

**BOARD OF ATHLETIC TRAINING
GENERAL BUSINESS MEETING MINUTES
EMBASSY SUITES ORLANDO –
(Lake Buena Vista South)
4955 Kyngs Heath Road
Kissimmee, Florida 34746
(407) 597-4000
Friday, July 7, 2017 at 9:00 a.m.**

TAB 1 CALL TO ORDER/ROLL CALL

The meeting was called to order at 9:00 a.m. by Nick Pappas, Chair. Those present for all or part of the meeting included the following:

Members present:

Nick Pappas, ATC, LAT, Chair
Kevin Christie, D.C.
Randy Schwartzberg, M.D.
James Hudson
Kari Riddle, ATC, LAT
Bo McDougal, ATC, Vice Chair
James Watson, ATC

Members absent:

Lynn Roberts - excused

Staff present:

Deborah Loucks, Board Counsel
Jennifer Wenhold, Executive Director
Penny Johnson, Regulatory Supervisor
Court Reporter – Diana Brundage – American Court Reporting
(407) 896-1813

TAB 2 APPROVAL OF MINUTES

July 15, 2016, General Business Meeting

The minutes of the July 15, 2016 meeting were reviewed and the following action was taken by the Board:

Motion: by Ms. Riddle to approve the minutes from the July 15, 2016 meeting.

Second: by Dr. Schwartzberg

Vote: Unanimous

TAB 3 APPLICATION REVIEW

Mr. Clive Justin Sharpe was not present and not represented by counsel. Mr. Sharpe was previously licensed in Florida with licensure eligibility as 800 hours of athletic training experience and at least 5 years of athletic training practice preceding the original application. Mr. Sharpe must meet current licensure requirements. After discussion, the Board took the following action:

Motion: by Ms. Riddle to deny the application with the option to withdraw the application within 14 days from the filing date of the Final Order as Mr. Sharpe does not meet the current statutory requirements pursuant to s. 468.707 F.S.

Second: by Dr. Christie

Vote: Unanimous

TAB 4 RULE DISCUSSION

The Board reviewed proposed language for Rule **64B33-4.001** Protocols; Scope of Practice for licensed athletic trainers in Florida. After discussion, the Board took the following action:

Motion: by Mr. McDougal to approve the rule with changes. Remove parentheses 2, 3, 4, 5 6 and 12 from the proposed language for Rule 64B33-4.001 listed in the agenda. Also correct the typo for the word dangerous in paragraph 7(f).

Second: by Mr. Hudson

Vote: Unanimous

(SERC): Statement of Estimated Regulatory Costs

Motion: by Ms. Riddle that this rule change has no impact on small businesses regarding regulatory costs and no impact over \$200K in the aggregate within 1 year of this rule being filed.

Second: by Dr. Christie

Vote: Unanimous

Motion: by Ms. Riddle that the changes to this rule would not constitute a minor violation.

Second: Mr. Hudson

Vote: Unanimous

The Board reviewed proposed language for Rule **64B33-5.001** Discipline Guidelines for licensed athletic trainers in Florida. After discussion, the Board took the following action:

Motion: by Ms. Riddle to approve the proposed language and allow Ms. Loucks to remove unnecessary and redundant rule language. Ms. Loucks to send final rule draft to Mr. Pappas for final review and approval.

Second: by Dr. Christie

Vote: Unanimous

(SERC): Statement of Estimated Regulatory Costs

Motion: by Mr. McDougal that this rule change has no impact on small businesses regarding regulatory costs and no impact over \$200K in the aggregate within 1 year of this rule being filed.

Second: by Dr. Schwartzberg

Vote: Unanimous

Motion: by Ms. Riddle that the changes to this rule would not constitute a minor violation.

Second: Dr. Schwartzberg

Vote: Unanimous

Ms. Wenhold explained the changes that are being impacted from HB 229 which amends s. 456.0635, F.S. revising grounds for refusing to issue or renew a license in a health care profession. These changes will also effect Rule 64B33-2.001 F.A.C. She also mentioned a department wide standardized licensure application that would be presented at a future meeting. After discussion, the board made the following motions:

Motion: by Ms. Riddle to open rule development for Rule 64B33-2.001 F.A.C. and bring back proposed language to the next meeting.

Second: by Dr. Christie

Vote: Unanimous

TAB 5 REPORTS

Assistant Attorney General

Ms. Loucks reported on the status of rules listed on the May 2017 report listed in the agenda. Ms. Loucks also provided the 2016-2017 Annual Regulatory Plan as reference material. Ms. Loucks explained the changes in Chapter 120 which requires the board to determine if rule changes constitute a minor violation.

Prosecutor's Report

The Prosecutor's Report from May 8, 2017 was provided as reference material.

Board Executive Director

The Financial Reports were provided for reference material and for proposed fee reduction discussion.

Ms. Wenhold provided information on the anti-trust issue giving an update on recent events and gave the members a chance to ask any questions regarding anti-trust.

Board Members

Mr. McDougal expressed concern with the licensure process that went into effect with the legislative changes in HB1319 effective in 2011 that he would like revised to add in endorsement language.

TAB 6 OTHER BUSINESS

The Board reviewed the proposed fee reduction scenarios listed in the agenda. After discussion the following action was taken:

Motion: by Ms. Riddle to accept the fee reduction as shown on item #2 of the fee reduction scenarios listed in the agenda and to open rule 64B33-3.001 to amend the fees.

Second: by Dr. Schwartzberg

Vote: Unanimous

(SERC): Statement of Estimated Regulatory Costs

Motion: by Ms. Riddle that this rule change has no impact on small businesses regarding regulatory costs and no impact over \$200K in the aggregate within 1 year of this rule being filed.

Second: by Dr. Christie

Vote: Unanimous

Motion: by Ms. Riddle that the changes to this rule would not constitute a minor violation.

Second: Mr. Hudson

Vote: Unanimous

Ms. Wenhold explained how the Office of Fiscal Accountability and Regulatory Reform (OFARR) has tasked Medical Quality Assurance (MQA) with making additional reductions in lines of regulatory.

The Board reviewed the Delegation of Authority list in the agenda. After discussion the following action was taken:

Motion: by Mr. Hudson to accept the proposed Delegation of Authority listed in the agenda with the addition of the delegation to the Executive Director to sign certifying rules indicating a minor violation.

Second: by Mr. Riddle

Vote: Unanimous

Initial License Ratification List

Motion: by Ms. Riddle to ratify the list of initial licenses beginning with license number AL4621 and ending with AL4932

Second: Dr. Schwartz

Vote: Unanimous

Election of Officers

Motion for Chair:

Motion: by Mr. Watson to nominate Mr. Pappas as Chair

Second: by Mr. McDougal

Vote: Unanimous

Motion for Vice-Chair

Motion: by Mr. Pappas to nominate Mr. Dougal for Vice-Chair

Second: by Dr. Schwartzberg

Vote: Unanimous

Mr. Pappas appointed Mr. McDougal as Probable Cause Panel Chair.

TAB 7 FOR YOUR INFORMATION

- Health Care Clinic Establishments - Self-Inspection Industry Notification Letter
- B. Travel Reimbursement Process Change
- C. Prescription Drug Monitoring Program

TAB 8 ADJOURNMENT

The meeting adjourned at 11:07 am.

Motion: by Ms. Riddle to adjourn

Second: by Mr. Watson

Vote: Unanimous