

ADMINISTRATIVE RULES FOR ATHLETIC TRAINERS
TABLE OF CONTENTS
Effective November 15, 2005

PART 1. GENERAL INFORMATION

1.1	The Purpose of Licensure	1
1.2	Business Location	1
1.3	Advisors to the Director	1
1.4	Laws That Govern Licensure	1

PART 2. INFORMATION FOR APPLICANTS

2.1	Definitions	2
2.2	Where to Get an Application	2
2.3	Qualifications For Licensure as an Athletic Trainer	2
2.4	Licensure Without Examination	3
2.5	Temporary Permits	3
2.6	Waiver of Exam or Education Requirements	3
2.7	Right to a Written Decision and Appeal	3

PART 3. INFORMATION FOR LICENSED ATHLETIC TRAINERS

3.1	Renewing Licenses Biennially	3
3.2	Reinstating a License	4
3.3	Professional Standards	4
3.4	Complaint Procedure	4
3.5	Disciplinary Actions	4

PART 1. GENERAL INFORMATION

1.1 The Purpose of Licensure

The Director of Professional Regulation (referred to as "the Director" in this rule) has been given power by Vermont law to license athletic trainers, to protect the public health, safety and welfare. This is done by setting standards for issuing licenses, licensing only qualified applicants and regulating licensees and their practices.

1.2 Business Location

The Director's business location is c/o Secretary of State, Office of Professional Regulation, 26 Terrace Street, Montpelier (the Office). Mailing address:

Secretary of State
Office of Professional Regulation
26 Terrace Street
Montpelier, Vermont 05609-1101

The telephone number is (802) 828-2363.

An interested person may get copies of these rules and more information about licensure and its requirements and procedures by writing or telephoning the Office or visiting the profession's Web Page at <http://www.vtprofessionals.org>.

1.3 Advisors to the Director

The Secretary of State appoints two athletic trainers to serve as advisors who help the Director carry out the program and advise the Director on such matters as selecting an examination, setting a passing score, making administrative rules, and approving or denying licenses. The Director refers disciplinary matters to an administrative law officer.

1.4 Laws That Govern Licensure

The practice of athletic training is governed by a specific state law that establishes responsibilities for setting standards, issuing licenses and regulating the profession (26 V.S.A. §§4151-4160). In addition, the Director and the Office of Professional Regulation are obligated to comply with several other state laws, including the Administrative Procedure Act (3 V.S.A. §§801-849), the Open Meeting law (1 V.S.A. §§310-314) and the Access to Public Records law (1 V.S.A. §§315-320). These laws set forth the rights of an applicant, licensee or member of the public. Copies of these laws may be obtained from a town clerk or librarian or from the Office. "Vermont Statutes Online" are also available on the Internet at <http://www.leg.state.vt.us>.

PART 2. INFORMATION FOR APPLICANTS

2.1 Definitions

In addition to the definitions found at 26 V.S.A. §4151, the following definitions apply to these rules:

"The Act" means The Athletic Trainers Act, 26 Vermont Statutes Annotated, Chapter 83.

"BOC" means the Board of Certification for the Athletic Trainer, or its successor organization as the national governing board of certification for athletic trainers.

"CAAHEP" means the Committee on Accreditation of Allied Health Education Programs.

"Direct supervision" means the supervisor is on the premises and immediately available at all times.

"NATA" means the National Athletic Trainers' Association.

"The Office" means the Office of Professional Regulation in the Office of the Secretary of State.

"V.S.A." means Vermont Statutes Annotated: for example 26 V.S.A. §2081 means section 2081 of Title 26 of the Vermont Statutes Annotated.

2.2 Where to Get an Application

An application for licensure or more information about the application process may be obtained by writing or calling the Office at 26 Terrace Street, Drawer 09, Montpelier, Vermont 05609-1101. Telephone 802-828-2191 or e-mail to lrollins@sec.state.vt.us. Applications are also available online at <http://www.vtprofessionals.org>.

Applicants must submit a fully completed application form with all supporting documentation and the fee to the Office. Applications are reviewed only after the fully completed application and documentation are received, including evidence of any required education, supervision, employment, or evidence of licensure in another jurisdiction and its standards.

An applicant issued an initial license within ninety(90) days of the renewal date will not be required to renew or pay the renewal fee. The license will be issued through the next full licensing period. An applicant issued an initial license more than ninety(90) days prior to the renewal expiration date will be required to renew and pay the renewal fee.

2.3 Qualifications For Licensure as an Athletic Trainer

A. Education:

1. Prior to January 1, 2004, obtain certification through the internship or accredited educational program route.
2. After January 1, 2004, have graduated from an athletic training program accredited by CAAHEP or its successor organization.

B. Examination: Pass the BOC examination, and;

C. Furnish proof of certification with the BOC.

2.4 Licensure Without Examination

To qualify for licensure without taking an exam, an applicant must be currently licensed in another state. The requirements in that state must be substantially equal to Vermont's requirements.

2.5 Temporary Permit

A temporary permit may be issued by the Director for a period of up to sixty (60) days to a person who meets the licensing requirements of Rules 2.3 or 2.4 above, to practice pending the applicant taking the next exam and receiving the results of that exam, or pending the Director's receipt of the necessary data for licensure without exam. Direct supervision is required of the applicant while practicing under a temporary permit and the terms of that permit expire immediately upon receipt of notice of having failed the exam.

2.6 Waiver of Examination of Education Requirements

The Director may waive the examination and education requirements if the applicant was BOC certified prior to January 1, 2004 as an athletic trainer.

2.7 Right to a Written Decision And Appeal

An applicant will be notified in writing whether he or she is qualified for licensure. If the Director denies an applicant a license, the Director shall give the applicant specific reasons in writing and inform the applicant of the right to request a hearing for review of this decision. The hearing will be held by an administrative law officer appointed by the Secretary of State. After giving the applicant and the Director an opportunity to present the application and any additional information, the administrative law officer shall affirm, reverse, remand or modify the Director's preliminary decision. The administrative law officer's decision may be appealed to Washington Superior Court.

PART 3. INFORMATION FOR LICENSED ATHLETIC TRAINERS

3.1 Renewing Licenses Biennially

A. The Office has a fixed 24-month licensing schedule. Licensees renew on a fixed biennial schedule: September 30 of the even-numbered years. A licensee must renew by the expiration date printed on his or her license. Before the license expiration date, the Office will mail a renewal application and notice of renewal fee. A license will expire automatically if the renewal application and fee are not returned to the Office by the expiration date.

B. As a condition of renewal, the licensee must show proof of current certification by the BOC.

C. A licensee is responsible for notifying the Office promptly if he or she changes name, mailing address, or business address.

3.2 Reinstating a License

Licenses that have lapsed may be reinstated upon proof of certification in good standing with the BOC, payment of a renewal fee for the current biennium and a late renewal penalty. Licensees who have been lapsed for a period of greater than five (5) years may be required to submit a new application and re-take the examination or may show proof of continuing education or work experience demonstrating current competency.

3.3 Professional Standards

A licensee may be disciplined for a violation of any of the grounds of unprofessional conduct which are found in 26 V.S.A. § 4159. In addition, a licensee may be disciplined for a violation of any of the grounds of unprofessional conduct which are found in 3 V.S.A. § 129a.

3.4 Complaint Procedure

The Office has a procedure for receiving, investigating and acting on complaints of unprofessional conduct. Copies of the procedure are available from the Office.

3.5 Disciplinary Actions

Hearings on charges of unprofessional conduct are held before an administrative law officer appointed by the Secretary of State. A party aggrieved by a decision of an administrative law officer may, within thirty (30) days of the decision, appeal by filing a written notice with the Director. The appeal shall be decided by Washington Superior Court on the basis of the record before the administrative law officer.

Effective Date: November 15, 2005