

ONE HUNDRED SEVENTH LEGISLATURE - FIRST SESSION - 2021
COMMITTEE STATEMENT
LB436

Hearing Date: Thursday February 11, 2021
Committee On: Health and Human Services
Introducer: Hansen, B.
One Liner: Change provisions of the Athletic Training Practice Act

Roll Call Vote - Final Committee Action:
Advanced to General File

Vote Results:

Aye: 7 Senators Arch, Cavanaugh, M., Day, Hansen, B., Murman, Walz, Williams
Nay:
Absent:
Present Not Voting:

Oral Testimony:

Proponents:

Ben Hansen
Rusty McKune
Micki Cuppett
Anne Minton

Bradley Stauffer, DC
Kody Moffet
Trevia Haugaard

Representing:

Introducer
Nebraska State Athletic Trainers Association
Nebraska State Athletic Trainers Association
National Athletic Trainers' Association Board of
Certification, Inc
Nebraska Chiropractic Physicians Association
Nebraska Medical Association
CINC

Opponents:

Grace Knott

Representing:

American Physical Therapy Association - Nebraska Chapter

Neutral:

Representing:

Submitted Written Testimony:

Proponents:

Jeffrey Rudy
Danielle Kieber

Kent Rogert

Representing:

Athletic Trainers Educators
Nebraska State Athletic Trainers' Association - Student
Leadership Council
American Massage Therapy Association - Nebraska
Chapter

Opponents:

Representing:

Neutral:

Representing:

Summary of purpose and/or changes:

LB 436 would amend the Athletic Training Practice Act.

LB 436 would amend the definition of 'athletic trainer' by striking the original definition, and defining it as a 'health care professional who is licensed to practice athletic training under the Athletic Training Practice Act and who, under guidelines established with a licensed physician, performs the functions outlined in section 38-408 except as otherwise provided in subsection [5] of section 38-408.' [Section 3, p. 2]

'Condition' would be defined as a disease, illness, or injury; 'Impression' would be defined as a summation of information or opinion formed as an outcome of the examination; and 'Injuries or Illnesses' would be defined as common conditions related to exercise, athletic activities, or activities requiring strength, agility, flexibility, speed, or stamina for which athletic trainers are trained and educated to provide care for. [Sections 4, 5, 6, pp. 2-3].

The original scope of practice of athletic trainers would be stricken, and new language would include:

- Prevention and wellness promotion;
- Examination, assessment, and impression
- Immediate and emergency care, including administration of emergency drugs prescribed by a physician;
- Therapeutic intervention or rehabilitation of injuries and illnesses;
- Therapeutic modalities such as physical or mechanical modalities, water, heat, light, sound, cold, and electricity; and
- Health care administration. [Section 7, p. 3, lines 6-21].

The scope of practice would not include the use of joint manipulation or thrust, or procedures intended to result in joint cavitation [cracking joints]. [Section 7, pp. 3-4, lines 29-2].

The Board of Athletic Training would adopt rules and regulations regarding administering emergency drugs, and regarding the use of dry needling. [Section 7, p. 3, lines 22-28].

If athletic training is provided in a hospital outpatient department or clinic, he or she must get a referral, and the athletic trainer must ensure medical documentation is complete. It must include:

- Documentation of the initial examination, assessment, and impression;
- Documentation of periodic reexamination;
- A plan of care in accordance with diagnosis and instruction or protocol;
- Changes in the patient's condition;
- Follow-up visits and billing; and
- Discharge documentation, including patient response. [Section 7, p. 4, lines 3-31].

An athletic trainer may not prescribe medications. [Section 7, p. 5, lines 6-8].

Individuals other than athletic trainers would be allowed to perform the physical modalities of athletic training. [Section 8, p. 5, lines 21-25].

LB 436 also would remove an internship path to licensure for licensee applicants who graduated after January 1, 2004. [Section 9, pp. 5-6, lines 3-26].

John Arch, Chairperson