



September 8, 2020

Dear Members of the Athletic Trainers Technical Review Committee,

Good afternoon. My name is Mark Kaipust and I serve as the Vice President of Hands and Orthopedics for the Nebraska Occupational Therapy Association. I am here today to testify on behalf of the Association (hereinafter referred to as NOTA) and the membership we represent. Before I begin, I would like to thank the committee for the time and opportunity to testify today.

NOTA is the professional association for the approximately 1,500 occupational therapy providers in the state of Nebraska. Occupational therapy is a healthcare profession that specializes in providing rehabilitation for mental or physical illnesses or injuries through engagement in occupations or activities required for daily life. Occupational therapists uniquely focus on participation in occupations to promote recovery, rehabilitation, and wellness for individuals of all ages. We work across the lifespan and commonly serve clients in a variety of settings including, but not limited to, outpatient clinics, acute care hospitals, rehabilitation facilities, skilled nursing facilities, schools, and other non-traditional settings.

NOTA has been working closely with the NSATA since the end of April 2020 regarding their proposed scope of practice changes. We appreciate their willingness to meet and listen to our concerns. However, we continue to oppose the proposed language in section 38-403 with the definition of “athletic injury,” specifically, NOTA opposes the word vocational and the definition provided for vocational (see Appendix A).

NOTA has recommended to NSATA alternate language that would not confuse the public on what profession would be the best fit for the person seeking care; however, NSATA has rejected NOTA’s suggestions so far. NOTA believes the term vocational may confuse the general public regarding the roles, responsibilities, and preparation of the athletic trainer in comparison to other rehabilitation disciplines such as occupational therapy or physical therapy. NOTA recommends the language of “tactical athletic activities” versus vocational. This difference in language clarifies to the public the role of an Athletic Trainer and eliminates public safety concerns with regard to which profession may be the best fit for treatment of an injury, illness, or condition.

NOTA acknowledges the intent of athletic trainers working with a population that is underserved, such as law enforcement, fire fighters, military personnel, who would benefit from athletic training services to increase their strength, stamina, and agility to perform their jobs. Therefore, we proposed the terminology “tactical athletic” to help the public differentiate between the professions. The use of the word “vocation” better describes those who are injured at work and are currently being served by occupational and physical therapists.

Occupational therapy programs provide their students with a variety of fieldwork experiences that prepare them to treat individuals who have incurred injuries as part of their vocations. Fieldwork is the term that occupational therapy uses to describe their student experiences across a variety of



practice areas. Students in occupational therapy programs receive an average of 560-720 hours of fieldwork experience based on their degree and their educational program. The clinical experience hours range across the lifespan from birth to death and across practice settings. In addition, based on the program, students may have a choice of approximately 200-750 fieldwork experiences. The variety of fieldwork sites prepares future occupational therapists to serve a wide array of patients.

Educational standards and fieldwork experiences must support the broadened scope to ensure public safety and there is concern as NSATA was unable to produce information on clinical affiliations to ensure their students are adequately prepared.

Furthermore, in the initial application provided by NSATA, all of the referenced states on page 33 (Colorado, Idaho, Washington, Wyoming) as well as those included in NSATA's submission for the third technical review committee (Georgia, Missouri, Ohio, Vermont) do not include the language "vocational" to define an athletic injury.

Therefore, NOTA proposes the removal of the word "vocational" and inclusion of "or tactical athletic activities." Without the aforementioned changes, section 38-403 lacks clarity that may impact the safety of the general public and potentially cause harm. NOTA is opposed to the sections 38-403 unless amended to the provided recommendation that improves clarity and the safety of the general public.

NOTA is grateful for the opportunity to provide feedback and insight into the proposed changes of our Athletic Trainer colleagues during this 407 process. If we may provide greater clarity or answer any questions, we would be happy to do so. We appreciate the opportunity to provide feedback.

Respectfully,

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Appendix A: 8

NSATA Proposed Language for 38-403	NOTA Language Recommendation for 38-403
<p>Means injuries or common illnesses and conditions related to, or limits participation in, exercise, athletic, recreational, vocational, or activities requiring physical strength, agility, flexibility, range of motion, speed, or stamina, and which athletic trainers as a result of their education and training are qualified to provide care and make referrals to the appropriate health care professionals. An individual who is licensed as an athletic trainer may not provide, offer to provide, or represent that he or she is qualified to provide any care or services that he or she lacks the education, training, or experience to provide, or that he or she is otherwise prohibited by law from providing.</p> <p>Vocational Defined: Of, relating to, or 8 concerned with the work in which a person is employed 8</p> <p>Condition Defined: A disease, illness, or injury</p>	<p>Means injuries or common illnesses and conditions related to, or limits participation in, exercise, athletic, recreation, or tactical athletic activities that require physical strength, agility, flexibility, range of motion, speed, or stamina, and which athletic trainers as a result of their education and training are qualified to provide care and make referrals to the appropriate health care professionals. An individual who is licensed as an athletic trainer may not provide, offer to provide, or represent that he or she is qualified to provide any care or services that he or she lacks the education, training, or experience to provide, or that he or she is otherwise prohibited by law from providing. 8</p> <p>Condition Defined: A disease, illness, or injury 8</p>