

**BOARD OF ATHLETIC TRAINING
GENERAL BUSINESS MEETING**

Telephone Conference Call

PHONE NUMBER: (888) 670-3525

PARTICIPANT CODE*: 4552635641

December 20, 2017 at 12:00 p.m. EST

I. CALL TO ORDER

The meeting was called to order on Wednesday, December 20, 2017 at 12:00 p.m. EST by Mr. Nicholas Pappas, Board Chair.

ROLL CALL

Those present for all or part of the meeting included the following:

Members Present:

Nicholas Pappas, ATC, LAT, Chair
Billy J. McDougal, ATC, LAT, Vice-Chair
James T. Watson, ATC, LAT
Kevin Christie, DC
James Hudson
Lynne Roberts
Kari Riddle, ATC, LAT

Staff Present:

Deborah Loucks, Esq., Board Counsel
Jennifer Wenhold, Executive Director
Abigail Chapman, Regulatory Supervisor
Court Reporter: For the Record Reporting,
(850) 222-5491

Members Absent:

Randy Schwartzberg, MD

II. APPROVAL OF MINUTES

A. July 7, 2017 General Business Meeting Minutes

The minutes of the July 7, 2017 general business meeting were reviewed and following review, the Board took the following action:

Motion: by Ms. Riddle to approve the July 7, 2017 general business meeting minutes.

Second: by Mr. Hudson.

Vote: unanimous.

III. APPEARANCE

A. Daniel O'Keefe, LAT Applicant by Endorsement

Mr. O'Keefe was not present and was not represented by counsel. This application is being presented to the Board due to prior disciplinary action taken against his Massachusetts licensure as an athletic trainer for the violation of operating without a license from July 14, 2010 until January 24, 2011, pursuant to Chapter 112, Section 65A, Massachusetts General Law.

Following review and discussion, the Board took the following action:

Motion: by Ms. Riddle to require the applicant's appearance at one of the next two regularly scheduled meetings of the Board.

Second: by Ms. Roberts.

Vote: unanimous.

IV. RULES DISCUSSION

Mr. Pappas thanked the Board staff and Board counsel for their respective efforts to assist the Board with the proposed amendments to the Rules.

A. 64B33-4.001, F.A.C. Protocols; Scope of Practice

A letter was received from Marjorie C. Holladay with the Joint Administrative Procedures Committee in response to the proposed rule. Ms. Loucks provided a rule draft for the Board's consideration.

Following discussion, the following action was taken by the Board:

Motion: by Ms. Riddle to approve the proposed rule amendment with the removal of the language "in a timely fashion" in subparagraph (5).

Second: by Ms. Roberts.

Vote: unanimous.

SERC: Statement of Estimated Regulatory Costs

Motion: by Ms. Roberts that this proposed rule amendment has no impact on small businesses regarding regulatory costs and no impact over \$200K in the aggregate in Florida within one year of this rule being filed.

Second: by Ms. Riddle.

Vote: unanimous.

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

Second: by Ms. Roberts.

Vote: unanimous.

B. 64B33-5.001, F.A.C. Disciplinary Guidelines

A letter was received from Marjorie C. Holladay with the Joint Administrative Procedures Committee in response to the proposed rule. Ms. Loucks provided a rule draft for the Board's consideration.

Following discussion, the following action was taken by the Board:

Motion: by Ms. Riddle to approve the proposed rule amendment as revised by Ms. Loucks.

Second: by Dr. Christie.

Vote: unanimous.

SERC: Statement of Estimated Regulatory Costs

Motion: by Ms. Roberts that this proposed rule amendment has no impact on small businesses regarding regulatory costs and no impact over \$200K in the aggregate in Florida within one year of this rule being filed.

Second: by Ms. Riddle.

Vote: unanimous.

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

Second: by Ms. Roberts.

Vote: unanimous.

V. REPORTS

A. Deborah Loucks, Esq., Board Counsel

i. Annual Regulatory Plan

Ms. Loucks provided the Annual Regulatory Plan for the period beginning October 1, 2017 and ending September 30, 2018 for the board members' review and ratification.

Motion: by Ms. Riddle to approve the ratification of the Annual Regulatory Plan.

Second: by Ms. Roberts.

Vote: unanimous.

ii. Rules Report

Ms. Loucks provided a monthly rules report for December 2017 for the board members' review. Additionally, Ms. Loucks provided a report of the progress with the approved Rule 64B33-3.001, F.A.C., amendment which will change the fees for initial licensure and renewal of licensure in 2018.

Ms. Loucks informed the Board that Florida received its first anti-trust lawsuit against the Florida Bar.

B. Jennifer Wenhold, Executive Director

i. Financial Reports

a. Budget Report – Expenditures by Function

Ms. Wenhold provided budget information for period ending June 30, 2017 for the Board's review.

b. Financial Reports – MQA Annual Report for FY16/17

Ms. Wenhold provided financial reports included in the Medical Quality Assurance annual report for FY16-17, which include FY16-17 report of revenues, expenditures and cash balance by profession; projected six year cash balance; and Expenditure by Function report with correspondence from Mendy Simmons, Senior Health Budget Analyst, for the Board’s review.

c. Two Year Cash Analysis

Ms. Wenhold provided a two year cash analysis with correspondence from Mendy Simmons, Senior Health Budget Analyst, for the Board’s review.

ii. Legislation

a. SB 280: Relating to Telehealth

Ms. Wenhold discussed 2018 legislation. SB 280 is a bill filed on telehealth creating Section 456.4501, F.S.; defining terms, establishing the standard of care for telehealth providers, authorizing telehealth providers to use telehealth to perform patient evaluations as well as the incorporation of additional provisions in Chapter 456, Florida Statutes, which will apply to all of the boards regulated.

Ms. Wenhold brought to the attention of the Board HB 1047, filed the afternoon prior on December 19, 2017. HB 1047 is the Department of Health’s packaged bill with Section 24 pertaining to Athletic Training. Also, Ms. Wenhold presented the progress of the standardized application initiative by the Department created in order to lessen the burden for all Boards to Rule make every time Chapter 456, Florida Statutes, General Provisions, is amended. Ms. Wenhold provided notice that the application Rule 64B33-2.001, F.A.C., will be opened at a future regularly scheduled meeting of the Board in order to discuss ratification of the amended application with resulting changes from the standardized application initiative.

C. Nicholas Pappas, Chair Report

Mr. Pappas discussed the efforts to amend Chapter 468, Florida Statutes, in order to clarify and further define the laws governing the practice of Athletic Training which were packaged with HB 1047.

VI. FOR YOUR INFORMATION

A. Telehealth Advisory Council Report

At request of Mr. Pappas, Ms. Wenhold provided a brief summary of the Telehealth Advisory Council Report as it relates to Chapter 2016-240, Laws of Florida.

B. The Wisconsin Institute for Law & Liberty Report

The Wisconsin Institute for Law & Liberty Report was included on the agenda as a for your information item. Mr. Pappas discussed the source of the report and his opinion of the data

presented in the report.

VII. ADJOURNMENT

There being no further discussion, the Board took the following action:

Motion: by Mr. Hudson to adjourn the meeting.

Second: by Ms. Roberts.

Vote: unanimous.

The meeting was adjourned at 12:48 p.m. EST.