



AT Ethics  
OATA Annual Meeting and  
Symposium

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May 6, 2022

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## Disclosures

We have no conflicts of interest or necessary disclosures.

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Identify	Identify ethical issues related to the practice of Athletic Training in Ohio.
Engage	Engage license holders about current chaperone guidelines, policies or procedures for intimate exams.
Understand	Understand scope of practice after HB 176 practice act changes.

# Learning Objectives

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# Questions

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Topics

- Board enforcement/AT Ethics
- Scope of Practice
- HB 176

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# Kahoot

Go to <https://kahoot.it/>  
Enter game code or scan QR code

Pre – Test

Use of Medical Chaperones

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OTPTAT Board mission

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The mission of the Ohio OTPTAT Board is to actively promote and protect the health of Ohioans through effective regulation of the professions of occupational therapy, physical therapy, athletic training, orthotics, prosthetics, and pedorthics.

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Mission of the AT Section

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The Mission of the AT Section is to Protect the Public, **NOT** the Licensee

This means that the Board does not advance the practice. The Board may support advancement that is done properly to protect Ohioans.

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## eLicense Ohio - renewals

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Athletic Trainer licenses expire **September 30, 2022**. Renewals will open **July 1, 2022**.

If you have completed your continuing education requirements, you may renew at any time once the renewal window opens.

There is no late renewal. After expiration, you must reinstate.

<http://elicense.ohio.gov>

Fee is \$70 plus \$3.50 eLicense fee.

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Since your last renewal (for example):

- have you ever been convicted of, found guilty of, pled guilty to, or received treatment in lieu of conviction for a felony and/or any offense involving moral turpitude in Ohio, another state, or a US territory?
- have you ever been denied licensure to practice as an athletic trainer or another profession in Ohio, another state, or US territory?
- have you used drugs, narcotics, or alcohol to the extent that it impairs your ability to practice athletic training or another profession?
- have you ever been found guilty of malpractice or settled a malpractice claim?

Attest to completion of CE.

You do not have submit certificates – save those in case of audit.

First time renewals DO NOT have a CE requirement.

## Renewal questions

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Licenseses must complete 25 contact hours of CE

All CE must be completed in 24-month period ending on September 30—  
of the renewal year, so don't start on your next CE period until October 1.

Licenseses exempt from CE for first renewal

Renewals must include at least one hour of professional ethics


Eliminated requirements


- In person requirement
- Two (2) hours of evidence-based practice


## License renewal - CE

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 Keeping your email current in eLicense is critical.

 ALL communications from the board, including renewal notices.

 Think twice before registering with a school/work address.

## Email Addresses

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# Enforcement Issues

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## Sexual Misconduct

## Impaired Practitioner issues

## Practicing without a license

- Renew your license and if you don't, don't work with an expired license.
- Name and Address changes are your responsibility

## Do your CEU's !

- Audits: 5 - 20% of license holders each renewal, randomly selected

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# Boundary Violations

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## Boundary Violations:

- No inappropriate touching/sexual contact with your patients.
- Don't have inappropriate/dating relationships patients.
- Text, Facebook, snapchat, etc.
- Athletic trainers shall not have a romantic or dating relationship or engage in any sexual activity with any patient, or engage in any conduct that may reasonably be interpreted by the patient to be sexual, whether consensual or nonconsensual, while a practitioner/ patient relationship exists. In the case of minors, the practitioner/ patient relationship extends to the minor's parent or guardian.
- Anticipate additions to the code of ethics soon related to sexual misconduct

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## Enforcement cases

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- AT004059
- Engaged in inappropriate conversations of a sexual nature with a patient/minor/student during the course of her practice as an athletic trainer, Engaged in unethical behavior with a patient/minor/student, Entered into a sexual relationship and with a patient/minor/student during the course of her practice as an athletic trainer, intended to deceive OTPTAT Board investigators by providing false statements during an interview. One false statement was in the form of a sworn affidavit.
- License revocation/Voluntary surrender.

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## Enforcement cases

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- AT002051/AT004826
- Failed to respond to the continuing education audit.
  - Multiple forms of contact over several (usually at least 4-6) months.
- License revocation.
- Key here is failure to respond. Did not even respond to a notice of hearing.

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## Enforcement cases

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- AT004784
- Failed to respond to the continuing education audit.
- License to practice as an athletic trainer in the State of Ohio shall be placed on probationary status until he fulfills all of the requirements in this Agreement; Shall pay a fine of \$200.00; Shall submit proof of twenty-five (25) continuing education hours, which must include one (1) hour of ethics and two (2) hours covering evidence-based practice earned between October 1, 2016 and September 30, 2018; Agrees to be audited for continuing education credits for the next renewal cycle; Shall provide a copy of the consent agreement to any current and future employers during the term of this agreement.
- Outcome is different – consent agreement

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## Enforcement cases

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- PT010227
- While employed as a physical therapist Licensee supervised athletic trainer who engaged in the practice of physical therapy, as that term is defined in Ohio Revised Code 4755.40(A) when she did not hold a valid license to practice.
- Written reprimand. Licensee shall develop a Personal Plan of Action to ensure future compliance with adhering to the minimal standards of acceptable prevailing practice and delegation for a physical therapist license. This plan shall address how she will ensure that she adheres to minimal standards of practice and describe a system for delegating physical therapy functions or responsibilities to an individual lacking the ability or knowledge to perform the function or responsibility in question.

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## Discussion #1 - Relationships

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You are a newly licensed athletic trainer. Prior to you being licensed, you were at The University of Willoughby and had been dating a young man named Bob who played hockey. After graduation, you had the opportunity to return to The University as an athletic trainer. You are still dating Bob when you start at the University.

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## Newly Hired AT

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Is there a conflict here based on the Ohio AT Code of Ethics?

Can you continue to have a relationship with Bob now that you are an athletic trainer at the university, and he is still playing hockey?

Does it matter if you do not provide coverage for hockey, and he is not one of your student-athletes?

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## Code of Ethics Says . . .

Athletic trainers shall not have a romantic or dating relationship or engage in any sexual activity with any patient, or engage in any conduct that may reasonably be interpreted by the patient to be sexual, whether consensual or nonconsensual, while a practitioner/ patient relationship exists. In the case of minors, the practitioner/ patient relationship extends to the minor's parent or guardian.

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## Also Remember . . .

Information relating to the athletic trainer-patient relationship is confidential and may not be communicated to a third party not involved in that patient's care without the prior written consent of the patient or the patient's representative, or unless otherwise allowed by law. Information must be disclosed when required by law for the protection of the patient or the public.

**RULE: 4755-41-02** An athletic trainer shall not disclose to unauthorized persons any confidential information received from any person served professionally without the written consent of that person or his legal guardian or unless as otherwise required by law.

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## Discussion #2 – Duty to Report

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You work in an outpatient rehabilitation clinic. One of your colleagues Frank has been caring for a patient named Tiffany. Frank begins to talk about how he has been texting with Tiffany and they have gone out on a couple dates. Your employer finds out about this and dismisses Frank from his position.

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Love  
Connection?

What should  
you do as an  
AT?

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## Duty to report

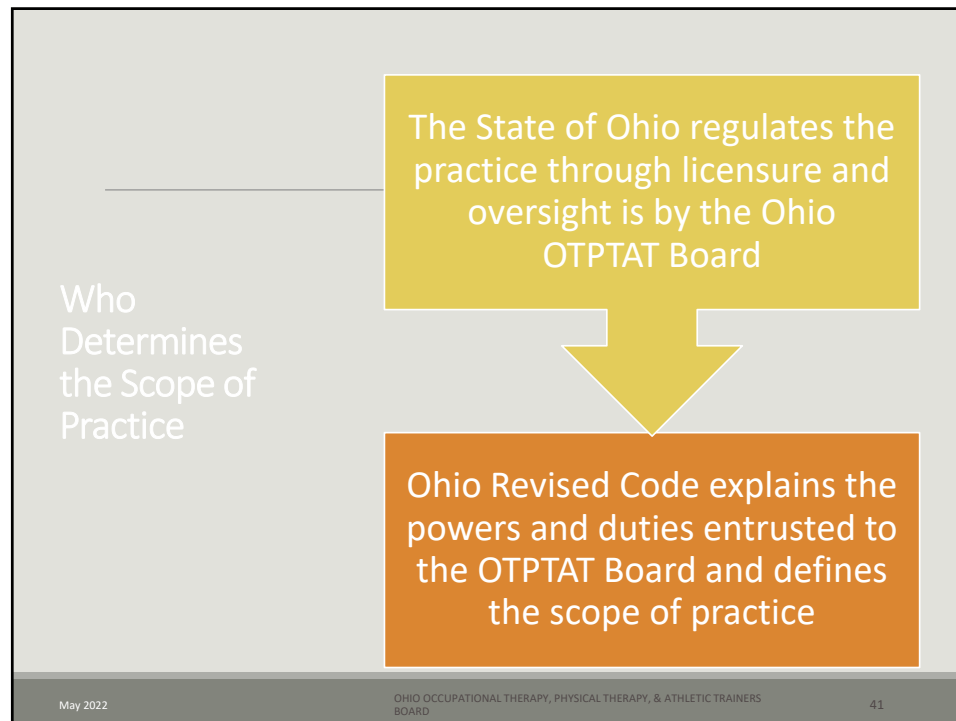
Standard Ethical Considerations for Athletic Trainers – Ohio  
Administrative Code 4755-41-01

- Athletic trainers shall protect the public and the profession by reporting any conduct that they consider unethical, illegal, or incompetent to the athletic trainers section of the Ohio occupational therapy, physical therapy, and athletic trainers board.
- Athletic trainers shall report to the athletic trainers section any unprofessional, incompetent, unethical, or illegal behavior of an athletic trainer of which the person has knowledge. An obligation to report is inherent in the profession.

Failure to report could result in professional disciplinary action by the state Board.

Complaint portal: [https://elicense.ohio.gov/oh\\_filecomplaint](https://elicense.ohio.gov/oh_filecomplaint)

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## “Personal” Scope of Practice

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The following questions should be asked to analyze and determine if a specific task is within one’s “personal” scope of athletic training practice.

- Is the skill in question specifically prohibited in the Ohio Revised Code?
- Is the task represented in entry level education and practice?
- Has the practitioner had continuing education to adequately prepare them to perform the task?
- Does this task provide for safety and welfare of the client?
- Does it conflict with other parts of the Ohio Revised Code, such as Pharmacy Board or Medical Board?

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## “Personal” Scope of Practice

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If the professional can provide supporting evidence that adequately addresses these areas, then the task is considered within that athletic trainer’s scope of athletic training practice.

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## Reference Documents

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The following can assist in determining entry-level education and athletic training practice.

- Practice Analysis
  - *Seventh Edition* <http://bocatc.org/athletic-trainers#practice-analysis>
  - “8<sup>th</sup> Edition” (PA8), which is effective for BOC exams beginning March/April 2023 and effective for certification maintenance beginning Jan. 1, 2024, was recently released.
- Athletic Training Education Competencies
  - *5th Edition* <http://caate.net/professional-programs/>

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## HB 176

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Effective January 27, 2022

### [ATHLETIC TRAINING PUBLICATIONS](#)

- [Guidelines for AT Practice January 2022](#)
- [Frequently Asked Questions on Athletic Training Practice Act Changes](#)
- [Sample Collaboration Agreement](#)
- [Updated Laws and Rules January 2022](#)
- [House Bill 176](#)

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## Collaboration Agreement

The agreement shall address all of the following:

- The duties and responsibilities to be fulfilled by the athletic trainer when engaging in the activities described in division (C) of section 4755.621.
- Any limitations on the athletic trainer's performance of the activities described in division (C) of section 4755.621.
- A plan of care for patients treated by the athletic trainer.

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## Specific Form and New Skills

Will the board require a specific form be completed for the CA?

- No, the board will produce a sample but not require a specific form be completed.

What are some of the methods for proving competencies to demonstrate training/ education for the expanded scope of practice for existing licensed ATs?

- See previous scope of practice slides

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## Treatment of Visiting Teams

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It is the position of the board that athletic trainers may provide visiting teams, traveling without an athletic trainer or physician, first aid/emergency care and routine care. ATs should not provide restorative treatments. A collaboration agreement that the visiting physician has with his/her school's athletic trainer would not "transfer" to the home team athletic trainer.

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## Orders

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Can ATs order diagnostic tests, such as Xrays, Labs, CT/MRI/EMG, Ultrasound, DME, etc?

- An AT may only do so if it is included in Standard Operating Procedures or a Collaboration Agreement with a physician.

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## AT to AT Referral

### Can an AT independently refer to another AT?

- An AT may refer to another AT under a collaboration agreement with a physician. "A person licensed as an athletic trainer pursuant to this chapter may practice upon the referral of an athletic trainer described in division (A) of section 4755.621 only if athletic training has already been recommended and referred by a health care provider described in division (A) of this Section (4755.621) who is not an athletic trainer." While the new law specifically allows, under a collaboration agreement, AT to AT referral the previous law under a Standard Operating Procedure (SOP) did not preclude an AT to AT referral if the referral was originated by an approved referral source.

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## Drugs/Medications/Injections

### Other than intra-articular and intratendinous injections, are there any other limitations around administering injections, vaccines, IV Saline, etc.?

- Potential limitations around the administration of injections, vaccines, IV Saline, etc. would fall under the scope of practice for the athletic trainer and the ability to procure, store, and dispose of the necessary medications and supplies per the regulations as set forth by the Ohio Board of Pharmacy.

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## Board Communications

“Like” the Board on Facebook at

<https://www.facebook.com/OhioOTPTATBoard>



Follow the Board’s Twitter feed at <http://twitter.com/OhioOTPTATBd>



Each Section has its own listserv

- To join, go to Board’s website and select “Join a Board Listserv” link on the homepage

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BOARD

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## Contacting the Board

• You may contact the Board by any of the following methods:

- Internet: <http://otptat.ohio.gov>
- Email: [board@otptat.ohio.gov](mailto:board@otptat.ohio.gov)
- Phone: 614-466-3774
- Fax: 614-995-0816
- Mail:

Ohio OTPTAT Board  
77 S. High Street, 16<sup>th</sup> Floor  
Columbus, OH 43215-6108

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# Questions

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