

Ohio Occupational Therapy, Physical Therapy
and Athletic Trainers Board

Athletic Trainers Section Meeting
November 16, 2005
9:30 A.M.

Members Present

Jody Benda, AT
John Lombardo, M.D.
Paul Miller, AT
Vincent O'Brien, AT

Staff Present

Gina Longstreth, Investigator
Jeffrey Rosa, Executive Director
Jason Schutte, Investigator
Stephanie Youst, Executive Secretary

Members Absent

Kurt McClurg, AT

Legal Counsel

Thomas Madden, Assistant Attorney General

Call To Order

The meeting was called to order by acting Section chairperson, Jody Benda, at 9:50 a.m.

Approval Of Minutes

Action: Vincent O'Brien moved that the September 22, 2005 meeting minutes be approved as submitted. John Lombardo, M.D., seconded the motion. Paul Miller was absent for the vote. The motion carried.

Special Orders

Action: John Lombardo, M.D., moved to authorize the Executive Director to accept or reject consent agreements on the Section's behalf for the period beginning January 1, 2006 and ending December 31, 2006. Vincent O'Brien seconded the motion. Paul Miller was absent for the vote. The motion carried.

Executive Director Report

- Senate Bill 222, which would repeal the consolidation portion of the budget bill, was introduced in the Senate.
- The consolidation transition team met and voted to transfer all 20 boards and commissions to the Ohio Department of Commerce and create the Division of Professional Regulation.
 - The appointing authority would change from the members of each Board to the Superintendent of the Division of Professional Regulation. The transition team envisions the same hiring process that is currently in place for Board directors and the only structural change would be in who is signing the personnel action when someone is hired or fired.
- The listserv for all three Sections is up and running. The responses received from practitioners thus far have been favorable.
- The Athletic Trainers Section will be the first to implement online renewal via the CAVU licensing system. The renewal will begin in February 2006.
- The Speech Pathology and Audiology Board is in the process of developing online applications. The Executive Director wants to wait to develop online applications for the Board until the Speech Pathology and Audiology Board works out any problems.
- Representative Fessler introduced the Joint Board legislation. It is House Bill 403.
 - The Executive Director suggested that the Section prepare amendments to include in the next budget bill in the event that H.B. 403 does not pass.
- The Executive Director informed the Section that he left a voice mail for Adrian Allison with the Ohio Department of Education, but has not received a return call.
- A formal written report is attached to the minutes for reference.

Licensure Applications

Action: John Lombardo, M.D., moved that the Athletic Trainers Section ratify, as submitted, the athletic training licenses issued by the Ohio Occupational Therapy, Physical Therapy, and Athletic Trainers Board from September 22, 2005 through November 15, 2005, taking into account those licenses subject to discipline, surrender, or non-renewal. Vincent O'Brien seconded the motion. Paul Miller was absent for the vote. The motion carried.

Examination Applicants

Bedio, Kerri
Ciolino, Steve
Hart, Brian

Mazerolle, Stephanie
McCartney, Kathleen
Scherman, Samantha

Stephens, Wesley
Yonkof, Matthew

Endorsement Applicants

Briggs, Matthew
Butterfield, Timothy

Lee, Mandi
McNeil, James

Perusek, Angela
Whitney, Christopher

Investigative Report

The Enforcement Division opened two new cases and closed one case since the September 22, 2005 meeting. There are currently fifteen cases open. There are ten individuals under consent agreement and one adjudication order being monitored. No inspections were conducted since the last meeting.

Action: John Lombardo, M.D., moved to accept the consent agreement for case number AT-05-006 in lieu of hearing. Vincent O'Brien seconded the motion. Paul Miller abstained from voting. The motion carried. The Section accepted the consent agreement for Angela Textor.

Action: John Lombardo, M.D., moved to accept the consent agreement for case number AT-05-007 in lieu of hearing. Vincent O'Brien seconded the motion. Paul Miller was absent for the vote. The motion carried. The Section accepted the consent agreement for Jarrod Mann.

Action: John Lombardo, M.D., moved to accept the consent agreement for case number AT-05-009 in lieu of hearing. Vincent O'Brien seconded the motion. Paul Miller abstained from voting. The motion carried. The Section accepted the consent agreement for David Peadon.

Action: John Lombardo, M.D., moved to accept the consent agreement for case number AT-05-010 in lieu of hearing. Vincent O'Brien seconded the motion. Paul Miller was absent for the vote. The motion carried. The Section accepted the consent agreement for Todd Yoder.

Action: John Lombardo, M.D., moved to accept the consent agreement for case number AT-05-012 in lieu of hearing. Vincent O'Brien seconded the motion. Paul Miller was absent for the vote. The motion carried. The Section accepted the consent agreement for Jason Rusznak.

Action: John Lombardo, M.D., moved to accept the consent agreement for case number AT-05-013 in lieu of hearing. Vincent O'Brien seconded the motion. Paul Miller was absent for the vote. The motion carried. The Section accepted the consent agreement for David Peadeon.

Action: John Lombardo, M.D., moved to accept the consent agreement for case number AT-05-014 in lieu of hearing. Vincent O'Brien seconded the motion. Paul Miller was absent for the vote. The motion carried. The Section accepted the consent agreement for D. Andrew Robinson.

Action: John Lombardo moved to accept the consent agreement for case number AT-05-016 in lieu of hearing. Vincent O'Brien seconded the motion. Paul Miller was absent for the vote. The motion carried. The Section accepted the consent agreement for Julie Smith.

Action: John Lombardo, M.D., moved to accept the consent agreement for case number AT-05-017 in lieu of hearing. Vincent O'Brien seconded the motion. Paul Miller was absent for the vote. The motion carried. The Section accepted the consent agreement for Brian Moore.

Action: John Lombardo, M.D., moved to issue a notice of opportunity for hearing for case number AT-05-021 for failure to comply with the 2005 athletic training audit and continuing education requirements. Vincent O'Brien seconded the motion. Paul Miller abstained from voting. The motion carried.

Action: John Lombardo, M.D., moved to issue a notice of opportunity for hearing for case number AT-05-022 for failure to comply with the 2005 athletic training audit and continuing education requirements. Vincent O'Brien seconded the motion. Paul Miller abstained from voting. The motion carried.

Action: John Lombardo, M.D., moved to issue a notice of opportunity for hearing for case number AT-05-023 for failure to comply with the continuing education requirements. Vincent O'Brien seconded the motion. Paul Miller abstained from voting. The motion carried.

Assistant Attorney Generals Report

Thomas Madden informed the Section that he had accepted a position with the Capital Crimes Division of the Attorney General's office and would no longer be representing the Section. His replacement, Todd Newkirk, is representing the Section effective December 1, 2005.

Correspondence

1. **Brian Steele:** Mr. Steele asked the Section if an athletic trainer licensed in a state other than Ohio is eligible to provide athletic training services in Ohio for less than 90 days per year. **Action:** Section 4755.65 of the Ohio Revised Code, which includes the 90 day provision, was not intended to allow athletic trainers licensed in states other than Ohio to practice athletic training in Ohio without obtaining a valid Ohio license. The intent of the law is to allow athletic trainers who are coming to Ohio with visiting teams (ex: college athletics, professional sports, etc.) to treat their own athletes.
2. **Melissa Biacsi:** Ms. Biacsi asked the Section if courses taken as part of her physical therapist assistant program would be applicable for continuing education credit. **Action:** After reviewing the information submitted, the Section granted Ms. Biacsi 40 hours of continuing education credit for *ALHN 121 General Pathology*, *PTHA 231 Clinical Practicum*, *PTHA 221 Rehabilitation*, and *PTHA 232 Clinical Practicum*. The Section reminded her that a maximum of 40 hours per renewal cycle may be earned under the post-graduate study category. If Ms. Biacsi is audited, she will be required to provide an official copy of her transcript from Lorain Community College demonstrating successful completion of the courses listed above and an official course catalogue description.
3. **Perry Denehy:** Mr. Denehy asked the Section to review the standard operating procedures developed by Sycamore High School and provide comments. **Action:** The Section reviewed the document submitted and commended Sycamore High School and all of those involved with the process of developing the standard operating procedures. Hopefully, the procedures developed will benefit the school, staff, and student athletes for years to come. The Section agrees with Mr. Denehy's assessment that more educational institutions should develop their own standard operating procedures. Unfortunately, the Section has no requirement with regards to policy and procedure content, but does advocate that all athletic trainers have written policies and procedures to guide the day-to-day operations of athletic training care. One recommendation the Section gave Mr. Denehy is in regard to the policy on visiting team and non-athletes. The policy states that the athletic training staff will provide the same level of professional care for visiting team members/non-athletes that is provided to Sycamore's student athletes. The Section asked Mr. Denehy to keep in mind that the care provided to Sycamore's own athletes is done with a physician referral or through a relationship with the team physician(s) consisting of a protocol of care communicated between the team physician and the athletic trainer, and should include procedures for prevention, recognition, assessment, management, treatment, disposition, and reconditioning of athletic injuries. Sycamore High School's team physician does not have knowledge of the visiting team members/non-athletes. Therefore, the Section recommends that, if Sycamore High School or Mr. Denehy offers to provide athletic training services to visiting team members/non-athletes, that he limit the care to injury and illness evaluation and first level care, as defined in Sycamore High School's standard operating procedures document.
4. **Lisa Litzelman:** Ms. Litzelman asked the Section if her attendance at the NATA conference would be applicable for continuing education credit for her May 15, 2007 renewal because the conference was the week prior to her initial date of Ohio licensure. **Action:** It is the position of the Section that, even though Ms. Litzelman's official date of Ohio licensure was June 22, 2005 and the conference was the week prior, the conference can be counted toward the 60 hours required for her upcoming license renewal.

New Business

Athletic Training Audit

Action: Vincent O'Brien moved to allow licensees 60 days to comply with the athletic trainers audit. If they fail to comply with the initial audit notice, they will have 30 days from the date of a certified audit notice to comply. If the licensee still fails to comply, enforcement will issue a notice of opportunity for hearing and consent agreement. John Lombardo, M.D., seconded the motion. The motion carried.

Rationale Statement: The Section members discussed the large number of licensees who were not in compliance with the 2005 athletic training audit. They decided to implement a policy change to attempt to decrease the number of licensees for future audits who are not in compliance with the continuing education requirements.

Old Business

Proposed Rule Changes

- The Section reviewed the rules up for five year review in 2006, as well as rules to which the Executive Director recommended changes.

Action: John Lombardo, M.D., moved to file rule 4755-45-01 as amended. Vince O'Brien seconded the motion. Paul Miller was absent for the vote. The motion carried.

Action: John Lombardo, M.D., moved to file rule 4755-41-01 as a no change rule. Vince O'Brien seconded the motion. Paul Miller was absent for the vote. The motion carried.

Action: John Lombardo, M.D., moved to rescind rule 4755-45-02. Vince O'Brien seconded the motion. Paul Miller was absent for the vote. The motion carried.

Action: John Lombardo, M.D., moved to file rule 4755-45-02 as a new rule. Paul Miller was absent for the vote. Vince O'Brien seconded the motion. The motion carried.

Review of Jurisprudence Exam

The Section reviewed the report detailing the frequency that questions on the jurisprudence examination were missed. The report demonstrated that questions 16, 17, and 30 were missed at a higher rate than the other questions on the examination. Those three questions will be modified or replaced.

Items for the Next Meeting

- The Section will hold a rules hearing at 11 a.m.
- The Section will review the Ohio laws and rules examination at their March 29, 2006 meeting.

Next Meeting Date

The next meeting date of the Athletic Trainers Section will be Thursday, January 5, 2006.

Adjournment

Vincent O'Brien moved that the meeting be adjourned. John Lombardo, M.D., seconded the motion. The motion carried. The meeting adjourned at 11:20 a.m.

Respectfully submitted,
Stephanie K. Youst

ABSENT

Kurt McClurg, AT, Chairman
Athletic Trainers Section

Jody Benda, AT, Secretary
Athletic Trainers Section

Jeffrey M. Rosa, Executive Director
Ohio Occupational Therapy, Physical Therapy
and Athletic Trainers Board

JB:jmr:sky