



Ohio Occupational Therapy, Physical Therapy,
and Athletic Trainers Board

Athletic Trainers Section
January 11, 2007
9:15 a.m.

Members Present

Jody Benda, AT
Paul Miller, AT
Kurt McClurg, AT
Vincent O'Brien, AT (Left @ 11:05 a.m.)

Member Absent

Thomas Best, M.D.

Legal Counsel

Jesse Cantrell, Assistant Attorney General

Staff Present

Christine Bass, Investigator
Jeffrey Rosa, Executive Director

Guests

James Hartley
Carrie Kuruc Ellsworth, JCARR
Kimberly Payne
Carole Weiss
Gary Weiss, Public Member

Call To Order

The meeting was called to order by Section Chairperson, Kurt McClurg, at 9:15 a.m.

Approval of Minutes

Action: Jody Benda moved that the November 15, 2006 meeting minutes be approved as submitted. Vincent O'Brien seconded the motion. The motion carried.

Special Orders

Election of Officers

Action: Jody Benda nominated Kurt McClurg to be Section Chairperson for the period beginning January 12, 2007 and ending immediately following the January 2008 Section meeting. Paul Miller seconded the nomination. All members present voted to elect Kurt McClurg Section Chairperson.

Action: Paul Miller nominated Jody Benda to be Section Secretary for the period beginning January 12, 2007 and ending immediately following the January 2008 Section meeting. Vincent O'Brien seconded the nomination. All members present voted to elect Jody Benda Section Secretary.

Action: Paul Miller nominated Vincent O'Brien to be Executive Committee representative for the period beginning January 12, 2007 and ending immediately following the January 2008 Section meeting. Jody Benda seconded the nomination. All members present voted to elect Vincent O'Brien Executive Committee representative.

The Section appointed Paul Miller to continue as the Investigative Liaison for the enforcement division.

Public Rules Hearing

The Section held a public rules hearing from 11:15 a.m. to 11:23 a.m. There were no witnesses or testimony given during the hearing regarding the proposed revisions.

Licensure Applications

Action: Paul Miller 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 November 15, 2006, through January 11, 2007 taking into account those licenses subject to discipline, surrender, or non-renewal. Kurt McClurg seconded the motion. The motion carried.

Endorsement Applicants

Mathews, Jason

Examination Applicants

Boger, Erin
McCutcheon, Kimberly
Wilson, Matthew

Curry, Nicholas
O'Brien, Bryanna

Hayes, Michael
Perez, Angela

Investigative Report

The Enforcement Division opened no new cases and closed two cases since the November 15, 2006 meeting. There are currently six open cases. There are thirteen disciplinary consent agreements and one adjudication order being monitored.

Action: Vincent O'Brien moved that the Section accept the consent agreement for case number AT-06-005 in lieu of going to hearing. Jody Benda seconded the motion. Paul Miller abstained from voting. The motion carried. The Section accept the consent agreement for Louis Folino.

Action: Vincent O'Brien moved that the Section accept the consent agreement for case number AT-06-008 in lieu of going to hearing. Jody Benda seconded the motion. Paul Miller abstained from voting. The motion carried. The Section accept the consent agreement for Joel Bella.

Paul Miller informed the Section that Jill Schlect complied with all terms and conditions and was released from her consent agreement.

Correspondence

1. **David Stejbach:** Mr. Stejbach asked the Section if DPT classes would apply for athletic training continuing education credit. **Reply:** In accordance with rule 4755-45-01 (C)(4), the two courses taken in the Fall of 2005 are eligible for five hours of continuing education per credit hour. Upon submission of an official transcript, Mr. Stejbach would be eligible for ten contact hours per course, for a total of twenty contact hours. Please remember that there is a maximum of forty contact hours that may be earned in this category.
2. **Brenda Baon:** Ms. Baon asked if several classes taken at Cuyahoga Community College would apply for athletic training continuing education credit. **Reply:** The Section determined that all three courses, Anatomy and Physiology I, Anatomy and Physiology II and Microbiology, are eligible for continuing education credit pursuant to paragraph (C)(4) of rule 4755-45-01 of the Ohio Administrative Code. Ms. Baon may earn 5 hours of continuing education per credit hour. Please remember that there is a maximum of forty contact hours that may be earned in this category.
3. **Douglas Wolf:** Mr. Wolf asked the Section if aspects of teaching nutrition fall within the athletic training practice act. **Reply:** Although nutrition is not an area for which athletic trainers take referrals, nothing in the Ohio Athletic Training Practice Act prevents an athletic trainer from discussing general nutritional parameters and guidelines.

Assistant Attorney General Report

Jesse Cantrell, AAG had no report for the Section.

New Business

Joint Board Structure

The Section discussed the proposed changes to the structure of the Joint Board presented by the Executive Director. Although the Section is supportive of making the changes, they did not want to go forward if another Section of the Board had concerns.

Old Business

Functional Capacity Evaluations

Paul Miller stated that he met with Kimberly Peer and Terri Angelo from the Ohio Athletic Trainers Association and was updated on the association's discussions with the Bureau of Workers' Compensation (BWC) on the functional capacity evaluation issue. According to the association, the BWC representatives now recognize that athletic trainers are legally able to perform functional capacity evaluations that they plan to rectify the current BWC policy statement.

Items for the Next Meeting

- The Section will discuss a proposed fee schedule for the administration of fines.

- The Section will discuss the proposed changes to the structure of Joint Board.

Next Meeting Date

The next meeting date of the Athletic Trainers Section will be Wednesday, February 28, 2007.

Adjournment

Paul Miller moved that the meeting be adjourned. Jody Benda seconded the motion. The motion carried. The meeting adjourned at 12:05 p.m.

Respectfully submitted,
Joseph A. Kirk

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:jak