

PROFESSIONAL LICENSURE DIVISION [645]

Notice of Intended Action

Proposing rule-making related to licensure and continuing education requirements

The Board of Athletic Training hereby gives Notice of Intended Action to amend Chapter 351, "Licensure of Athletic Trainers," and Chapter 352, "Continuing Education for Athletic Trainers," Iowa Administrative Code.

Legal Authority for Rule Making

This rule making is proposed under the authority provided in Iowa Code sections 147.76, 152D.5, and 272C.2.

State or Federal Law Implemented

This rule making implements, in whole or in part, Iowa Code chapters 152D and 272C.

Purpose and Summary

This proposed rule making amends the Iowa Board of Athletic Training's requirements for applying for endorsement and reactivation of licensure by requiring the applicant only provide verification of licensure from the jurisdiction in which they were most recently licensed and disclose public or pending complaint in any other jurisdiction. The proposed amendments allow reactivation applicants to show proof of active practice in another jurisdiction in lieu of completing 50 continuing education hours. The proposed amendments also allow continuing education to be obtained through both remote or in-person offerings.

Fiscal Impact

This rule making has no fiscal impact to the State of Iowa.

Jobs Impact

After analysis and review of this rule making, no impact on jobs has been found.

Waivers

Any person who believes that the application of the discretionary provisions of this rule making would result in hardship or injustice to that person may petition the Athletic Training Board for a waiver of the discretionary provisions, if any.

Public Comment

Any interested person may submit written or oral comments concerning this proposed rule making. Written or oral comments in response to this rule making must be received by the Board of Athletic Training no later than 4:30 p.m. on [DATE]. Comments should be directed to:

Venus Vendoures-Walsh

Iowa Department of Public Health, Professional Licensure

Lucas State Office Building

321 E 12th Street

Fifth Floor Room 526
Des Moines, Iowa 50319
Phone: 515.242.6529
Email: venus.vendoures-walsh@idph.iowa.gov

Public Hearing

A public hearing at which persons may present their views orally or in writing will be held as follows:

[HEARING INFORMATION]

Persons who wish to make oral comments at a public hearing may be asked to state their names for the record and to confine their remarks to the subject of this proposed rule making. Any persons who intend to attend the public hearing and have special requirements, such as those related to hearing or mobility impairments, should contact the Board of Athletic Training and advise of specific needs.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its regular monthly meeting or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following amendments are proposed.

Item 1. Amend subrule 351.7(1)(e) as follows:

e. Provides verification of license(s) from the every jurisdiction in which the applicant has been licensed, sent directly from the jurisdiction(s) to the board office. The applicant must also disclose any public or pending complaints against the licensee in any other jurisdiction. Web-based verification may be substituted for verification direct from the jurisdiction's board office if the verification provides:

Item 2. Amend subrule 351.15(3) as follows:

351.15(3) Provide verification of current competence to practice as an athletic trainer by satisfying one of the following criteria:

a. If the license has been on inactive status for five years or less, an applicant must provide the following:

(1) Verification of the license(s) from the every jurisdiction in which the applicant ~~is or has been licensed and is or~~ has most recently been practicing during the time period the Iowa license was inactive, sent directly from the jurisdiction(s) to the board office. The applicant must also disclose any public or pending complaints against the licensee in any other jurisdiction. Web-based verification may be substituted for verification from a jurisdiction's board office if the

verification includes:

1. Licensee's name;
2. Date of initial licensure;
3. Current licensure status; and
4. Any disciplinary action taken against the license; and

(2) Verification of completion of 50 hours of continuing education within two years of the application for reactivation or verification of active practice, consisting of a minimum of 2,080 hours, in another state or jurisdiction during the two years preceding an application for reactivation.

b. If the license has been on inactive status for more than five years, an applicant must provide the following:

(1) Verification of the license(s) from the every jurisdiction in which the applicant is or has been licensed and is or has most recently been practicing during the time period the Iowa license was inactive, sent directly from the jurisdiction(s) to the board office. The applicant must also disclose any public or pending complaints against the licensee in any other jurisdiction. Web-based verification may be substituted for verification from a jurisdiction's board office if the verification includes:

1. Licensee's name;
2. Date of initial licensure;
3. Current licensure status; and
4. Any disciplinary action taken against the license; and

(2) Verification of completion of 50 hours of continuing education within two years of application for reactivation; or verification of active practice, consisting of a minimum of 2,080 hours, in another state or jurisdiction during the two years preceding an application for reactivation; and

- (3) Verification of current BOC certification.

Item 3. Adopt the following new subrule 351.15(4):

351.15(4) Verification of active practice. To submit verification of active practice, the licensee shall submit a sworn statement of previous practice from an employer or professional associate, detailing places and dates of employment and verifying that the applicant worked as an athletic trainer for at least 2,080 hours or taught as the equivalent of a full-time faculty member for at least one of the immediately preceding years during the last two-year time period.

Item 4. Amend rule 352.1 as follows:

645—352.1(272C) Definitions. For the purpose of these rules, the following definitions shall apply:

“*Audit*” means the selection of licensees for verification of satisfactory completion of continuing education requirements during a specified time period.

“*Board*” means the board of athletic training created under Iowa Code chapter 147.

“*BOC*” means the Board of Certification or its successor organization.

“*Continuing education*” means planned, organized learning acts acquired during initial licensure designed to maintain, improve, or expand a licensee's knowledge and skills in order for the licensee to develop new knowledge and skills relevant to the enhancement of practice, education, or theory development to improve the safety and welfare of the public.

“Hour of continuing education” means at least 50 minutes spent by a licensee ~~in actual attendance at and completion~~ completing of an approved continuing education activity through live, virtual, online or prerecorded means where the instructor provides proof of completion by the licensee as set forth in these rules.

“License” means license to practice.

“Licensee” means any person licensed to practice as an athletic trainer in the state of Iowa.

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