MINUTES
of the Fifth Meeting of the
Athletic Trainers Technical Review Committee

October 22, 2020
9:30 p.m. to Noon

Members participating	Members Absent	Staff persons present
Diane Jackson, APRN		**Matt Gelvin**
Ed Discoe, MD		**Ron Briel**
Ruth Lucas		**Marla Scheer**
Lisa Pfeil		
Richard James Raska, DPM		
Jeffrey L. Howorth		
Alice Kindschuh, RN, APRN		

I. Call to Order, Roll Call, Approval of the Agenda

Diane Jackson called the meeting to order at 9:35 a.m. The roll was called; a quorum was present. Ms. Jackson welcomed all attendees. The agenda was posted and the meeting was advertised online at http://dhhs.ne.gov/Licensure/Pages/Credentialing-Review.aspx . The committee members unanimously approved the agenda for the fifth meeting and the minutes of the fourth meeting.

II. Final Questions and Discussion on the Proposal

Grace Knott, PT, asked the applicants who would an athletic trainer report to under the terms of the proposal? Ms. Knott went on to state that this question is vital in determining the safety of the proposed new athletic trainer scope of practice under review, and that until such time as this question is addressed her group would continue to oppose the proposal. Dr. Discoe commented that he also wants to see guidelines pertinent to how oversight would be provided in service contexts outside of athletic facilities. Dr. Discoe added that he sees no reason why the applicant group would not be willing to provide this information as the review of their proposal proceeds toward the legislative phase of the review process, and expressed confidence that they would eventually provide these kinds of details when it becomes time to draft legislation to carry the proposal forward. An applicant representative responded by stating that the applicants would be working towards defining these kinds of details as the review process on the proposal continues forward into the legislative phase and that they would be glad to hold discussions with NPTA and NOTA representative on these matters throughout the remainder of the review process.

III. Committee Discussion on the Six Criteria

Discussion on the six statutory criteria for scope of practice proposals by the committee members:

Criterion one: The health, safety, and welfare of the public are inadequately addressed by the present scope of practice or limitations on the scope of practice.

Dr. Raska commented that in his judgment the proposal addresses a real service need in Nebraska especially in remote rural areas of our state.
Alice Kindschuh commented that the proposal satisfies criterion one.
Ruth Lucas commented that the proposal satisfies criterion one.

Criterion two: Enactment of the proposed change in scope of practice would benefit the health, safety, or welfare of the public.

Dr. Raska commented that the proposal satisfies criterion two.
Alice Kindschuh commented that the proposal satisfies criterion two.
Ruth Lucas commented that the proposal satisfies criterion two.

Criterion three: The proposed change in scope of practice does not create a significant new danger to the health, safety, or welfare of the public.

Ruth Lucas commented that the proposal satisfies criterion three.
Alice Kindschuh commented that the proposal satisfies criterion three.
Dr. Raska commented that the proposal satisfies criterion two.
Lisa Pfeil commented that the proposal satisfies criterion three.

Criterion four: The current education and training for the health profession adequately prepares practitioners to perform the new skill or service.

Dr. Raska commented that the proposal satisfies criterion four.
Alice Kindschuh commented that the proposal satisfies criterion four.
Ruth Lucas commented that the proposal satisfies criterion four.

Criterion five: There are appropriate post-professional programs and competence assessment measures available to assure that the practitioner is competent to perform the new skill of service in a safe manner.

Ruth Lucas commented that the proposal satisfies criterion five.
Dr. Discoe asked the applicants to comment on this criterion. One applicant stated that Nebraska athletic trainers take fifty-hours of CE every two years to satisfy statutory requirements.

Criterion six: There are adequate measures to assess whether practitioners are competently performing the new skill or service and to take appropriate action if they are not performing competently.

Dr. Discoe asked the applicants to comment on this criterion. One applicant stated that athletic trainers are included under the Uniform Licensure Law and all of its disciplinary guidelines and that this provides reasonable assurance of competency. He added that, in addition, there is an athletic trainer Board of Certification that addresses these kinds of issues, as well.

IV. Committee Recommendations on the Proposal

The committee members took a roll call vote to formulate their recommendations on the proposal. Voting to recommend approval of the proposal were Discoe, Howorth, Kindschuh, Lucas, Pfeil, and Raska. There were no nay votes. Chairperson Jackson abstained from voting.

V. Public Comments

Grace Knott, PT, reiterated her concerns about the need for more clarification regarding oversight of athletic trainer services delivered outside of the context of athletic facilities or institutions. Dr. Discoe expressed concerns about the need for documentation by the applicant group of how oversight would be provided for these kinds of non-facility-based services, adding that his support for the proposal is conditional upon this outstanding question being satisfactorily resolved. Dr. Discoe advised the applicants to work closely with physicians and physical therapists to address this matter as the review process advances into its legislative phase.

Dr. Moffatt, NMA representative, and Dr. Raska, DPM, expressed their support of Dr. Discoe's comments about the need for the documentation of oversight of the athletic trainer services in question. Dr. Raska added that the kind of documentation utilized by "EMR" information-sharing procedures is vital for the success of the proposal in the field, and advised the applicants to adopt this approach to this resolve this outstanding question. One applicant representative responded that athletic trainers already utilize these kinds of procedures and that it would be easy to apply them to address this issue as well.

VI. Other Business and Adjournment

There being no further business the committee members unanimously agreed to adjourn the meeting at 10:30 a.m.