

**BOARD OF ATHLETIC TRAINING
GENERAL BUSINESS MEETING**

Telephone Conference Call

PHONE NUMBER: (888) 585-9008

PARTICIPANT CODE*: 599196982

January 24, 2019 at 1:00 p.m. ET

I. CALL TO ORDER

The meeting was called to order on Thursday, January 24, 2019 at 1:01 p.m. ET 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
Kevin Christie, DC
Kari Riddle, ATC, LAT
Randy Schwartzberg, MD
James T. Watson, ATC, LAT
Lynne Roberts

Staff Present:

Timothy Frizzell, Esq., Board Counsel
Jennifer Wenhold, Executive Director
Breanne Ereckson, Regulatory Supervisor
Court Reporter: For the Record Reporting,
(850) 222-5491

Members Absent:

James Brian Hudson (unexcused)

II. APPROVAL OF MINUTES

A. September 17, 2018 General Business Meeting Minutes

The minutes of the September 17, 2018 general business meeting were reviewed and following review, the Board took the following action:

Motion: by Ms. Riddle to approve the minutes as presented.

Second: by Mr. Watson

Vote: Unanimous.

III. APPEARANCES

A. Daniel O'Keefe, LAT by Endorsement Applicant

Mr. O'Keefe was not present and was not represented by counsel. Mr. O'Keefe's application first came before the Board at the December 20, 2017 General Business Meeting, after Mr. O'Keefe failed to answer criminal and license history questions affirmatively when the

application file contains information that the Applicant was convicted of DUI and disciplined by the Commonwealth of Massachusetts Board of Registration of the Allied Health Professionals. At that December 20, 2017 meeting, the Board voted to require Mr. O'Keefe to appear before the Board at one of the Board's next two (2) regularly scheduled meetings in order to answer questions regarding his application. Mr. O'Keefe was notified of but declined to attend the February 8, 2018 General Business Meeting and was not notified of and did not attend the next subsequent Board meeting on September 17, 2018. Mr. O'Keefe was notified of today's meeting.

After discussion, the Board took the following action:

Motion: by Mr. McDougal to deny Mr. O'Keefe licensure for failure to answer questions accurately on the application and for failure to appear.

Second: by Dr. Schwartzberg

Vote: Unanimous

IV. RULE DISCUSSION

A. Rule Review: 64B33-1.002, .003, and .005

On October 2, 2018, the Attorney General's office received a letter from the Joint Administrative Procedures Committee (JAPC). This letter was requesting for the following three Rules to be reviewed: Rule 64B33-1.002, 1.003, and 1.005, Florida Administrative Code. These three rules reference "Other Board Business for Which Compensation is Allowed," "Unexcused Absences of Board Members," and "Exemption for Spouses of Members of the Armed Forces" respectively. Mr. Frizzell reviewed these three Rules and does not believe that updates are needed. Mr. Pappas agrees with Mr. Frizzell.

After discussion, the Board took the following action:

Motion: by Ms. Riddle to accept that no changes or updates are needed to those Rules at this time.

Second: by Ms. Roberts.

Vote: Unanimous

B. Proposed New Language: 64B33-2.003

At the direction of the Board, Ms. Wenhold and Mr. Frizzell have drafted new language to modify Rule 64B33-2.003. This Rule references renewal requirements for Licensed Athletic Trainers (LAT). The Board had noticed that the continuing education (CE) requirements for LAT renewal and the CE requirements for Board of Certification (BOC) certification overlap. The modifications to the Rule would allow a licensee, at the time of renewal, to present proof of a CPR/AED card, a copy of his or her BOC card, and proof of completion of 2 hours of Medical Errors. Because BOC certification is required to become licensed as an LAT in Florida, licensees are currently completing excess CE credit to meet both BOC and Florida requirements. The modified language would decrease the burden on licensees for each renewal cycle.

Mr. Pappas believes that this is the best way to proceed, as well. Mr. McDougal agrees that this change would substantially simplify the renewal process for licensees. However, Mr.

McDougal did open discussion about changing the LAT renewal biennia to mimic the renewal period of the BOC certification. Mr. Frizzell noted that in order to enact such change, there would have to be amendments made to the Florida Statutes. The Board agreed not to pursue the matter further. Mr. Pappas also believes that leaving the renewal biennia as is has a better fiscal impact on licensees.

After discussion, the Board took the following action:

Motion: by Ms. Riddle to accept the modifications to the Rule.

Second: by Dr. Christie.

Vote: Unanimous

Motion: by Mr. Pappas that a Statement of Estimated Regulatory Costs (SERC) is not required as the proposed rule amendment has no impact on small businesses regarding regulatory costs and has no impact over \$200,000 in the aggregate in Florida within one year of this rule being filed.

Second: None

Vote: Unanimous.

Motion: by Mr. Pappas that no part of this rule or a violation of this rule should be designated as a minor violation.

Second: None

Vote: Unanimous.

V. REPORTS

A. Jennifer Wenhold, Executive Director

1. Proposed New Health History Questions

Ms. Wenhold and Mr. Pappas participated in a teleconference call this past September. The teleconference call consisted of a committee whose goal was to amend the current health history questions on all licensure applications. The committee decided to amend the questions to the following:

1. Do you have any condition that currently impairs your ability to practice your profession with reasonable skill and safety?
2. Are you using medications, other drugs, narcotics, or intoxicating chemicals that impair your ability to practice your profession with reasonable skill and safety?
3. If you answered "yes" to either of the above questions, please provide a letter from a licensed health care practitioner, who is qualified by skill and training to address your condition, which explains the impact your condition may have on your ability to practice your profession with reasonable skill and safety, and stating either that you are safe to practice your profession without restriction or indicating what restrictions are necessary. If necessary, you may attach additional sheets. Documentation must be current within the last year. If you fail to disclose the information requested in this section, your application may be denied.

After discussion, the Board took the following action:

Motion: by Ms. Riddle to accept the new questions and to amend Rule 64B33-2.001,

Florida Administrative Code, to incorporate these new questions in the current LAT application.

Second: by Ms. Roberts.

Vote: Unanimous

Motion: by Mr. Pappas that a Statement of Estimated Regulatory Costs (SERC) is not required as the proposed rule amendment has no impact on small businesses regarding regulatory costs and has no impact over \$200,000 in the aggregate in Florida within one year of this rule being filed.

Second: None

Vote: Unanimous.

Motion: by Mr. Pappas that no part of this rule or a violation of this rule should be designated as a minor violation.

Second: None

Vote: Unanimous.

2. Licensure Renewal Cycles

The Board had previously discussed (Tab IV, B) changing the LAT renewal biennia to mimic the BOC renewal cycle. However, the Board decided not to pursue this matter further.

3. Financial Reports

Ms. Wenhold presented the expenditures by function report to the Board for review.

B. Board Assistant Attorney General

1. Rules Report

Mr. Frizzell presented the Rules Report for December 2018 to the Board for review.

VI. FOR YOUR INFORMATION

A. BOC Model Language Guidelines & Considerations

B. Spotlight on ULA

VII. OTHER BUSINESS

A. Delegation of Authority

The board reviewed the annual delegation of authority and after discussion the Board made the following motion:

Motion: by Ms. Riddle to approve the proposed Delegation of Authority as presented.

Second: by Mr. McDougal

Vote: Unanimous.

B. Election of Officers

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

Second: by Ms. Riddle

Vote: Unanimous.

Motion: by Mr. Pappas to elect Mr. McDougal as Vice-Chair.

Second: by Ms. Riddle

Vote: Unanimous.

C. 2019 Proposed Meeting Dates

The following 2019 quarterly meeting dates were presented to the Board for approval:

- April 12, 2019
- July 11, 2019 at 9:00 am
- October 18, 2019

The April and October meetings will take place via teleconference call and the July meeting will take place in Orlando, Florida.

The Board discussed the proposed meeting dates and have decided to make amendments to the proposed dates. The Board has directed Ms. Wenhold and Ms. Ereckson to present amended meeting dates to the Board for review at a later date.

VIII. ADJOURNMENT

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

The meeting was adjourned at 1:56 pm.