

July 28, 2020

Dear Members of the Athletic Trainers Technical Review Committee,

A subcommittee of Executive Board members from the Nebraska Occupational Therapy Association (NOTA) met with the Nebraska State Athletic Trainers Association (NSATA) on July 10, 2020 to discuss NSATA’s proposed amendments to their Scope of Practice in the State of Nebraska.

We had a robust discussion; however, NOTA opposes section 38-403 unless amended. Below is NOTA’s proposal for section 38-403 and further rationale discussed below:

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 concerned with the work in which a person is employed</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.</p> <p>Condition Defined: A disease, illness, or injury</p>

NOTA’s recommendations for 38-403 seek to clarify the role of an Athletic Trainer to eliminate public safety concerns with regard to which profession may be the best fit for treatment of an injury, illness, or condition. The current definition remains too broad and vague which is likely to 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.

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.

For example, with the use of the word “vocational” an office worker who is diagnosed with carpal tunnel syndrome may accidentally be referred to an athletic trainer when this type of repetitive use injury may be best treated by an occupational therapist. This would be a safety risk to such patients as they may be guided to a practitioner with less training on this specific condition. However, a tactical athlete, such as a firefighter who needs to increase his/her speed and stamina to carry heavy equipment up flights of stairs, may be best served by an athletic trainer.

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.

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, please feel free to contact us. We appreciate the opportunity to provide feedback.

Respectfully,

A handwritten signature in black ink that reads "Lindsay Tuxhorn, OTD, OTR/L".

Lindsay Tuxhorn, OTD, OTR/L
NOTA President
president.nota@gmail.com

A handwritten signature in black ink that reads "Melissa J. Kimmerling, EdD, OTR/L".

Melissa Kimmerling, EdD, MOT, OTR/L
NOTA Vice President of Policy & Advocacy
policyandadvocacy.nota@gmail.com