

BOARD OF ATHLETIC TRAINERS RULES

AS OF JUNE 30, 2021

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DEPARTMENT OF LABOR AND INDUSTRY

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ADMINISTRATIVE RULES OF MONTANA

NOT AN OFFICIAL VERSION

Subchapter 1

Organizational Rule

24.118.101 BOARD ORGANIZATION (1) The Board of Athletic Trainers adopts and incorporates the organizational rules of the Department of Labor and Industry as listed in chapter 1 of this title. (History: 2-4-201, 37-36-102, MCA; IMP, 2-4-201, MCA; NEW, 2011 MAR p. 576, Eff. 4/15/11.)

Subchapter 2

Procedural Rules

24.118.201 PROCEDURAL RULES (1) The Board of Athletic Trainers adopts and incorporates by this reference the public participation rules of the Department of Labor and Industry as listed in ARM chapter 101, subchapters 3 and 4. (History: 2-4-201, 37-36-102, MCA; IMP, 2-4-201, MCA; NEW, 2011 MAR p. 576, Eff. 4/15/11.)

Subchapter 3

Definitions

24.118.301 DEFINITIONS (1) In addition to the terms defined in 37-36-101, MCA, the following definitions apply to the rules in this chapter:

(a) "Board of Certification" means the Board of Certification, Inc. (BOC), the only accredited, certifying body accepted by the Board of Athletic Trainers, and which sets the standards of practice of athletic training.

(b) "CAATE Standards" means the Standards for Accreditation of Professional Athletic Training Programs promulgated by the Commission on Accreditation of Athletic Training Education (CAATE).

(c) "Qualified supervisor" means a licensed athletic trainer or a health care professional licensed under Title 37, chapter 3, 6, 11, 12, 20, 24, or 26, MCA, who:

(i) is a preceptor at an institution accredited by the BOC and using CAATE Standards; and

(ii) is not currently enrolled in an entry-level athletic training education program. (History: 37-36-102, MCA; IMP, 37-36-101, 37-36-203, MCA; NEW, 2011 MAR p. 576, Eff. 4/15/11; AMD, 2019 MAR p. 427, Eff. 4/27/19; AMD, 2021 MAR p. 564, Eff. 5/15/21.)

Subchapter 4

General Provisions

Rule 24.118.401 reserved

24.118.402 FEE SCHEDULE

(1) Original application and license fee	\$175
(2) License renewal fee	75
(3) Additional standardized fees are specified in ARM 24.101.403.	
(4) All fees are nonrefundable and may not be prorated. (History: 37-1-134, 37-36-102, MCA; <u>IMP</u> , 37-1-134, 37-36-201, 37-36-202, MCA; <u>NEW</u> , 2008 MAR p. 1705, Eff. 8/15/08; <u>AMD</u> , 2011 MAR p. 576, Eff. 4/15/11; <u>AMD</u> , 2012 MAR p. 2378, Eff. 11/24/12; <u>AMD</u> , 2019 MAR p. 427, Eff. 4/27/19.)	

Subchapter 5

Licensing and Scope of Practice

24.118.501 APPLICATIONS (REPEALED) (History: 37-1-131, 37-36-102, MCA; IMP, 37-1-131, 37-36-201, MCA; NEW, 2012 MAR p. 2378, Eff. 11/24/12; REP, 2021 MAR p. 564, Eff. 5/15/21.)

24.118.502 NONROUTINE APPLICATIONS (1) For the purpose of processing nonroutine applications, the board incorporates the definitions of routine and nonroutine at ARM 24.101.402 by reference.

(2) Nonroutine applications must be reviewed and approved by the board before a license may be issued. (History: 37-1-131, MCA; IMP, 37-1-101, 37-1-131, MCA; NEW, 2012 MAR p. 2378, Eff. 11/24/12; AMD, 2021 MAR p. 556, Eff. 5/15/21.)

24.118.503 APPLICANTS WITH CRIMINAL CONVICTIONS (1) The board incorporates ARM 24.101.406 by reference with no modifications. (History: 37-1-131, MCA; IMP, 37-1-101, 37-1-131, MCA; NEW, 2021 MAR p. 556, Eff. 5/15/21.)

24.118.504 SUPERVISION (REPEALED) (History: 37-1-131, 37-36-102, MCA; IMP, 37-1-131, 37-36-101, 37-36-203, MCA; NEW, 2011 MAR p. 576, Eff. 4/15/11; REP, 2021 MAR p. 564, Eff. 5/15/21.)

Rules 24.118.505 and 24.118.506 reserved

24.118.507 LIMIT ON NONLICENSEE CONDUCT (REPEALED) (History: 37-1-131, 37-36-102, MCA; IMP, 37-1-131, 37-36-101, 37-36-203, 37-36-204, MCA; NEW, 2011 MAR p. 576, Eff. 4/15/11; REP, 2019 MAR p. 427, Eff. 4/27/19.)

Rule 24.118.508 reserved

24.118.509 MILITARY TRAINING OR EXPERIENCE (1) Pursuant to 37-1-145, MCA, the board shall accept relevant military training, service, or education toward the requirements for licensure as an athletic trainer.

(2) Relevant military training, service, or education must be completed by an applicant while a member of either:

- (a) United States armed forces;
- (b) United States reserves;
- (c) state national guard; or
- (d) military reserves.

(3) An applicant must submit satisfactory evidence of receiving military training, service, or education that is equivalent to relevant licensure requirements as an athletic trainer. Satisfactory evidence includes:

- (a) a copy of the applicant's military discharge document (DD 214 or other discharge documentation);
- (b) a document that clearly shows all relevant training, certification, service, or education the applicant received while in the military, including dates of training and completion or graduation; and
- (c) any other documentation as required by the board.

(4) The board shall consider all documentation received to determine whether an applicant's military training, service, or education is equivalent to relevant licensure requirements. (History: 37-1-145, MCA; IMP, 37-1-145, MCA; NEW, 2014 MAR p. 1393, Eff. 6/27/14.)

Subchapters 6 through 20 reserved

Subchapter 21

Continuing Education

24.118.2101 RENEWALS (REPEALED) (History: 37-1-131, 37-36-102, MCA; IMP, 37-1-131, 37-1-141, 37-1-309, 37-36-202, MCA; NEW, 2012 MAR p. 2378, Eff. 11/24/12; AMD, 2019 MAR p. 427, Eff. 4/27/19; REP, 2021 MAR p. 564, Eff. 5/15/21.)

Rule 24.118.2102 reserved

24.118.2103 CONTINUING EDUCATION (1) Those continuing education credits required by the BOC to maintain current certification, will also serve as continuing education to maintain licensure as an athletic trainer in Montana. (History: 37-1-319, 37-36-102, MCA; IMP, 37-1-131, 37-1-306, MCA; NEW, 2011 MAR p. 576, Eff. 4/15/11.)

Subchapter 22 reserved

Subchapter 23

Unprofessional Conduct

24.118.2301 UNPROFESSIONAL CONDUCT (1) The BOC's Athletic Trainers Standards of Professional Practice, implemented January 2019, are adopted and incorporated by reference. A copy of the BOC Standards of Professional Practice may be obtained through the Board of Athletic Trainers, 301 S. Park Avenue, P.O. Box 200513, Helena, Montana, 59620-0513. Violation of BOC practice standards or codes of professional responsibility may be grounds for discipline.

(2) In addition to 37-1-316, MCA, the following is unprofessional conduct for a licensee or license applicant under Title 37, chapter 36, MCA, and may be grounds for discipline:

- (a) having been subject to disciplinary action by the BOC;
- (b) willfully disobeying of a rule adopted by the board, or an order of the board regarding evaluation or enforcement of discipline of a licensee;
- (c) failing to furnish to the board or its investigators or representatives information legally requested by the board;
- (d) failing to cooperate with a lawful investigation conducted by the board;
- (e) failing to report to the board office within 30 days of the date of the final judgment, order, or agency action, any malpractice, professional misconduct, criminal, or disciplinary action in which the licensee is a named party;
- (f) conspiring to misrepresent or willfully misrepresenting medical conditions improperly to increase or decrease a settlement, award, verdict, or judgment;
- (g) promoting or involvement in, gambling of any kind on the outcome of an athlete's or team's participation in an athletic competition or event;
- (h) committing any act of sexual abuse, sexual misconduct, or sexual exploitation, whether or not related to the licensee's practice of athletic training;
- (i) administering a controlled substance as defined by the U.S. Food and Drug Administration (FDA) or successors; otherwise than in the course of legitimate or reputable professional practice;
- (j) having been convicted of a federal or state law regulating the possession, distribution, or use of a controlled substance as defined by the FDA or successors, whether or not an appeal is pending;
- (k) failing to transfer pertinent and necessary medical records to another licensed health care professional, the patient, or the patient's representative when requested to do so by the patient or the patient's legally designated representative;
- (l) failing to appropriately supervise any student assistant or athletic training student practicing under the licensee's supervision, according to scope of practice and generally accepted standards of practice;
- (m) failing to disclose having voluntarily relinquished or surrendered a license or privileges, or having withdrawn an application for licensure or privileges while under investigation, or prior to the granting or denial of an application in this state or in another state or jurisdiction; or

(n) failing to maintain current BOC certification as required by statute, including adhering to and complying with all BOC continuing education requirements, and obtaining and carrying the proscribed professional liability insurance as required by BOC for certified athletic trainers. (History: 37-1-319, 37-36-102, MCA; IMP, 37-1-316, 37-1-319, 37-36-202, MCA; NEW, 2011 MAR p. 576, Eff. 4/15/11; AMD, 2019 MAR p. 427, Eff. 4/27/19; AMD, 2021 MAR p. 564, Eff. 5/15/21.)