

MINUTES OF THE MEETING FOR THE
NEVADA STATE BOARD OF ATHLETIC TRAINERS (NSBAT)

DATE: **June 3, 2016**

LOCATIONS:

University of Nevada Reno
1664 N. Virginia Street
Mathewson/IGT Knowledge Center
Room #110
Reno, Nevada 89557

University of Nevada Las Vegas
4505 S. Maryland Parkway
Classroom Building Complex
Building B, Room 117
Las Vegas, Nevada 89154

1. Meeting called to order by Tiffney Touton, Board Chair at 9:05 a.m.

Board Members Present: Tiffney Touton, Jeremy Haas, Tedd Girouard, and Eathan O'Bryant.
Frank Sakelarios excused absent.

Staff Present: Stacey Whittaker, Board Executive Secretary; Brett Kandt, Chief Deputy Attorney General.

2. **Public Comments.** No members of the public present at this time. Board Chair, Tiffney Touton would like to use this time to announce her resignation from the Board of Athletic Trainers. She will be relocating out of the area and will not be able to attend future meetings. The Board expresses their gratitude for Tiffney's time and service on the Board and wishes her the best. Stacey Whittaker will reach out to the appropriate agencies to begin the replacement process. There are no further questions or comments.

3. **Review and approve Board meeting minutes of March 18, 2016. (For possible action)**
Jeremy Haas motions to approve the March 18, 2016 meeting minutes as written. Tedd Girouard seconds the motion. Motion passes unanimously.

4. **Update on disciplinary action reports and investigations of unlicensed activity. (Discussion)**
Stacey Whittaker reports to the Board that there were no disciplinary actions taken by the Board during the 1st quarter, 2016 and that 5 (five) licenses were issued or restored. There was one report of unlicensed activity received by the Board in which a soccer clinic was hiring out of State Athletic Trainers to work the event. Stacey Whittaker spoke with the entity regarding the Nevada law and was reassured that this would no longer happen since they were not clear on the law. There are no further questions or comments.

5. **Review and discuss the Board's position on potential statutory language changes that the Nevada Physical Therapy Association is proposing for the 2017 Legislative Session that may have an effect on Licensed Athletic Trainers. (For possible action)**
There are no representatives from the Nevada Physical Therapy Association (NPTA) present at the meeting to discuss their proposed language. Tiffney Touton explains to the Board that she has had conversations with the NPTA's President and that their proposed language changes may have to do with defining "wellness" and redefining the term "diagnosis". Tiffney has also been asked by the NPTA if the Athletic Trainer Board has any intentions of changing the term "tactical" in any of their language. Chief Deputy Attorney General, Brett Kandt states that he is familiar with the Lobbyists representing the NPTA and will reach out to them to try and get the proposed language for the next Board meeting. There are no further questions or comments.

6. Review and discuss the current procedures for using AED's (Automated External Defibrillators) in Nevada schools and any information obtained from the Nevada Interscholastic Activities Association. (Discussion)

Jeremy Haas asks if this is something the Board is looking to mandate? Stacey clarifies that at this point it is for informational purposes only. Board Member Frank Sakelarios who was not able to attend the meeting today, has spoken with the Nevada Interscholastic Activities Association on their current AED policies. They plan to have a conference call down the road to include the Sports Medicine Advisory Committee to discuss this topic. Item #6 will be tabled until the next board meeting.

7. Review and discuss the Board's position on NRS640B.145, concerning the provisions of chapter NRS640B that do not pertain to certain individuals working in Nevada and the correlation to unlicensed activity. (For possible action)

Stacey Whittaker prefaces with the explanation that the current statutes under NRS640B.145 allows for a person who is employed as an Athletic Trainer outside this State to come into Nevada and work an athletic event without obtaining Nevada Licensure, as long as long as they are engaging in the practice of Athletic Training within the scope of their employment for this particular event. The concern Jeremy Haas has is what is defined by an "athletic event" and how long can they work in our State without a license. Jeremy states that a good example is the Las Vegas 51's, a minor league baseball team who are affiliated with the New York Mets. Do they have to obtain a Nevada Athletic Training License if they are employed by the New York Mets but working in Nevada? Tedd Girouard feels that the AAA teams are in and out of the State and that the statutes clearly state it is ok if they are employed by the agency working the event. Stacey Whittaker states that she has been receiving more inquiries from out of State Athletic Trainers coming in to work special events, making sure they are compliant with Nevada law. In fact, the Athletic Trainer for the Las Vegas 51's has reached out and started the licensure process not knowing how long she will be working in Nevada.

Eathan O'Bryant agrees that this can be tough to define, there are NBA summer programs that come into Nevada for more than three weeks at a time. Jeremy Haas feels that the Board may need to set a precedence as more and more athletic events come into Nevada. The Board may want to consider a temporary license or perhaps define the length of time they can practice without a Nevada license. Chief Deputy AG, Brett Kandt recommends that the Board look into other State's language to see if they address this issue and bring back to the next meeting for review. If the Board decides that a regulation or law change is needed, there are timeframes that may or may not be able to be met for the 2017 Legislative Session. Item #7 will be placed on the next meeting agenda for further discussion. There are no further questions or comments.

8. Review and discuss the Board's position on United States Senate Resolution 83, pertaining to Secondary Schools Student Athletes' Bill of Rights. (Discussion)

The Board reviews the Senate Resolution that supports the goals and ideas of the Secondary School Student Athletes' Bill of Rights. Jeremy Haas states that at this point, the Bill is for informational purposes only. While the Bill does not directly reference Athletic Trainers, it essentially outlines the functions of an Athletic Trainer. If passed, Jeremy feels that this could put the onus on schools to have "staff" in place which could eliminate the need to mandate Athletic Trainers at all High Schools. Tiffney Touton agrees and feels that the Board should monitor the progress of the Bill, if it goes through it could have a direct implication on the Board and/or the State. There are no further questions or comments.

9. Review and discuss the current protocol for written orders between the Licensed Athletic Trainer and their directing Physician including any information obtained regarding other State's requirements. (For possible action)

The Board is following up on previous discussions as to whether or not protocols need to be put into place between the Athletic Trainer and their directing Physician. Stacey Whittaker clarifies that the Board does not currently oversee the written orders between the licensed AT and their directing Physician. Stacey reviews the information she found in other State's laws particularly that of Idaho. They actually require licensed Athletic Trainers to have an athletic training service plan/protocol on file with the Idaho Board of Medicine.

Tedd Girouard feels that it is not the role of the Board to monitor the standing orders unless there is an investigation and or complaint against a licensee. Brett Kandt feels that the directing Physicians have to act within their profession when providing direction to the Athletic Trainers and can face liability and discipline by their own licensing board. The Board discusses this further and decides that no action is necessary at this time. If a complaint comes in regarding an Athletic Trainer then the Board would need to review the applicable standing orders of the Directing Physician. There are no further questions or comments.

10. Review and discuss financial status of the Board, including approval of all claims and expenses. (For possible action) Stacey asks if there are any questions regarding the financial statements that were sent out, there are none. Tedd Girouard motions to approve the financial statements and all Board claims and expenses. Jeremy Haas seconds the motion. Motion passes unanimously.

11. Report from Chief Deputy Attorney General. (Discussion). Chief Deputy Attorney General, Brett Kandt states that he will reach out to the Lobbyists for the Nevada Physical Therapy Association to see if they can provide any proposed language for the Board to review. He will also assign an Intern to look into other State's language regarding NRS640B.145 for the next meeting. There are no further questions or comments.

12. Future agenda items. (For possible action)

- A. Review and approve meeting minutes of June 03, 2016.
- B. Update on disciplinary action reports and investigations of unlicensed activity.
- C. Review and discuss financial status of the Board including claims and expenses.
- D. Continued discussion on Automated External Defibrillators in Nevada schools.
- E. Review and discuss potential statutory language changes being proposed by the Nevada Physical Therapy Association.
- F. Continued discussion on NRS640B.145 and information obtained from other State's language.
- G. Review and discuss notifications sent to Non-Licensed, Nevada Certified Athletic Trainers.

13. Discussion, possible decision on date of next board meeting. (For possible action) The next board meeting is scheduled for Friday, September 23rd, 2016 at 9:00 a.m.

14. Public Comments. There are no members of the public present at this time.

15. Meeting adjournment. (For possible action) Jeremy Haas motions to adjourn the meeting of the Nevada State Board of Athletic Trainers at 9:59 a.m., Tedd Girouard seconds the motion. Motion passes unanimously.

***MEETING MINUTES ARE SUBJECT TO APPROVAL AT THE NEXT REGULARLY SCHEDULED BOARD MEETING.**