

**THE REPORT OF THE DIRECTOR OF THE DIVISION OF PUBLIC HEALTH
ON THE PROPOSAL TO EXPAND THE SCOPE OF PRACTICE OF
ATHLETIC TRAINERS**

Date: February 19, 2021

To: The Speaker of the Nebraska Legislature
The Chairperson of the Executive Board of the Legislature
The Chairperson and Members of the Legislative Health and Human Services
Committee

From: Gary J. Anthonie, MD
Chief Medical Officer
Director, Division of Public Health
Department of Health and Human
Services



Introduction

The Regulation of Health Professions Act (as defined in Neb. Rev. Stat., Section 71-6201, et. seq.) is commonly referred to as the Credentialing Review Program. The Department of Health and Human Services Division of Public Health administers this Act. As Chief Medical Officer I am presenting this report under the authority of this Act.

Summary of the Athletic Trainer's Proposal

The Nebraska Athletic Trainers Association proposes to make changes in Athletic Trainer scope of practice that would allow Athletic Trainers in our state to treat the athletic injuries of persons who are not defined as athletes, per se.

The full text of the applicants' proposal can be found under the Athletic Trainer subject area on the credentialing review program link at <https://dhhs.ne.gov/Licensure/Pages/Credentialing-Review.aspx>

Summary of Technical Committee and Board of Health Recommendations

The technical review committee members recommended in favor of the Athletic Trainer's proposal. The Board of Health also recommended in favor of this proposal. I concur with these recommendations, and my comments regarding my reasons for supporting the proposal follow, below.

The Director's Recommendations on the Proposal

Discussion on the six statutory criteria of the Credentialing Review Program as they relate to the Athletic Trainer's proposal

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.

The applicants' proposal would provide Nebraskans with more options for service providers vis-à-vis the treatment of athletic injuries.

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

Approving the applicants' proposal would enhance competition in this area of care which in turn could result in lower costs for these kinds of services.

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.

Nothing in the record of this review to date indicates that this proposal would create any new danger to the health, safety, or welfare of the public.

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

During the review the applicants indicated that their proposal would soon be requiring a Masters Degree as a prerequisite for licensure in Nebraska, a standard that should adequately prepare Athletic Trainers to provide the expanded scope of practice safely and effectively.

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.

Current post-professional programs and competency assessment measures would be able to provide assurance that Athletic Trainers are competent to perform the new skill of service in a safe manner.

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.

Current assessment measures pertinent to the evaluation and review of the services of Athletic Trainers would be adequate to determine whether or not these professionals are practicing competently.

Final Thoughts

Approving this proposal might very well prove to be more helpful to medically underserved western and/or rural areas of our state than it is to better served eastern and/or urban areas of our state. In the latter areas Athletic Trainers are likely to find it more difficult to successfully compete for clients against Occupational Therapists, Physical Therapists, Chiropractors, and Orthopedic Physicians, for example, than they would in relatively more health-services-starved western and/or rural areas of Nebraska. In the latter areas Athletic Trainers would have better chances of getting a foothold among non-athlete populations given that there would likely be less competition from other licensed professionals in those areas. In these latter areas Athletic Trainers would have a better chance of becoming the care providers of choice for local “weekend warriors,” who perhaps for the first time would now have opportunities to find out if they might not receive better care for their athletic injuries from an Athletic Trainer than from the relatively few health care providers currently available to them for such care in their local, rural communities, if, indeed, there are any other such health care providers available, therein, at all, that is.