

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

DATE: **September 15, 2017**

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
System Computing Services
Room #306
Las Vegas, Nevada 89154

1. Meeting called to order by NSBAT Chairman, Jeremy Haas at 9:09 a.m.

Board Members Present: Chairman Jeremy Haas, Vice Chair Tedd Girouard, Board Member Keoni Kins, Board Member Eathan O'Bryant and Board Member Frank Sakelarios.

Staff Present: Stacey Whittaker, Board Executive Secretary;
Sarah Bradley, Senior Deputy Attorney General.

2. **Public Comments.** No public comments at this time.

3. **Review and approve Board meeting minutes of May 19, 2017. (For possible action)** Keoni Kins motions to approve the May 19, 2017 meeting minutes as written. Tedd Girouard seconds the motion. Motion passes unanimously.

4. **Review and discuss terms of Board Members and upcoming board vacancies. (Discussion)** Stacey Whittaker presents Eathan O'Bryant with a service award as he has completed his second and final term with the Board. Stacey has been in communication with the Governor's Office and they anticipate an appointment being made by the end of the month. Stacey also indicates that Jeremy Haas' first term is coming up and the Governor's Office will need further documentation if he wishes to seek reappointment. Jeremy states that he will get the necessary paperwork to Stacey right away. There are no further questions or comments.

5. **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 2nd quarter, 2017. The Board has received a notice of unlicensed activity at a Charter School in Henderson, NV that she and Sarah Bradley are currently working on. There are no further questions or comments.

6. **Licensed Athletic Trainer, Jonathan Orr requests the Board to consider a refund of the \$150.00 license reinstatement fee. (For possible action)** Jonathan Orr is present at the meeting and explains to the Board that he dropped his license renewal information off at the public school mail box where he works before the holiday weekend. When he returned to work on July 5th, he found that the office had closed early and the mail had not gone out as planned. Jonathan feels that this was out of his control and would like to ask the Board for some leniency on the additional fee he was charged to reinstate his license. Tedd Girouard asks Jonathan if he can provide any sort of documentation from the school putting the onus on them. Jonathan states that at most, he could provide the school calendar. The Board reviews NAC640B that specifically states that the license renewal requirements must be postmarked on or before June 30th or the license expires. Stacey Whittaker informs the Board that 8 individuals were charged the additional fee this year for not meeting the postmark requirements. Jeremy Haas feels that there should be some sense of urgency when it comes to the license renewal, if you wait until the 29th of June to put it in the mail, you can't put the onus on someone else. While the Board is sympathetic to Jonathan's situation, they are very concerned about setting a precedence.

Tedd Girouard motions to deny Jonathan Orr's request to receive a refund of the \$150.00 fee paid to reinstate his license. Keoni Kins seconds the motion. Motion passes unanimously.

7. Review and discuss the resignation of Board Executive Secretary, Stacey Whittaker to include recruitment update, hiring process, approval of salary for new hire, authorization for payroll during transition period, purchase of office equipment/furniture and logistical considerations. (For possible action) Stacey Whittaker has given written notification to the Board that she is resigning due to a full time employment opportunity. Since that time she has posted the job opening on the State's website and prescreened the candidates. Sarah Bradley advises the Board that the final candidates should be interviewed by the Board in a public meeting. The Board agrees to schedule a public meeting for Friday, September 22nd to interview the candidates. Item #7 will be tabled until such time the interviews are complete. There are no further questions or comments.

*Board Member Eathan O'Bryant excuses himself from the meeting.

8. Report on 2017 Legislative Session. (Discussion) Paula Berkley, Lobbyist has provided a legislative summary for the Board. Stacey Whittaker would also like to address SB292 that was not included in the report. This was the Senate Bill that would have exempted certain Health Care Providers who are licensed in another jurisdiction from provisions governing their practice while practicing in Nevada for purposes relating to athletics. The Bill originally included Physicians and Osteopathic Physicians and was later amended to include Physical Therapists, Athletic Trainers, Chiropractors and Oriental Medicine. Unfortunately SB292 died at the end of the Legislative Session merely based on lack of time and focus directed towards other Bills. Stacey is hopeful that this will be revisited during the 2019 Legislative Session. There are no further questions or comments.

9. Report on 2017 License Renewal Process. (Discussion) Stacey reports that there were 226 Licensed Athletic Trainers at the time of license renewal. Twenty six (26) licensees did not renew their license for the 2017/2018 period. Stacey has since issued twenty nine (29) new licenses and has five pending applications. There are currently 229 licensees in the State of Nevada. There are no further questions or comments.

10. Report on 2017 Board of Certification – Athletic Trainer Regulatory Conference. (Discussion). Tedd Girouard thanks the Board for sending him to the BOC Regulatory Conference. The Conference consisted of round table discussions including State requirements, board purposes/mission, conflicts of interest for Board Members, and licensure compacts. There was also a general consensus that licensees don't know what the purpose of the Board is and what they actually do. Tedd would like to invite the State Association to one of our Board meetings in order to get more public involvement. Jeremy indicates he would be happy to reach out to Mark D'Anza and get them added to the agenda recipient list.

Another item of particular interest at the BOC Conference was a potential online licensing system that would go through the BOC's site, costing boards as little as \$1,000. Stacey is very intrigued by this as she has priced online licensing systems that cost upwards of \$25,000. Tedd will look into this further and bring the information to the next board meeting. There are no further questions or comments.

11. 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 reports that the Nevada Association has sent information out to the schools regarding the availability of AED's and did not receive much feedback. The information was also sent to the NIAA. It is imperative that Coaches have access to the AED's if there is not an Athletic Trainer on site. This information will be further discussed at the upcoming Athletic Administration meeting. There are no further questions or comments.

12. Review and discuss the requirements and qualifications to conduct Dry Needling. (Discussion) Tedd Girouard states that the question continually comes up whether or not an Athletic Trainer can perform Dry Needling. Keoni Kins says that in reviewing Physical Therapy Boards across

the states, the majority allow dry needling but don't open up their practice act to specifically include it. Jeremy feels that there are so few Athletic Trainers wanting to conduct Dry Needling that it isn't worth opening up the practice act.

Tedd feels that since Athletic Trainers follow the BOC standards and guidelines, as long as they are properly trained to perform a certain technique it shouldn't be an issue. The Board references NRS640B.090 and the Practice of Athletic Training. It specifically states that; the injury of an athlete (1) whose condition is within the professional preparation and education of the licensed athletic trainer; and (2) that is performed under the direct supervision of a physician. Sarah Bradley cautions the Board on this, as it is a very hot button in Nevada. The Oriental Medicine Board wants to regulate Dry Needling as they see it as a form of acupuncture. Sarah further advises that all inquiries relating to Dry Needling be deferred to the AT Board Executive Secretary. If the question continually arises, the Board may need to revisit the subject. There are no further questions or comments.

13. Review and discuss items to be considered for NAC640B regulation updates. (For possible action) Sarah Bradley offers to assist in drafting regulations pertaining to declaratory orders and any other language that needs to be added from a legal standpoint. Stacey would like to see some clean up in regards to the license renewal requirements, establishing a potential grace period or definitive license expiration date. There also needs to be more specific guidelines established for license reinstatements, CE requirements and possibly license reciprocity (per SB69). Sarah explains to the Board that there are several steps required to adopt new regulations such as a workshop and public hearing. Regulations must be drafted and to LCB by June 30th. She would recommend that the Board try and have the workshop in conjunction with their next regularly scheduled board meeting. Stacey will help to work with Sarah and the newly hired Executive Secretary on the proposed regulations. There are no further questions or comments.

14. 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 presented to the Board, there are none. Jeremy Haas motions to approve the Board financial statements and all claims and expenses reported. Tedd Girouard seconds the motion. Motion passes unanimously.

15. Report from Executive Secretary, Stacey Whittaker. (Discussion) Stacey has nothing further to report.

16. Report from Senior Deputy Attorney General, Sarah Bradley (Discussion). Sarah has nothing further to report.

17. Future agenda items. (For possible action)

- A. Review and approve meeting minutes of September 15, 2017.
- B. Update on disciplinary action reports and investigations of unlicensed activity.
- C. Review and discuss financial status of the Board.
- D. Workshop on proposed regulations.
- E. Mission statement for Board website.
- F. Board of Certification online structure for license renewals.

18. Discussion, possible decision on date of next board meeting. (For possible action) The next board meeting is scheduled for Friday, December 15, 2017 at 9:00 a.m.

19. Public Comments. There are no public comments at this time.

20. Meeting adjournment. Meeting adjourned by Chairman, Jeremy Haas at 11:10 a.m.

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