Sixty-fourth
Legislative Assembly
of North Dakota

SENATE BILL NO. 2295

Introduced by

Senators Dever, Warner

Representatives Hofstad, Mooney, Rohr

A BILL for an Act to amend and reenact sections 43-39-01 and 43-39-04 and subdivision d of subsection 1 of section 43-39-10 of the North Dakota Century Code, relating to the regulation of athletic trainers; and to provide a penalty.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 43-39-01 of the North Dakota Century Code is amended and reenacted as follows:

43-39-01. Definitions.

1. "Athletic trainer" means ~~a person~~an individual with specific qualifications set forth in section 43-39-05, who is providing athletic training services in accordance with the individual's education.
2. "Athletic training" means doing any of the ~~practice of prevention, recognition, evaluation, management, treatment, and disposition of athletic injuries. The term also means rehabilitation of athletic injuries, if under the order of a licensed physician. The term includes organization and administration of educational programs, athletic facilities, and the education and counseling of the public~~~~comprehensive management of injuries and illnesses to prevent, clinically evaluate, assess, provide immediate care, treat, rehabilitate, and recondition.~~following under the guidance of a physician:
   a. Preventing, recognizing, and evaluating injuries and illnesses sustained while participating in physical activity;
   b. Managing and administering the initial treatment of injuries or illnesses sustained while participating in physical activity;
   c. Giving emergency care or first aid for an injury or illness sustained while participating in physical activity;

d. Rehabilitating injuries or illnesses sustained while participating in physical activity;

e Rehabilitating and physically reconditioning injuries or illnesses that impede or prevent an individual from returning to participating in physical activity, if the individual recently participated in, and intends to return to participation in, physical activity;

f. Establishing or administering risk management, conditioning, and injury prevention programs; or

g. Referring a patient to an appropriate health care provider as needed.

3. "Board" means the North Dakota board of athletic trainers established in section 43-39-02.

4. "Physical Activity" means activity that requires physical strength, agility, range of motion, repetitive motion, speed, or stamina, including participation in exercise, sports, games, recreation, wellness, or fitness.

5. "Physician" means ~~a doctor of medicine~~an individual licensed ~~to practice~~as a physician under chapter 43-17.

SECTION 2. AMENDMENT. Section 43-39-04 of the North Dakota Century Code is amended and reenacted as follows:

43-39-04. Unlawful practice.

1. ~~No~~A person may not practice athletic training or hold that person out as being an athletic trainer in this state unless that person is an individual licensed in accordance with this chapter.

2. ~~No~~A person may not consult, teach, or supervise or hold that person out as being able to consult, teach, or supervise athletic training curricular courses in this state unless that person is an individual licensed in accordance with this chapter or chapter 43-17~~,~~ or possesses a degree in a health-related field.

3. ~~No~~A person may not represent that person as being a licensed athletic trainer or use in connection with that person's name any letters, words, or insignia indicating or implying that the person is a licensed athletic trainer unless that person is an individual licensed in accordance with this chapter.

SECTION 3. AMENDMENT. Subdivision d of subsection 1 of section 43-39-10 of the North Dakota Century Code is amended and reenacted as follows:

d. Is guilty of treating or undertaking to treat ~~ailments of human beings~~an individual's injury or illness, except as authorized pursuant to this chapter, or undertaking to practice independent of the ~~order~~direction of a licensed physician, or is guilty of any act derogatory to the dignity and morals of the profession of athletic training.