

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

DIRECTOR'S OFFICE

ATHLETIC TRAINERS – GENERAL RULES

Filed with the secretary of state on March 23, 2023

These rules take effect immediately upon filing with the secretary of state unless adopted under section 33, 44, or 45a(9) of the administrative procedures act of 1969, 1969 PA 306, MCL 24.233, 24.244, or 24.245a. Rules adopted under these sections become effective 7 days after filing with the secretary of state.

(By authority conferred on the director of the department of licensing and regulatory affairs by sections 16145, 16148, 16178, 16186, 16204, 16205, 16215, 16287, 17904, and 17905 of the public health code, 1978 PA 368, MCL 333.16145, 333.16148, 333.16178, 333.16186, 333.16204, 333.16205, 333.16215, 333.16287, 333.17904, and 333.17905 and Executive Reorganization Order Nos. 1991-9, 1996-2, 2003-1, and 2011-4, MCL 338.3501, 445.2001, 445.2011, and 445.2030)

R 338.1301, R 338.1303, R 338.1309, R 338.1317, R 338.1321, R 338.1345, R 338.1349, R 338.1357, and R 338.1369 of the Michigan Administrative Code are amended, as follows:

PART 1. GENERAL PROVISIONS

R 338.1301 Definitions.

Rule 1. (1) As used in these rules:

- (a) "Board" means the Michigan athletic trainer board.
 - (b) "BOC" means the Board of Certification, Inc.
 - (c) "Code" means the public health code, 1978 PA 368, MCL 333.1101 to 333.25211.
 - (d) "Department" means the department of licensing and regulatory affairs.
 - (e) "Emergency cardiac care" means training in the performance or use of adult cardiopulmonary resuscitation (CPR), pediatric CPR, second rescuer CPR, automated external defibrillator, airway management, and barrier devices.
- (2) Terms defined in the code have the same meanings when used in these rules.

PART 2. LICENSURE

R 338.1303 Training standards for identifying victims of human trafficking; requirements.

Rule 3. (1) Pursuant to section 16148 of the code, MCL 333.16148, an individual licensed or seeking licensure shall have completed training in identifying victims of human trafficking that meets the following standards:

- (a) Training content must cover all of the following:

(i) Understanding the types and venues of human trafficking in this state or the United States.

(ii) Identifying victims of human trafficking in health care settings.

(iii) Identifying the warning signs of human trafficking in health care settings for adults and minors.

(iv) Resources for reporting the suspected victims of human trafficking.

(b) Acceptable providers or methods of training include any of the following:

(i) Training offered by a nationally recognized or state-recognized, health-related organization.

(ii) Training offered by, or in conjunction with, a state or federal agency.

(iii) Training obtained in an educational program that has been approved by the board for initial licensure, or by a college or university.

(iv) Reading an article related to the identification of victims of human trafficking that meets the requirements of subdivision (a) of this subrule and is published in a peer review journal, health care journal, or professional or scientific journal.

(c) Acceptable modalities of training include any of the following:

(i) Teleconference or webinar.

(ii) Online presentation.

(iii) Live presentation.

(iv) Printed or electronic media.

(2) The department may select and audit a sample of individuals and request documentation of proof of completion of training. If audited by the department, an individual shall provide an acceptable proof of completion of training, including either of the following:

(a) Proof of completion certificate issued by the training provider that includes the date, provider name, name of training, and individual's name.

(b) A self-certification statement by an individual. The certification statement must include the individual's name and either of the following:

(i) For training completed pursuant to subrule (1)(b)(i) to (iii) of this rule, the date, training provider name, and name of training.

(ii) For training completed pursuant to subrule (1)(b)(iv) of this rule, the title of article, author, publication name of peer review journal, health care journal, or professional or scientific journal, and date, volume, and issue of publication, as applicable.

R 338.1309 Licensure by examination.

Rule 9. An applicant for an athletic trainer license by examination shall submit a completed application on a form provided by the department with the requisite fee. In addition to satisfying the requirements of the code and the rules promulgated under the code, the applicant shall satisfy all of the following requirements:

(a) Have graduated from an athletic training program that satisfies the requirements of R 338.1354.

(b) Have passed the examination adopted in R 338.1325.

(c) Have successfully completed emergency cardiac care training from a program that satisfies the requirements of R 338.1355 within 3 years before licensure and hold an unexpired emergency cardiac care certification.

R 338.1317 Licensure by endorsement.

Rule 17. An applicant for an athletic trainer license by endorsement shall submit a completed application on a form provided by the department with the requisite fee. In addition to satisfying the requirements of the code and the rules promulgated under the code, the applicant shall satisfy all of the following requirements:

(a) Be licensed, registered, or certified as an athletic trainer in another state of the United States or licensed in a province of Canada immediately preceding the application for licensure.

(b) Provide verification that he or she holds a current, valid BOC certification, which includes verification from the BOC showing that disciplinary proceedings are not pending against the applicant and sanctions are not in force at the time of application.

(c) Have successfully completed emergency cardiac care training from a program that satisfies the requirements of R 338.1355 within 3 years before licensure by endorsement and hold an unexpired emergency cardiac care certification.

(d) Comply with both of the following:

(i) Disclose each license, registration, or certification in a health profession or specialty issued by any other state, the United States military, the federal government, or another country on the application form.

(ii) Satisfy the requirements of section 16174(2) of the code, MCL 333.16174, which include verification from the issuing entity showing that disciplinary proceedings are not pending against the applicant and sanctions are not in force at the time of application.

R 338.1321 Licensure of foreign-trained applicants.

Rule 21. (1) If an applicant was foreign-trained and does not meet the requirements of R 338.1309 or R 338.1317, then the applicant shall submit a completed application on a form provided by the department with the requisite fee, and in addition to satisfying the requirements of the code and the rules promulgated under the code, satisfy all of the following requirements:

(a) Provide verification that the applicant holds a national licensure, registration, certification, or other athletic training professional endorsement recognized by the BOC, which includes verification from the BOC showing that disciplinary proceedings are not pending against the applicant and sanctions are not in force at the time of application.

(b) Pass the examination adopted in R 338.1325.

(c) Have successfully completed emergency cardiac care training from a program that satisfies the requirements of R 338.1355 within 3 years before licensure and hold an unexpired emergency cardiac care certification.

(d) Comply with both of the following:

(i) Disclose each license, registration, or certification in a health profession or specialty issued by any other state, the United States military, the federal government, or another country on the application form.

(ii) Satisfy the requirements of section 16174(2) of the code, MCL 333.16174, which include verification from the issuing entity showing that disciplinary proceedings are not pending against the applicant and sanctions are not in force at the time of application.

(2) If an applicant holds current certification in good standing by the BOC, the applicant is presumed to have satisfied the requirements of subrules (1)(a) and (1)(b) of this rule.

The applicant's certification must be verified by the BOC. Verification from the BOC must show that disciplinary proceedings are not pending against the applicant and sanctions are not in force at the time of application.

R 338.1345 Relicensure.

Rule 45. (1) An applicant for relicensure whose Michigan license has lapsed, under the provisions of section 16201(3) or (4) of the code, MCL 333.16201, as applicable, may be relicensed by complying with the requirements of the code, the rules promulgated and under code, and the following requirements as noted by (√):

		Lapsed less than 3 years	Lapsed 3 years or more
(a) For an applicant who has let his or her Michigan license lapse and who does not hold a current and valid license, registration, certification, or other athletic training professional endorsement recognized by the BOC to practice as an athletic trainer or other athletic training professional recognized by the BOC for certification in another state of the United States, province of Canada, or other country:			
(i)	Submit a completed application on a form provided by the department, together with the requisite fee.	√	√
(ii)	Establish that he or she is of good moral character.	√	√
(iii)	Submit fingerprints as required in section 16174(3) of the code, MCL 333.16174.		√
(iv)	Establish that he or she holds a current, valid BOC certification.	√	√
(v)	Have successfully completed emergency cardiac care training from a program that satisfies the requirements of R 338.1355 within 3 years before relicensure and hold an unexpired emergency cardiac care certification.	√	√
(vi)	Have completed 75 hours of approved CE credits, as provided under R 338.1357, during the 3 years immediately preceding relicensure.	√	√
(vii)	An applicant who is or has ever been licensed, registered, or certified in a health profession or specialty by any other state, the United States military, the federal government, or another country, shall do both of the following: (A) Disclose each license, registration, or certification on the application form. (B) Satisfy the requirements of section 16174(2) of the code, MCL 333.16174, which include verification from the issuing entity showing that disciplinary proceedings are not pending against	√	√

	the applicant and sanctions are not in force at the time of application.		
(b)	For an applicant who has let his or her Michigan license lapse and who holds a current and valid license, registration, certification, or other athletic training professional endorsement recognized by the BOC to practice as an athletic trainer or other athletic training professional recognized by the BOC for certification in another state of the United States, province of Canada, or other country:	Lapsed less than 3 years	Lapsed 3 years or more
(i)	Submit a completed application on a form provided by the department, together with the requisite fee.	√	√
(ii)	Establish that he or she is of good moral character.	√	√
(iii)	Submit fingerprints as required in section 16174(3) of the code, MCL 333.16174.		√
(iv)	Establish that he or she holds a current, valid BOC certification.	√	√
(v)	Have successfully completed emergency cardiac training from a program that satisfies the requirements of R 338.1355 within 3 years before relicensure and hold an unexpired emergency cardiac care certification.	√	√
(vi)	Have completed 75 hours of approved CE credits, as provided under R 338.1357, during the 3 years immediately preceding relicensure.	√	√
(vii)	An applicant who is or has ever been licensed, registered, or certified in a health profession or specialty by any other state, the United States military, the federal government, or another country, shall do both of the following: (A) Disclose each license, registration, or certification on the application form. (B) Satisfy the requirements of section 16174(2) of the code, MCL 333.16174, which include verification from the issuing entity showing that disciplinary proceedings are not pending against the applicant and sanctions are not in force at the time of application.	√	√

(2) If relicensure is granted and it is determined that a sanction has been imposed by another state, the United States military, the federal government, or another country, the disciplinary subcommittee may impose appropriate sanctions under section 16174(5) of the code, MCL 333.16174.

R 338.1349 License renewal requirements; adoption of BOC continuing education standards.

Rule 49. (1) Until the end of the applicant's current renewal cycle, an applicant for license renewal shall satisfy the requirements of R 338.7001 to R 338.7005 and both of the following requirements within the 3-year renewal cycle:

(a) Complete emergency cardiac care training from a program that satisfies the requirements of R 338.1355 and hold an unexpired emergency cardiac care certification.

(b) Before the expiration date of the license, complete a total of 75 hours of continuing education that comply with R 338.1357, including a minimum of 3 hours of continuing education hours in pain and symptom management, as required under section 16204 of the code, MCL 333.16204.

(2) Beginning with the licensee's first renewal cycle following promulgation of these rules, an applicant for license renewal shall satisfy the requirements of R 338.7001 to R 338.7005 and both of the following:

(a) The continuing education standards established by the BOC in the publication titled Certification Maintenance Requirements for Certified Athletic Trainers, Reporting Period Ending December 31, 2021, which are adopted by reference in these rules as required under section 17905(2) of the code, MCL 333.17905. This document is available free of charge from the BOC at <https://bocatc.org/athletic-trainers/maintain-certification/continuing-education/continuing-education> or at a cost of 10 cents per page from the Department of Licensing and Regulatory Affairs, Bureau of Professional Licensing at 611 West Ottawa Street, P.O. Box 30670, Lansing, Michigan 48909.

(b) As a part of the continuing education required under subpart (a) of this subrule, complete a minimum of 3 hours of continuing education in pain and symptom management, as required under section 16204 of the code, MCL 333.16204.

(3) Submission of an application for renewal of a license constitutes the applicant's certification of compliance with this rule.

(4) The board may require the licensee to submit evidence to demonstrate compliance with this rule.

(5) The licensee shall retain documentation of satisfying the requirements of this rule for a period of 4 years from the date of applying for license renewal.

(6) A request for a waiver under section 16205 of the code, MCL 333.16205, must be received by the department before the expiration date of the license.

PART 4. CONTINUING EDUCATION

R 338.1357 Limitations for accumulating continuing education; approved continuing education.

Rule 57. (1) Until the end of the applicant's current renewal cycle, a licensee who accumulates the 75 hours of continuing education required pursuant to R 338.1349 for the renewal of an athletic trainer license is subject to all of the following limitations:

(a) A licensee may not accumulate more than 12 credit hours of continuing education during 1 24-hour period.

(b) A licensee may not carry forward the continuing education hours earned during 1 renewal cycle to the next renewal cycle for activities listed in subrule (5)(b) to (g) of this rule.

(c) A licensee may not earn continuing education credit for completing a program or activity that is identical or substantially identical to a program or activity for which the licensee has already earned credit during the same renewal cycle.

(d) A licensee may not earn more than 50 hours of continuing education per renewal cycle for activities listed in subrule (5)(d) to (g) of this rule.

(2) Approved courses for accumulating continuing education hours in pain and symptom management, as required in R 338.1349(1)(b) or R 338.1349(2)(b), as applicable, include, but are not limited to, courses in behavior management, psychology of pain, pharmacology, behavior modification, stress management, clinical applications, and drug interventions as they relate to professional practice.

(3) Until the end of the applicant's current renewal cycle, the board approves and adopts by reference the standards of the BOC set forth in the publication titled "Practice Analysis, 7th Edition, Outline: Domains and Tasks," effective for April 2017 exam and January 1, 2018 continuing education. This document is available free of charge from the BOC at https://bocarc.org/system/document_versions/versions/24/original/boc-pa7-content-outline-20170612.pdf?1497279231 or at a cost of 10 cents per page from the Department of Licensing and Regulatory Affairs, Bureau of Professional Licensing at 611 West Ottawa Street, P.O. Box 30670, Lansing, Michigan 48909.

(4) Until the end of the applicant's current renewal cycle, any continuing education program approved by the BOC is considered approved by the board.

(5) Until the end of the applicant's current renewal cycle, the board approves all of the following for continuing education credit:

Activity and Proof of Completion	Number of continuing education hours granted/permitted for each activity
<p>(a) Maintenance of BOC certification during each year of the renewal cycle.</p> <p>If audited, the licensee shall provide evidence from the BOC that the licensee held a valid BOC certification during each year of the renewal cycle.</p>	<p>Seventy five hours of continuing education are earned for this activity in each renewal cycle.</p>
<p>(b) Attendance at or participation in a continuing education program or activity related to the practice of athletic training, which includes but is not limited to, live and in person programs; interactive or monitored teleconference, audio-conference, or web-based programs; online programs; and journal articles or other self-study programs approved or offered by any of the following:</p> <ul style="list-style-type: none"> • The BOC. • Another state or provincial board of 	<p>The number of continuing education hours earned for a specific program or activity is the number of hours approved by the sponsor or the approving organization for the specific program or activity.</p>

	<p>athletic trainers.</p> <ul style="list-style-type: none"> • A state or provincial board related to the practice of medicine, osteopathic medicine and surgery, or physical therapy. <p>If audited, the licensee shall submit a copy of a letter or certificate of completion showing the licensee's name, number of continuing education hours earned, sponsor name or the name of the organization that approved the program or other activity for which the continuing education credit was given, and the date on which the program or activity was completed.</p>	
(c)	<p>Initial presentation of continuing education program related to the practice of athletic trainer to a state, regional, national, or international athletic training organization.</p> <p>To receive credit, the presentation must not be a part of the licensee's regular job description and must be approved or offered for continuing education credit by any of the following:</p> <ul style="list-style-type: none"> • Another state or provincial board of athletic trainers. • A state or provincial board related to the practice of medicine, osteopathic medicine and surgery, or physical therapy. <p>If audited, the licensee shall submit a copy of the presentation notice or advertisement showing the date of the presentation, the licensee's name listed as a presenter, and the name of the organization that approved or offered the presentation for continuing education credit.</p>	<p>Ten hours of continuing education credit are earned for each 50 to 60 minutes of presentation. No additional credit is earned for preparation of a presentation. A maximum of 50 hours of continuing education may be earned for this activity in each renewal cycle.</p>
(d)	<p>Initial presentation of a scientific exhibit, poster, scientific paper, or clinical demonstration to an athletic training organization.</p> <p>To receive credit, the presentation must not be part of the licensee's regular job description or</p>	<p>Ten hours of continuing education are earned for serving as a primary presenter. Five hours of continuing education are earned for serving as a secondary presenter. No additional credit is granted for preparation of the presentation. The maximum number of credit hours</p>

	<p>performed in the normal course of the licensee's employment.</p> <p>If audited, the licensee shall submit a copy of the document presented with evidence of presentation or a letter from the program sponsor verifying the length and date of the presentation.</p>	<p>permitted per renewal cycle for this activity is subject to subrule (1)(d) of this rule.</p>
(e)	<p>Initial publication of an article related to the practice of athletic training in a peer-reviewed journal.</p> <p>If audited, the licensee shall submit a copy of the publication that identifies the licensee as the author of the publication or an acceptance letter.</p>	<p>Fifteen hours of continuing education are earned for serving as a primary author. Ten hours of continuing education are earned for serving as a secondary author. The maximum number of credit hours permitted per renewal cycle for this activity is subject to subrule (1)(d) of this rule.</p>
(f)	<p>Initial publication of a chapter related to the practice of athletic training in any of the following:</p> <ul style="list-style-type: none"> • A professional or health care textbook. • A peer-reviewed textbook. • A book related to the practice of athletic training. <p>If audited, the licensee shall submit a copy of the publication that identifies the licensee as the author or a publication acceptance letter.</p>	<p>Ten hours of continuing education are earned for serving as a primary or contributing author. The maximum number of credit hours permitted per renewal cycle for this activity is subject to subrule (1)(d) of this rule.</p>
(g)	<p>Passing an academic course or residency program related to the practice of athletic training that is offered by either of the following:</p> <ul style="list-style-type: none"> • An athletic training program that satisfies the standards adopted in R 338.1354(1). • A higher education institution accredited by an organization that satisfies the standards of R 338.1354(2). <p>If audited, a licensee shall submit a copy of the transcript showing credit hours of the academic course related to athletic training.</p>	<p>Ten hours of continuing education are earned for each course. A maximum of 50 hours per renewal cycle may be earned for this activity.</p>

(6) Beginning with the licensee's first renewal cycle following promulgation of these rules, an applicant for license renewal shall comply with all BOC continuing education

standards adopted by reference in R 338.1349(2)(a). If audited, the licensee shall provide evidence of 1 of the following:

(a) Verification from the BOC that the renewal applicant held a valid BOC certification during each year of the renewal cycle.

(b) Proof that during the 3-year license renewal cycle the renewal applicant completed the BOC continuing education standards for the renewal of a 2-year certification and the BOC requirements for the renewal of a 1-year certification. The proof must be a copy of the letter or certificate issued by the BOC-approved continuing education provider, which must include all of the following:

- (i) The participant's name.
- (ii) The number of continuing education hours earned.
- (iii) The sponsor's name and BOC approval number.
- (iv) The date or dates the licensee participated in the program or activity.

PART 5. DELEGATION AND ADOPTION BY REFERENCE OF PROFESSIONAL STANDARDS

R 338.1369 Delegation and supervision; requirements.

Rule 69. (1) Pursuant to section 16215(1) of the code, MCL 333.16215, a licensee may delegate the performance of an athletic training act, task, or function if the licensee maintains a record of the name of the individual to whom the act, task, or function was delegated. The record must be maintained pursuant to section 16213 of the code, MCL 333.16213.

(2) The licensee shall provide direct supervision if the licensee delegates an act, task, or function related to the practice of athletic training to a delegatee who is unlicensed or licensed and the act, task, or function does not fall within the delegatee's licensed scope of practice. As used in this subrule, "direct supervision" means the licensee is physically present and immediately available for face-to-face direction and supervision at the time the act, task, or function is performed and the licensee has direct contact with the individual upon whom the act, task, or function was performed.

(3) A licensee shall not delegate a job, task, or function to a secondary-school student that requires the secondary-school student to engage in the practice of athletic training.

(4) At any given time, the number of unlicensed individuals to whom a licensee may provide direct supervision must not exceed 8 individuals.