



September 21, 2020

Dear Members of the Technical Review Committee for Athletic Trainers:

The Nebraska State Athletic Trainers' Association (NSATA) is submitting this letter in response to the testimony submitted by the Nebraska Occupational Therapy Association (NOTA) at the recent public hearing held on September 8, 2020. The NSATA recognizes the continued concerns of NOTA regarding section 38-403 of the amended proposal. However, the NSATA stands by the language submitted in the amended proposal.

On June 16, 2020, via APTA-NE's Suggested Revisions letter submitted to the Technical Committee, APTA-NE recommended the use of "athletic, recreational, or vocational activity." As noted by NOTA, "vocational" is not defined in any referenced practice acts from other states, nor is it defined in Nebraska statutes. To ensure clarity and intent, the NSATA used *Merriam-Webster's Dictionary* to define "vocational."

It is unclear if NOTA still opposes the "or activities requiring physical strength, agility, flexibility, range of motion, speed, or stamina." While they did not oppose this section of 38-403 during public testimony, they did include language recommendations for 38-403 in the appendix of their letter submitted that removes the "or" before activities, giving the definition a much different connotation. In a meeting on May 8, 2020, NOTA referenced language the American Occupational Therapy Association recommended for the Ohio Athletic Trainers' Association, as they were also pursuing practice act revisions. Based on feedback from APTA-NE and NOTA, review of Ohio's Athletic Training Practice Act language, and states with similar language including Georgia, Missouri and Vermont, the NSATA elected to use "exercise, athletic, recreational, vocational, or activities requiring physical strength, agility, flexibility, range of motion, speed, or stamina." This language, while still broad, captures the types of injuries or common illnesses and conditions an athletic trainer is educated and trained to provide care. It also helps alleviate confusion to the general public. In states with similar language to the amended proposal, including Ohio, Georgia, Vermont, and Missouri, none have seen an increase in the number of discipline cases as a result of changes to their respective practice acts.

As discussed in the August 4, 2020 letter to the Technical Committee for Athletic Trainers, the NSATA recognizes that "vocational" has specific meaning to occupational therapists, but NSATA opposes replacing it with "tactical athletic activities." While athletic trainers do work with tactical athletes across the country, this term would narrow the patient population that could have access to athletic trainers who are educated and trained to treat them. The NSATA worked to use "vocational" at APTA-NE's recommendation. NSATA also tried to steer away from "occupational" as a professional courtesy to occupational therapists in Nebraska. While there are no states that currently use the term "vocational," Virginia, West Virginia, and Oklahoma all have language in their respective practice acts allowing them to treat occupational injuries.

NOTA also cited that the NSATA did not provide information regarding clinical affiliations to ensure students are adequately prepared for practice. At the July 28, 2020 Technical Committee meeting the NSATA provided settings from the University of Nebraska Omaha in which students can gain clinical experiences. Further examples were provided by Micki Cuppett during her testimony regarding clinical opportunities for students at a national level.

We appreciate the opportunity to collaborate with NOTA regarding our amended proposal. While we may not agree in all areas of the proposal, there are many areas where recommendations have been implemented. NSATA continues to recommend the language submitted as part of the amended proposal be accepted by the Technical Committee.

Sincerely,

A handwritten signature in black ink that reads "Michael E. Roberts, ATC". The signature is written in a cursive style.

Michael Roberts  
407 Workgroup Chair  
Nebraska State Athletic Trainers' Association