

TITLE 4. PROFESSIONS AND OCCUPATIONS

CHAPTER 49. BOARD OF ATHLETIC TRAINING

Editor's Note: 4 A.A.C. 49 was adopted to enforce Arizona Revised Statutes, Title 32, Chapter 41. The rules in this Chapter were adopted by final rulemaking at 7 A.A.R. 1374, effective March 7, 2001 (Supp. 01-1).

ARTICLE 1. GENERAL PROVISIONS

Article 1, consisting of Sections R4-49-101 through R4-49-104, adopted by final rulemaking at 7 A.A.R. 1374, effective March 7, 2001 (Supp. 01-1).

Section

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R4-49-102.	Fees
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Article 2, consisting of Sections R4-49-201 through R4-49-206, adopted by final rulemaking at 7 A.A.R. 1374, effective March 7, 2001 (Supp. 01-1).

Section

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ARTICLE 3. HEARINGS

Article 3, consisting of Sections R4-49-301 through R4-49-302, adopted by final rulemaking at 7 A.A.R. 1374, effective March 7, 2001 (Supp. 01-1).

Section

R4-49-301.	Hearing Procedures
R4-49-302.	Rehearing or Review of Decision

ARTICLE 4. ATHLETIC TRAINING PRACTICE

Article 4, consisting of Sections R4-49-401 through R4-49-404, adopted by final rulemaking at 7 A.A.R. 1374, effective March 7, 2001 (Supp. 01-1).

Section

R4-49-401.	Scope of Practice
R4-49-402.	Direct Supervision of Athletic Training Students
R4-49-403.	Standards of Practice
R4-49-404.	Code of Ethics
R4-49-405.	Direction of a Licensed Physician

ARTICLE 1. GENERAL PROVISIONS

R4-49-101. Definitions

In addition to the definitions at A.R.S. § 32-4101, in this Chapter:

1. "Accredited educational institution" means an educational institution accredited by the CAATE or its predecessors.
2. "Active pursuit of athletic training certification" means:
 - a. Current enrollment in an educational program to fulfill academic requirements for athletic training certification; or
 - b. Current participation in fieldwork experience to fulfill the fieldwork experience requirements for athletic training certification.

3. "Applicant" means an individual requesting an original license, a temporary license, a renewal license, or a reinstated license from the Board.
4. "Application packet" means the forms and documents the Board requires an applicant to submit or to be submitted on an applicant's behalf.
5. "Approved national athletic training certifying agency" means the BOC.
6. "Approved provider" means an educational provider approved by the BOC.
7. "Athlete" means:
 - a. A person participating in, or preparing for, a competitive team or individual sport; or
 - b. A member of a professional athletic team.
8. "Athletic training certification" means current athletic trainer certification provided by the BOC.
9. "BOC" means the Board of Certification, Inc.
10. "CAATE" means the Commission on Accreditation of Athletic Training Education.
11. "Completed application" means an application packet that is correctly completed and includes the verified signature of the applicant, applicable fees, and all required documentation.
12. "Confidential record" means:
 - a. Minutes of executive sessions except as provided in A.R.S. § 38-431.03(B);
 - b. A record classified as confidential by another law, rule, or regulation applicable to the Board;
 - c. College or university grades, medical or mental health information, and professional references of an applicant except that the applicant who is the subject of the information may view or copy the record;
 - d. An applicant's driver license number, Social Security number, home address, home phone number, personal e-mail address, place of birth, and birth date;
 - e. A record for which the Board determines that public disclosure will have a significant adverse effect on the Board's ability to perform its duties or will otherwise be detrimental to the best interests of the state. When the Board determines that the reason justifying the confidentiality of the record no longer exists, the Board shall make the record available for public inspection and copying; and
 - f. Information regarding a complaint under investigation except as provided in A.R.S. § 41-1010.
13. "Contact hour" means an actual clock hour spent in direct participation in a structured education format as a learner. One CEU is equivalent to one contact hour.
14. "Continuing education" means a structured learning process required of a licensee to maintain licensure that includes study in the areas of athletic training practice through an institute, seminar, lecture, conference, workshop, mediated instruction, programmed learning course, or postgraduate study in athletic training.

15. "Continuing education unit" or "CEU" means one contact hour of participation in a continuing education course.
16. "Day" means a calendar day.
17. In addition to A.R.S. § 32-4101(7), "Direct supervision" means:
 - a. The athletic trainer can intervene on behalf of the patient, and
 - b. The athletic trainer reviews the performance of the athletic training student every grading period.
18. "Facility of practice" means the principal location of an agency or organization where an athletic trainer provides athletic training services but excludes areas used predominantly for athletic sport or competition.
19. "Good moral character" means the applicant has not taken any action that is grounds for disciplinary action against a licensee under A.R.S. § 32-4153.
20. "Good standing" means that an athletic trainer in this state or any other jurisdiction:
 - a. Has a current license;
 - b. Is not presently subject to any disciplinary action, consent order, or settlement agreement; and
 - c. Has no disciplinary action, consent order, or settlement agreement pending before any licensure Board or court.
21. "Licensee" means a person licensed in Arizona as an athletic trainer.
22. "National examination" means the national athletic training certification examination provided by the BOC.

Historical Note

New Section adopted by final rulemaking at 7 A.A.R. 1374, effective March 7, 2001 (Supp. 01-1). Section amended by final rulemaking at 19 A.A.R. 361, effective April 6, 2013 (Supp. 13-1).

R4-49-102. Fees

- A. An applicant shall pay the following:
 1. Application for original license: \$300;
 2. Renewal of license: \$175;
 3. Reinstatement of a license: \$200. This is in addition to the renewal license fee;
 4. Duplicate license: \$25.
- B. The Board shall charge 25¢ per page for copies of records, documents, letters, minutes, applications, and files or appropriate charges prescribed in A.R.S. § 39-121.03(A).
- C. All fees are nonrefundable except as provided in A.R.S. § 41-1077.
- D. An applicant shall pay original license fees and returned or insufficient fund replacement checks in cash or by cashier's check, money order, or credit card.
- E. An applicant shall pay renewal, reinstatement, and duplicate license fees in cash or by cashier's check, money order, personal check, or credit card.

Historical Note

New Section adopted by final rulemaking at 7 A.A.R. 1374, effective March 7, 2001 (Supp. 01-1). Section amended by final rulemaking at 19 A.A.R. 361, effective April 6, 2013 (Supp. 13-1).

R4-49-103. Board Operations

- A. The Board shall meet annually in January. The Board shall hold additional meetings as required by A.R.S. § 32-4103(A)(8) and as necessary to conduct the Board's business. Meetings may be convened by the Chair, a majority vote of the Board members, or upon written request to the Chair from at least two Board members.

- B. All Board records shall be open to public inspection and copying, except confidential records. Records may be inspected at the Board Office Monday through Friday, 8:00 a.m. to 5:00 p.m., except state holidays or other days in which the office is required to be closed.

Historical Note

New Section adopted by final rulemaking at 7 A.A.R. 1374, effective March 7, 2001 (Supp. 01-1). Section amended by final rulemaking at 19 A.A.R. 361, effective April 6, 2013 (Supp. 13-1).

R4-49-104. Service by the Board

The Board shall serve any Board decision, order, or subpoena by personal service or by mailing a copy by certified mail, return receipt requested. Service by certified mail shall be made to the last address of record filed with the Board. Service upon an attorney who has appeared on behalf of a party constitutes service upon the party. If service is by certified mail, service is complete upon mailing.

Historical Note

New Section adopted by final rulemaking at 7 A.A.R. 1374, effective March 7, 2001 (Supp. 01-1).

ARTICLE 2. LICENSURE

R4-49-201. Qualifications for Licensure

To qualify for an athletic trainer license a person shall:

1. Meet the requirements in A.R.S. § 32-4122,
2. Complete an athletic training education program, accredited by CAATE or its predecessors, and
3. Pass the national examination.

Historical Note

New Section adopted by final rulemaking at 7 A.A.R. 1374, effective March 7, 2001 (Supp. 01-1). Section amended by final rulemaking at 19 A.A.R. 361, effective April 6, 2013 (Supp. 13-1).

R4-49-202. Original License Application

- A. An applicant for an athletic trainer license shall submit an original application that includes the following information:
 1. Applicant's full name;
 2. Applicant's name as it will appear on the license;
 3. Other names used;
 4. Social Security number;
 5. Residence address and telephone number;
 6. Date of birth;
 7. Applicant's national athletic training certificate number and date of certification;
 8. Post-secondary educational institutions attended;
 9. Professional experience, field work, or both within the last five years;
 10. Employer's name, address, and telephone number;
 11. Current or previous athletic training or other professional license or certification numbers from other states and foreign countries and the status of each license or certification;
 12. Current and previous arrest, criminal conviction, and disciplinary actions from any licensing agency or court;
 13. E-mail address, if available;
 14. Statement of citizenship or alien status and submittal of documents showing the individual's presence in the United States is authorized under federal law;
 15. Signature and date with an attestation regarding the truthfulness of the information provided.
- B. An applicant shall submit or cause to be submitted on the applicant's behalf the following:
 1. Application fee,

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2. Written verification from the BOC of athletic training certification or a passing score on the national examination as required by R4-49-201,
 3. Official academic transcripts from institutions listed on the application,
 4. Two letters attesting to the applicant's good moral character from health care providers licensed pursuant to A.R.S. § 32-4101 et seq. and
 5. A readable fingerprint card and associated fee for submission to the Department of Public Safety or current fingerprint clearance card issued by the Department of Public Safety.
- C. An original license shall expire one year from the date of issuance.

Historical Note

New Section adopted by final rulemaking at 7 A.A.R. 1374, effective March 7, 2001 (Supp. 01-1). Section amended by final rulemaking at 19 A.A.R. 361, effective April 6, 2013 (Supp. 13-1).

R4-49-203. Renewal of License

- A. To renew a license, a licensee shall submit a renewal application and a renewal fee.
- B. A licensee shall sign the renewal application and include the following:
1. Applicant's full name;
 2. Applicant's name as it will appear on the renewal license;
 3. Residence address and telephone number;
 4. Current Arizona Board of Athletic Training license number;
 5. Arrest, criminal conviction, and disciplinary actions from any licensing agency or court since last license renewal;
 6. Social Security number;
 7. Employer's name, address, and telephone number;
 8. Attestation of compliance with the continuing education requirements listed in R4-49-208;
 9. A readable fingerprint card and associated fee for submission to the Department of Public Safety or a current fingerprint clearance card issued by the Department of Public Safety if the previous submission is at least five years old or the Department of Public Safety clearance card will expire within the term of the renewed license;
 10. Statement of lawful presence in the United States or submittal of required documents showing lawful presence; and
 11. Signature and date with an attestation regarding the truthfulness of the information provided.
- C. A licensee shall submit the renewal application and fees to the Board office at least 14 days prior to the expiration date of the current license.

Historical Note

New Section adopted by final rulemaking at 7 A.A.R. 1374, effective March 7, 2001 (Supp. 01-1). Section amended by final rulemaking at 19 A.A.R. 361, effective April 6, 2013 (Supp. 13-1).

R4-49-204. Expired License: Reinstatement

- A. A license expires if it is not renewed on or before the renewal date.
- B. An expired license may be reinstated within three years of expiration of the license if:
1. The former licensee has:
 - a. Current certification from the BOC as an athletic trainer, or
 - b. Proof of continuing education to meet the requirements for the time not licensed;

2. A renewal application is submitted under R4-49-203;
3. The license reinstatement fee and renewal fee are paid under R4-49-102; and
4. The former licensee attests, in writing, that the licensee has not practiced athletic training in Arizona during the time the license was expired.

Historical Note

New Section adopted by final rulemaking at 7 A.A.R. 1374, effective March 7, 2001 (Supp. 01-1). Section amended by final rulemaking at 19 A.A.R. 361, effective April 6, 2013 (Supp. 13-1).

R4-49-205. License Application Review

- A. For an original license, renewal license, or reinstated license as an athletic trainer the time-frames required by A.R.S. § 41-1072 et seq. are:
1. Overall time-frame: 120 days
 2. Administrative completeness review time-frame: 60 days
 3. Substantive review time-frame: 60 days
- B. An administratively complete application for licensure consists of all the information and documents listed in:
1. R4-49-202 for an original athletic training license,
 2. R4-49-203 for renewal of an athletic training license, and
 3. R4-49-204 for reinstatement of an athletic training license.
- C. The administrative completeness review time-frame, as described in A.R.S. § 41-1072(1) and listed in subsection (A)(2), begins on the date the Board receives an application.
1. If the application is not administratively complete when received, the Board shall send a notice of deficiency to the applicant. The deficiency notice shall state the documents and information needed to complete the application.
 2. The applicant shall submit to the Board the missing documents and information within 120 days from the date of the deficiency notice. The time-frame for the Board to finish the administrative completeness review is suspended from the date of the deficiency notice until the date the Board receives the missing documents and information.
 3. If the applicant fails to provide the missing documents and information within the 120 days provided, the Board shall close the applicant's file. An applicant whose file is closed and who wants to be licensed shall apply again under R4-49-202, R4-49-203, or R4-49-204.
 4. When the application is administratively complete, the Board shall send a written notice of administrative completeness to the applicant.
- D. The substantive review time-frame, as described in A.R.S. § 41-1072(3) and listed in subsection (A)(3), begins on the date of the notice of administrative completeness.
1. During the substantive review time-frame, the Board may make one comprehensive written request for additional information but the Board may make supplemental requests for additional information by written agreement with the applicant.
 2. The applicant shall submit to the Board the additional information identified in the request for additional information within 60 days from the date of the request for additional information. The time-frame for the Board to finish the substantive review of the application is suspended from the date of the request for additional information until the Board receives the additional information.
 3. Unless an applicant requests that the Board deny a license within the 60-day period in subsection (D)(2), the Board

shall close the file of an applicant who fails to submit the additional information within the 60 days provided. An applicant whose file is closed and who wants to be licensed shall apply again under R4-49-202, R4-49-203, or R4-49-204.

4. When the substantive review is complete, the Board shall inform the applicant in writing of its decision to grant or deny a license to the applicant.
 - a. The Board shall deny a license if it determines that the applicant does not meet all substantive criteria for licensure required by statute and rule.
 - b. The Board shall grant a license if it determines that the applicant meets all substantive criteria for licensure required by statute and rule.
 - c. If the Board denies a license, the applicant may, within 30 days of service of the notice of denial, make a written request for a hearing to review the Board's decision. The hearing shall be conducted under A.R.S. Title 41, Chapter 6, Article 10.
 - d. In a hearing conducted on a denial of a license, the applicant has the burden of proof.

Historical Note

New Section adopted by final rulemaking at 7 A.A.R. 1374, effective March 7, 2001 (Supp. 01-1). Section amended by final rulemaking at 19 A.A.R. 361, effective April 6, 2013 (Supp. 13-1).

R4-49-206. License Display

A licensee shall display the licensee's current license issued by the Board in a conspicuous place in each facility of practice. A licensee may use a photocopy of the license to satisfy this requirement.

Historical Note

New Section adopted by final rulemaking at 7 A.A.R. 1374, effective March 7, 2001 (Supp. 01-1).

R4-49-207. Temporary Licenses

- A. Subject to subsection (B), the executive director may issue a temporary license to an applicant for a license if the applicant meets the requirements of A.R.S. § 32-4127.
- B. The executive director shall not issue a temporary license without prior Board approval if one or more of the following apply:
 1. The applicant is the subject of a pending complaint before the Board or any other state health care regulatory entity.
 2. The applicant has had a license or certificate to practice a health care profession suspended or revoked by another state health care regulatory entity.
 3. The applicant has a criminal history or history of disciplinary action by a state health care regulatory entity.
 4. The applicant has previously been denied an application for an athletic training license.
- C. A temporary licensee is subject to disciplinary action by the Board pursuant to A.R.S. § 32-4153.

Historical Note

New Section made by final rulemaking at 19 A.A.R. 361, effective April 6, 2013 (Supp. 13-1).

R4-49-208. Continuing Education

- A. As a prerequisite to renewal, a licensee shall complete at least 15 CEUs in the area of athletic training since the issuance of the previous license.
- B. A licensee shall:
 1. Maintain continuing education records that:
 - a. Verify the continuing education activities the licensee completed during the preceding two years, and

- b. Consists of each statement of credit or certificate issued by an approved provider at the conclusion of a continuing education activity;
2. At the time of licensure renewal, attest to the number of CEUs the licensee completed during the renewal on the renewal form; and
3. When requested by the Board office, submit proof of continuing education participation within 20 days of the request.
- C. Licensees may provide proof of continued BOC certification to meet the CEU requirements of this Section.
- D. All licensees shall complete a course approved by the Board on the athletic training statutes and this Chapter within one year of obtaining an original license or license renewal. This course need only be taken one time.
- E. In addition to the CEU requirements above, all licensees shall maintain current certification in cardiopulmonary resuscitation from a provider that is approved by the Board.
- F. Upon written request to the Board 30 days prior to the license renewal date, the Board may waive a licensee's continuing education requirement in the case of extreme hardship including, but not limited to, mental or physical illness, disability, absence from the United States, service in the United States Armed Forces or other extraordinary circumstances as determined by the Board.
- G. The Board may audit a licensee's continuing education records and suspend or revoke, according to A.R.S. §§ 32-4155 and 32-4156, the license of a licensee who fails to comply with continuing education completion, recording, or reporting requirements of this Section.
- H. A licensee who is aggrieved by a decision of the Board concerning continuing education units may request an administrative hearing before the Board.

Historical Note

New Section made by final rulemaking at 19 A.A.R. 361, effective April 6, 2013 (Supp. 13-1).

ARTICLE 3. HEARINGS

R4-49-301. Hearing Procedures

The Board shall conduct all hearings held under A.R.S. § 32-4154 et seq. in accordance with A.R.S. Title 41, Chapter 6, Article 10 and rules issued by the Office of Administrative Hearings.

Historical Note

New Section adopted by final rulemaking at 7 A.A.R. 1374, effective March 7, 2001 (Supp. 01-1).

R4-49-302. Rehearing or Review of Decision

- A. Any party in a contested case or appealable agency action before the Board may file a motion for rehearing or review within 30 days after service of the final administrative decision. Service is complete upon personal service or five days after the date the decision is mailed by certified mail to the party's last known address of record. The party shall attach a supporting memorandum specifying the grounds for the motion.
- B. A party is required to file a motion with the Board for rehearing or review of a decision of the Board to exhaust the party's administrative remedies.
- C. A party may amend a motion for rehearing or review at any time before the Board rules on the motion.
- D. The Board may grant a rehearing or review for any of the following reasons materially affecting a party's rights:
 1. Irregularity in the proceedings of the Board, or any order or abuse of discretion, that deprived the moving party of a fair hearing;

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2. Misconduct of the Board, its staff, an administrative law judge, or the prevailing party;
 3. Accident or surprise that could not have been prevented by ordinary prudence;
 4. Newly discovered material evidence that could not, with reasonable diligence, have been discovered and produced at the hearing;
 5. Excessive penalty;
 6. Error in the admission or rejection of evidence or other errors of law occurring at the hearing or during the proceedings;
 7. Evidence that the Board's decision was a result of passion or prejudice; or
 8. Findings of fact or decision that was not justified by the evidence or was contrary to law.
- E.** The Board may affirm or modify a decision or grant a rehearing to all or any of the parties on all or part of the issues for any of the reasons in subsection (D). An order modifying a decision or granting a rehearing shall specify with particularity the grounds for the order.
- F.** When a motion for rehearing or review is based upon affidavits, they shall be served with the motion. An opposing party may, within 15 days after service, serve opposing affidavits.
- G.** Not later than 10 days after the date of a decision the Board may grant a rehearing or review on its own initiative for any reason for which it might have granted relief on motion of a party. The Board may grant a motion for rehearing or review, timely served, for a reason not stated in the motion.
- H.** If a rehearing is granted, the Board shall hold the rehearing within 60 days after the issue date on the order granting the rehearing.

Historical Note

New Section adopted by final rulemaking at 7 A.A.R. 1374, effective March 7, 2001 (Supp. 01-1). Section amended by final rulemaking at 19 A.A.R. 361, effective April 6, 2013 (Supp. 13-1).

ARTICLE 4. ATHLETIC TRAINING PRACTICE**R4-49-401. Scope of Practice**

A licensee shall work within the scope of practice for athletic trainers stated in the definition of "athletic training" at A.R.S. § 32-4101(4) and the competencies contained in the Athletic Training Educational Competencies (5th Edition), published in 2011 by the National Athletic Trainers' Association, Inc., 2952 Stemmons Freeway #200, Dallas, TX 75247, which is incorporated by reference and is on file with the Arizona Board of Athletic Training Office. The material incorporated contains no future amendments or editions.

Historical Note

New Section adopted by final rulemaking at 7 A.A.R. 1374, effective March 7, 2001 (Supp. 01-1). Section amended by final rulemaking at 19 A.A.R. 361, effective April 6, 2013 (Supp. 13-1).

R4-49-402. Direct Supervision of Athletic Training Students

- A.** A licensee may provide direct supervision to an athletic training student who is actively pursuing athletic training certification.
- B.** A licensee shall not provide direct supervision to more than eight athletic training students at one time.
- C.** A licensee is responsible for any treatment related to athletic training performed by an athletic training student who is under the licensee's direct supervision.
- D.** Only a licensed athletic trainer is allowed to prepare an initial treatment plan, initiate or re-evaluate a treatment plan, or authorize in writing a change to a treatment plan.

Historical Note

New Section adopted by final rulemaking at 7 A.A.R. 1374, effective March 7, 2001 (Supp. 01-1).

R4-49-403. Standards of Practice

A licensee shall comply with the standards of professional practice contained in Board of Certification Standards of Professional Practice, dated January 1, 2006 and published by the Board of Certification, Inc., 1415 Harney Street, Suite 200, Omaha, Nebraska 68102, which is incorporated by reference and is on file with the Arizona Board of Athletic Training Office. The material incorporated contains no future amendments or editions.

Historical Note

New Section adopted by final rulemaking at 7 A.A.R. 1374, effective March 7, 2001 (Supp. 01-1). Section amended by final rulemaking at 19 A.A.R. 361, effective April 6, 2013 (Supp. 13-1).

R4-49-404. Code of Ethics

A licensee shall work within the code of ethics for athletic trainers as stated in A.R.S. § 32-4153(10) and the NATA Code of Ethics, dated September 28, 2005 and published by the National Athletic Trainers' Association, 2952 Stemmons Freeway #200, Dallas, TX 75247, which is incorporated by reference and is on file with the Arizona Board of Athletic Training Office. The material incorporated contains no future amendments or editions.

Historical Note

New Section adopted by final rulemaking at 7 A.A.R. 1374, effective March 7, 2001 (Supp. 01-1). Section amended by final rulemaking at 19 A.A.R. 361, effective April 6, 2013 (Supp. 13-1).

R4-49-405. Direction of a Licensed Physician

A licensee shall render service or treatment under the direction of a physician licensed under A.R.S. Title 32, Chapter 13 or 17, as follows:

1. The licensee shall have standard, written protocols for common athletic training activities approved by the physician.
2. The licensee shall have post-injury treatment guidelines that comply with A.R.S. § 32-4103(B) approved by the physician.

Historical Note

New Section made by final rulemaking at 8 A.A.R. 4389, effective November 25, 2002 (Supp. 02-3).