio Occupational Therapy, Physical Therapy,
and Athletic Trainers Board

Athletic Trainers Section
March 10, 2011
9:30 a.m.

Members Present

Rebekah Bower, AT, Chairperson
Jason Dapore, DO
Brian Hartz, AT, PhD, Secretary
Aaron Galpert, AT (arrived from ATERP @ 9:58am)
Vincent O'Brien, AT (left @ 11:50 am)

Legal Counsel

Yvonne Tertel, AAG

Staff

H. Jeffery Barker, Investigator
Jeffrey Rosa, Executive Director

Public Member

Janenne Allen

Call to Order

Rebekah Bower, Chairperson called the meeting to order at 9:30 a.m. Ms. Bower welcomed Janenne Allen, the new public member.

Approval of Minutes

Action: Vincent O'Brien moved that the minutes from the January 19, 2011, meeting be approved as submitted. Brian Hartz seconded the motion. Aaron Galpert was absent for the vote due to attending the AT Enforcement Review Panel. The motion carried.

Action: Brian Hartz moved to go into executive session to discuss personnel matters. Vincent O'Brien seconded the motion.

The Executive Director called the roll:

Roll Call

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

The section went into executive session at 9:32 am and came out at 9:35 am. There was no action taken.

Administrative Reports

Continuing Education

Action: Brian Hartz moved that the Athletic Trainers Section ratify, as submitted, two continuing education applications approved by the Ohio Occupational Therapy, Physical Therapy, and Athletic Trainers Board from January 19, 2011, through March 10, 2011. Vincent O'Brien seconded the motion. The motion carried.

Event Approval

The Section approved one event pursuant to rule 4755-43-11 since the January 19, 2011 Section meeting.

Licensure Applications

Action: Brian Hartz 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 January 19, 2011, through March, 2011, taking into account those licenses subject to

discipline, surrender, or non-renewal. Jason Dapore seconded the motion. Vincent O'Brien was absent for the vote. The motion carried.

Examination Applicants

Baker, Candace	Barnhart, Stacey	Blattler, Corey
Brkovic, Bobbi	Clark, Carlie	Cleveland, Audra
Moore, Emily	Rockwell, Brandon	Roseberry, Jessica
Slattman, Matthew		

Endorsement Applicants

Hartman, Jonathon	Hopkins, Molly	Oate, James
Overby, Allan	Ruiz, Roberto	

Vincent O'Brien presented the education for endorsement file # 5037210. The Section determined that the education documentation for endorsement file # 5037210 was equivalent. The Section accepted the education for endorsement applicant Todd Ryan Hooks.

Assistant Attorney General Report

Yvonne Tertel, AAG, had no formal report.

Action: Vincent O'Brien moved to go into executive session to discuss pending and imminent court action. Brian Hertz seconded the motion.

The Executive Director called the roll:

Roll Call

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

The section went into executive session at 11:25 am and came out at 11:45 am. The Section invited the Assistant Attorney General and the Executive Director to stay in the room. There was no action taken.

Case Review Liaison Report

The Enforcement Division opened three new cases and closed six cases since the January 19, 2011 meeting. There are currently eight open cases. There are two consent agreements being monitored.

Aaron Galpert informed the Section that Tiffany Pauley and Julie Blowers complied with all terms and conditions and were released from their disciplinary consent agreements.

Enforcement Division Actions

Aaron Galpert recommended that the Section rescind the notice of opportunity for hearing for case number AT-FY11-012, as the individual demonstrated evidence of timely response and completion of required number of continuing education hours for the 2010 licensure renewal. **Action:** Vincent O'Brien moved that the Section rescind the notice of opportunity for hearing for case number AT-FY11-012, as the licensee demonstrated evidence of timely response and completion of required number of continuing education hours for the 2010 licensure renewal. Brian Hertz seconded the motion. Aaron Galpert abstained from voting. The motion carried.

Aaron Galpert recommended that the Section rescind the notice of opportunity for hearing for case number AT-FY11-011 and issue a notice for opportunity for failure to complete the continuing education requirement for the 2010 license renewal. **Action:** Brian Hertz moved that the Section rescind the notice of opportunity for hearing for case number AT-FY11-011 and issue a notice for opportunity for failure to complete the continuing education requirement for the 2010 license renewal. Vincent O'Brien seconded the motion. Aaron Galpert abstained from voting. The motion carried.

Aaron Galpert recommended that the Section rescind the notice of opportunity for hearing for case number AT-FY11-013 and issue a new notice of opportunity for hearing for case number AT-FY11-013 for failure to complete the continuing education requirement for the 2010 license renewal. **Action:** Brian Hartz moved that the Section rescind the notice of opportunity for hearing for case number AT-FY11-013 and issue a new notice of opportunity for hearing for case number AT-FY11-013 for failure to complete the continuing education requirement for the 2010 license renewal. Vincent O'Brien seconded the motion. Aaron Galpert abstained from voting. The motion carried.

Aaron Galpert recommended that the Section issue a notice of opportunity for hearing for case number AT-FY11-018 for failure to respond to the 2010 continuing education audit. **Action:** Brian Hartz moved that the Section issue a notice of opportunity for hearing for case number AT-FY11-018 for failure to respond to the 2010 continuing education audit. Vincent O'Brien seconded the motion. Aaron Galpert abstained from voting. The motion carried.

Aaron Galpert recommended that the Section accept the consent agreement for case AT-FY11-014 in lieu of going to a hearing. **Action:** Vincent O'Brien moved to accept the consent agreement for case AT-FY11-014 in lieu of going to a hearing. Brian Hartz seconded the motion. Aaron Galpert abstained from voting. The motion carried. The Section accepted the consent agreement for Michael Undercoffer, AT.

Aaron Galpert recommended that the Section accept the non-disciplinary license surrender consent agreement for case AT-FY11-015 **Action:** Brian Hartz moved to accept the non-disciplinary license surrender consent agreement for case AT-FY11-015 Vincent O'Brien seconded the motion. Aaron Galpert and Rebekah Bower abstained from voting. The motion carried.

Correspondence

1. **Molly Hoffman:** Ms. Hoffman asked the Section questions regarding whether having sign-in sheets in the athletic training room would violate HIPAA regulations. **Reply:** It is the position of the Athletic Trainers Section that having a sign-in sheet in the athletic training room would not violate the HIPAA regulations provided that the sign-in sheet does not describe the injury or the condition of the client. The Section recommends that the sign-in sheet include, at a minimum, the client name and time the client signed in and out of the athletic training room.
2. **Johnathan Haggerty:** Mr. Haggerty asked the Section if there are any rules/regulations that stipulate how often an athletic trainer is required to attend practices or games. **Reply:** There is nothing in the Ohio Athletic Trainers Practice Act that requires attendance or condition of coverage for games.
3. **David Hamen:** Mr. Hamen asked the Section if an Ohio licensed athletic trainer be hired by a league based outside of Ohio and only cover games played in Ohio. **Reply:** Based on the scenario you provided, an athletic trainer can be hired by the league and cover games played in Ohio. The athletic trainer would still be functioning under the Ohio law and would still be required to have a referral and/or a team physician relationship that includes standard operating procedures to direct care. Section 4755.60 of the Ohio Revised Code requires the team physician to be licensed in Ohio. Regarding your second question on covering games out of state based on your Ohio license, you will need to contact the athletic training board in each state to determine their laws and rules governing the practice of athletic trainers by athletic trainers licensed in another state. You can obtain the contact information for state athletic training boards by visiting the Board of Certification's website (<http://www.bocatc.org>).

Old Business

Return to Practice Requirements for Athletic Trainers

Brian Hartz will contact the Board of Certification for additional information.

Foreign Educated Application Requirements

The Section will continue discussions on this topic at the May Section meeting.

OATA Presentation Preparation

The Section will continue to work on the scenarios at the May Section meeting.

Newsletter Update

The Section made revisions to the draft newsletter.

Jurisprudence Examination Update

The Section reviewed the revisions for the jurisprudence examination. The Section will review the jurisprudence examination content outline at the May 2011 Section meeting.

New Business

Review Rules Scheduled for Five Year Review in 2012

The Section reviewed the five year rules scheduled for 2012 which are Chapter 4755-40 and rule 4755-42-02.

Ohio Athletic Trainers Association (OATA)

Gary Lake submitted a written report that contained the following information:

- OATA is a part of a Traumatic Brain Injury/Concussion coalition which is introducing legislation on how to handle concussion in athletes 19 years old and under competing in interscholastic and youth sports.
- OATA will become an organizational member of the Ohio Injury Prevention Partners (OIPP) and will appoint a liaison to work with OIPP.

Items for the Next Meeting

- Return to Practice Requirements for Athletic Trainers
- Foreign Educated Application Requirements
- OATA Presentation Preparation
- Jurisprudence Examination Content Outline

Next Meeting Date

The next meeting date of the Athletic Trainers Section will be Thursday, May 5, 2011.

Adjournment

Action: Jason Dapore moved that the meeting be adjourned. Brian Hertz seconded the motion. Vince O'Brien was absent for the vote. The motion carried. The meeting adjourned at 12:25 p.m.

Respectfully submitted,
Diane Moore

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

Brian Hertz, 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

BH:jmr:dm