

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

DIRECTOR'S OFFICE

ATHLETIC TRAINERS – GENERAL RULES

Filed with the secretary of state on June 4, 2021

These rules take effect immediately upon filing with the secretary of state unless adopted under section 33, 44, or 45a(6) 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 338.1325, R 338.1345, R 338.1349, R 338.1354, R 338.1355, R 338.1357, R 338.1369, and R 338.1378 of the Michigan Administrative Code are amended, R 338.1302 is added, and R 338.1321a is rescinded, as follows:

PART 1. GENERAL PROVISIONS

R 338.1301 Definitions.

Rule 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.

R 338.1302 Telehealth services.

Rule 2. (1) Consent for treatment must be obtained before providing a telehealth service pursuant to section 16284 of the code, MCL 333.16284.

- (2) Evidence of consent for treatment must be maintained in a client's medical record.
- (3) An athletic trainer providing any telehealth service shall do both of the following:
  - (a) Act within the scope of his or her practice.
  - (b) Exercise the same standard of care applicable to a traditional health care service.

## 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 complete 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 Michigan 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 ~~may~~ 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.

(3) Pursuant to section 16148 of the code, MCL 333.16148, the requirements specified in subrule (1) of this rule apply to license renewals beginning 2019 and for initial licenses issued after April 22, 2021.

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, 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. (1) 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, 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 immediately preceding the application for licensure.
  - (b) Establish that he or she holds a current, valid BOC certification.
  - (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.
- (2) An applicant's license, registration, certification, or other athletic training professional endorsement recognized by the BOC must be verified by the licensing and regulatory agency of any state of the United States, province of Canada, or other country, in which the applicant holds or has ever held a license, registration, certification, or athletic training professional endorsement to practice as an athletic trainer or other athletic training professional recognized by the BOC for certification. Verification includes, but is not limited to, any disciplinary action taken against the license, registration, certification, or other athletic training professional endorsement.

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 satisfy all of the following requirements:

- (a) Hold a national licensure, registration, certification, or other athletic training professional endorsement recognized by the BOC.
- (b) Pass the examination adopted in R 338.1325.
- (c) Be verified, on a form provided by the department, by the licensing or registration agency of any state of the United States, province of Canada, or other country in which the applicant holds a current license or registration or has ever held a license, registration, certification, or other athletic training professional endorsement to practice as an athletic trainer. This includes, but is not limited to, showing proof of any disciplinary action taken or pending disciplinary action imposed upon the applicant.

(d) 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.

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

R 338.1321a Rescinded.

R 338.1325 Licensed athletic trainer examination; adoption; passing scores.

Rule 25. The board adopts the BOC athletic trainer credentialing examination that is scored by the Scantron Corporation or its successor organization. A passing score on the examination is the passing score determined by the BOC.

R 338.1345 Relicensure.

Rule 45. 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 following requirements as noted by (√):

(1) 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:	Lapsed less than 3 years	Lapsed 3 years or more
(a) Application and fee: Submit a completed application on a form provided by the department, together with the requisite fee.	√	√
(b) Good moral character: Establish that he or she is of good moral character.	√	√
(c) Fingerprints: Submit fingerprints as required in section 16174(3) of the code, MCL 333.16174.		√
(d) BOC certification: Establish that he or she holds a current, valid BOC certification.	√	√
(e) Training: 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.	√	√
(f) Continuing education: Have completed 75 hours of approved CE credits, as provided under R 338.1357, during the 3 years immediately preceding relicensure.	√	√

(g)	<p>Proof of license verification from another jurisdiction: An applicant's license, registration, certification, or other athletic training professional endorsement recognized by the BOC for certification must be verified by the licensing agency of any state or territory of the United States, province of Canada, or other country in which the applicant has ever held a 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.</p> <p>Verification must include the record of any disciplinary action taken or pending against the applicant.</p>	√	√
(2)	<p>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:</p>	Lapsed less than 3 years	Lapsed 3 years or more
(a)	<p>Application and fee: Submit a completed application on a form provided by the department, together with the requisite fee.</p>	√	√
(b)	<p>Good moral character: Establish that he or she is of good moral character.</p>	√	√
(c)	<p>Fingerprints: Submit fingerprints as required in section 16174(3) of the code, MCL 333.16174(3).</p>		√
(d)	<p>BOC certification: Establish that he or she holds a current, valid BOC certification.</p>	√	√
(e)	<p>Training: 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.</p>	√	√
(f)	<p>Continuing education: Have completed 75 hours of approved CE credits, as provided under</p>	√	√

	R 338.1357, during the 3 years immediately preceding relicensure.		
(g)	<p>Proof of license verification from another jurisdiction: An applicant's license, registration, certification, or other athletic training professional endorsement recognized by the BOC for certification must be verified by the licensing agency of any state or territory of the United States, province of Canada, or other country in which the applicant has ever held a 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.</p> <p>Verification must include the record of any disciplinary action taken or pending against the applicant.</p>	√	√

#### R 338.1349 License renewal requirements.

Rule 49. (1) An applicant for license renewal shall satisfy 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) Submission of an application for renewal of a license constitutes the applicant's certification of compliance with this rule.

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

(4) 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.

(5) 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 3. EDUCATIONAL AND TRAINING AND CERTIFICATION PROGRAMS

#### R 338.1354 Educational program standards; adoption by reference.

Rule 54. (1) The board adopts by reference the standards for accrediting athletic training programs adopted by the Commission on Accreditation for Athletic Training Education (CAATE) in the document entitled "Standards for the Accreditation of Professional Athletic Training Programs," July 1, 2012, as revised February 16, 2018, which is

available at no cost from the CAATE website, at <http://www.caate.net>. An athletic training program that is accredited by CAATE is approved by the board.

(2) The board adopts by reference the procedures and criteria for recognizing accrediting organizations of the Council of Higher Education Accreditation (CHEA), effective September 24, 2018, and the procedures and criteria for recognizing accrediting agencies of the United States Department of Education, effective July 1, 2010, as contained in 34 CFR part 602 (2010). The CHEA recognition standards may be obtained from CHEA, One Dupont Circle NW, Suite 510, Washington, DC 20036-1110, or from the council's website at <http://www.chea.org> at no cost. The federal recognition criteria may be obtained at no cost from the United States Department of Education's website at: <http://www.ed.gov/about/offices/list/OPE/index.html>.

(3) Copies of the standards and criteria adopted by reference in this rule are available for inspection and distribution at a cost of 10 cents per page from the Michigan Board of Athletic Trainers, Department of Licensing and Regulatory Affairs, Bureau of Professional Licensing, 611 W. Ottawa St., P.O. Box 30670, Lansing, Michigan 48909.

R 338.1355 Approved emergency cardiac care training.

Rule 55. (1) The board approves emergency cardiac care training offered or approved by the following organizations:

- (a) American Red Cross.
- (b) American Heart Association.
- (c) National Safety Council.
- (d) American Safety and Health Institute.
- (e) Emergency Care and Safety Institute.

(2) The board adopts by reference the standards for certification in basic and advanced cardiac life support set forth by the American Heart Association in the standards and guidelines for cardiopulmonary resuscitation and emergency cardiac care for professional providers and published in "2020 American Heart Association Guidelines for Cardiopulmonary Resuscitation and Emergency Cardiovascular Care ("Circulation," Volume 142, Issue 16 Supplement 2, October 20, 2020). A copy of the guidelines for cardiopulmonary resuscitation and emergency cardiac care may be obtained from the American Heart Association, 7272 Greenville Avenue, Dallas, Texas 75231 or from the association's website at <https://www.ahajournals.org/doi/epub/10.1161/CIR.0000000000000929> at no cost. A copy of this document is available for inspection and distribution at a cost of 10 cents per page from the Michigan Department Licensing and Regulatory Affairs, Bureau of Professional Licensing, 611 West Ottawa Street, P.O. Box 30670, Lansing, Michigan 48909.

(3) An organization that provides training that uses the standards specified in subrule (2) of this rule is considered an approved provider.

#### PART 4. CONTINUING EDUCATION

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

Rule 57. (1) 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.

(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), 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) The board approves and adopts by reference the standards of the BOC set forth in the publication entitled “Practice Analysis, 7<sup>th</sup> Edition, Outline: Domains and Tasks,” effective for April 2017 exam and January 1, 2018 continuing education, available at [https://bocatc.org/system/document\\_versions/versions/24/original/boc-pa7-content-outline-20170612.pdf?1497279231](https://bocatc.org/system/document_versions/versions/24/original/boc-pa7-content-outline-20170612.pdf?1497279231).

(4) Any continuing education program approved by the BOC is considered approved by the board.

(5) 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
(a)	<p>Maintenance of BOC certification.</p> <p>If audited, the licensee shall provide evidence from the BOC that shows the time period that the licensee held a valid certification.</p>	<p>Twenty-five hours of continuing education are granted for each year that the licensee maintained BOC certification. A maximum of 75 hours of continuing education may be earned for this activity in each renewal cycle.</p>
(b)	<p>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"> <li>• Another state or provincial board of athletic trainers.</li> <li>• A state or provincial board related to</li> </ul>	<p>The number of continuing education hours 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. A maximum of 75 hours of continuing education credit may be earned for this activity in each renewal cycle.</p>

	<p>the practice of medicine, osteopathic medicine and surgery, or physical therapy.</p> <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"> <li>• Another state or provincial board of athletic trainers.</li> <li>• A state or provincial board related to the practice of medicine, osteopathic medicine and surgery, or physical therapy.</li> </ul> <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 granted for each 50 to 60 minutes of presentation. No additional credit is granted 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 performed in the normal course of the</p>	<p>Ten hours of continuing education are granted for serving as a primary presenter. Five hours of continuing education are granted for serving as a secondary presenter. No additional credit is granted for preparation of the presentation. The maximum number of credit hours permitted per renewal cycle</p>

	<p>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>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 granted for serving as a primary author. Ten hours of continuing education are granted 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"> <li>• A professional or health care textbook.</li> <li>• A peer-reviewed textbook.</li> <li>• A book related to the practice of athletic training.</li> </ul> <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 granted 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"> <li>• An athletic training program that satisfies the standards adopted in R 338.1354(1).</li> <li>• A higher education institution accredited by an organization that satisfies the standards of R 338.1354(2).</li> </ul> <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 granted for each course. A maximum of 50 hours per renewal cycle may be earned for this activity.</p>

## 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) A licensee who delegates an act, task, or function related to the practice of athletic training shall provide supervision as follows:

(a) If the delegatee is licensed under the code and the act, task, or function is within the delegatee's scope of practice, the supervision shall be general supervision as defined in section 16109(2) of the code, MCL 333.16109.

(b) If the delegatee is unlicensed or the act, task, or function does not fall within the delegatee's licensed scope of practice, the supervision shall be direct supervision. As used in this subdivision, "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.

R 338.1378 Professional standards.

Rule 78. (1) The board adopts by reference the BOC's "Standards of Professional Practice" effective January 2021. The standards are available, free of charge on the agency's website at: <https://bocatc.org/public-protection/standards-discipline/standards-discipline/standards-of-professional-practice>, or a copy may be obtained at a cost of 10 cents per page, from the Board of Athletic Trainers, Department of Licensing and Regulatory Affairs, Bureau of Professional Licensing, 611 W. Ottawa St., P.O. Box 30670, Lansing, Michigan 48909.

(2) A licensee shall comply with the standards adopted in subrule (1) of this rule.