

1 HB49  
2 125696-2  
3 By Representative Sanderford  
4 RFD: Boards, Agencies and Commissions  
5 First Read: 01-MAR-11  
6 PFD: 02/25/2011

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2 ENROLLED, An Act,

3           Relating to the Alabama Sunset Law; to continue the  
4 existence and functioning of the Alabama Board of Athletic  
5 Trainers until October 1, 2013, with certain modifications; to  
6 amend Sections 34-40-3 and 34-40-8, Code of Alabama 1975, so  
7 as to require the board, in lieu of the Alabama Athletic  
8 Trainers Association, to notify licensees of the meeting for  
9 electing new board members; and to clarify that licenses  
10 expire annually.

11 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

12           Section 1. Pursuant to the Alabama Sunset Law, the  
13 Sunset Committee recommends the continuance of the Alabama  
14 Board of Athletic Trainers, with the additional  
15 recommendations for statutory change as set out in Section 3.

16           Section 2. The existence and functioning of the  
17 Alabama Board of Athletic Trainers, created and functioning  
18 pursuant to Sections 34-40-1 to 34-40-17, inclusive, Code of  
19 Alabama 1975, is continued until October 1, 2013, and those  
20 code sections are expressly preserved.

21           Section 3. Sections 34-40-3 and 34-40-8 of the Code  
22 of Alabama 1975, are amended to read as follows:

23           "§34-40-3.

24           "(a) The Alabama Board of Athletic Trainers shall be  
25 composed of nine members who shall serve four-year terms.

1 Members may not serve more than three consecutive four-year  
2 terms. Three members shall be Black, one of whom shall be a  
3 physician member. The composition of the board shall be as  
4 follows:

5 "(1) Six members appointed by the Alabama Athletic  
6 Trainers Association in accordance with subsection (b) ~~below~~,  
7 one of whom shall be an athletic trainer who is a licensed  
8 physical therapist.

9 "(2) Three physicians licensed to practice medicine  
10 actively engaged in the treatment of athletes and athletic  
11 injuries appointed by the Medical Association of the State of  
12 Alabama.

13 "(3) The President of the Alabama Athletic Trainers  
14 Association who shall serve as an ex officio member of the  
15 board and whose term of office shall be yearly to coincide  
16 with his or her term as President of the Alabama Athletic  
17 Trainers Association.

18 "(b) The six athletic trainers shall be appointed by  
19 the Alabama Athletic Trainers Association. The association  
20 shall conduct an annual meeting at which all athletic trainers  
21 holding a current license as identified under this chapter  
22 shall have the right to attend, nominate, and vote. The  
23 association shall regulate and prescribe the date, hour, and  
24 place of the meeting, the method of nomination, and the manner  
25 of voting. At least 30 days prior to the meeting, the

1 ~~association~~ board shall mail notices to each current licensee  
2 at the address shown on the current registration notifying of  
3 the exact date, hour, and place of the meeting, the purpose of  
4 the meeting, and of the right to attend and vote. To qualify  
5 as a board member pursuant to this subsection, a person shall  
6 be a citizen of the United States and this state and have  
7 acted as an athletic trainer for three years within this state  
8 immediately preceding appointment.

9 "(c) In making the initial appointments, the Alabama  
10 Athletic Trainers Association shall appoint one athletic  
11 trainer whose term will expire in 1994, two athletic trainers  
12 whose terms will expire in 1995, and one athletic trainer  
13 whose term will expire in 1996, and two athletic trainers  
14 whose terms will expire in 1997. The Medical Association of  
15 the State of Alabama shall appoint one physician whose term  
16 will expire in 1994, one physician whose term will expire in  
17 1995, and one physician whose term will expire in 1996. All  
18 appointments expire on December 31 of the year specified.

19 "(d) Each appointee to the board shall qualify by  
20 taking an oath of office within 15 days from the date of the  
21 appointment. In the event of death, resignation, or removal of  
22 any member, except for physician members, the vacancy of the  
23 unexpired term shall be filled by the board.

24 "(e) The board shall elect a chair, a vice-chair,  
25 and secretary from its members for a term of one year and may

1       appoint any committees and formulate any rules it considers  
2       necessary to carry out its duties pursuant to this chapter.  
3       The board shall meet at least twice each year. Additional  
4       meetings may be held on the call of the chair or at the  
5       written request of any two members of the board. The secretary  
6       shall keep a record of the proceedings of the board. The board  
7       may promulgate and adopt rules and regulations consistent with  
8       this chapter which are necessary for the performance of its  
9       duties. The board may employ an executive secretary and any  
10      officers and employees as may be necessary to carry out the  
11      duties of the board. The State Board of Medical Examiners and  
12      the Alabama Board of Athletic Trainers shall jointly approve  
13      any rule, regulation, or policy that interprets, explains, or  
14      enumerates the permissible acts, functions, or services  
15      rendered by an athletic trainer or apprentice athletic trainer  
16      as those acts, functions, and services are defined in Section  
17      34-40-2. Any rule, regulation, or policy adopted in violation  
18      of this requirement is invalid. The board shall prescribe  
19      forms for license applications, license certificate, license  
20      renewal, verification of license, continuing education  
21      verification, and any forms for information required from  
22      licensees to carry out the duties of the board. The board  
23      shall adopt an official seal and a license certificate of  
24      suitable design.

1           "(f) Members of the board shall receive fifty  
2 dollars (\$50) for every day actually spent in the performance  
3 of their duties and in addition thereto shall be reimbursed  
4 according to the state travel policy for other expenses in the  
5 same amounts and under the same conditions as state employees  
6 are reimbursed.

7           "(g) It shall be the duty of the board to pass upon  
8 the qualifications of applicants for licensure as an athletic  
9 trainer, and to issue licenses and annual renewals to athletic  
10 trainers. The board shall be responsible for fixing fees for  
11 such applications, licenses, renewals, verification of  
12 licensure, replacement of licenses, name changes on licensees,  
13 publication fees, or other administration fees deemed  
14 necessary to carry out the provisions of this chapter.

15           "§34-40-8.

16           "All licenses issued by the board to athletic  
17 trainers shall expire on the last day of December ~~of the year~~  
18 ~~next succeeding the issuance thereof~~ each year. The license  
19 may be renewed on payment of a fee, fixed by the board,  
20 completion of continuing education, and current licensee  
21 information, as may be needed. The board shall adopt a program  
22 of continuing education for its licensees. The successful  
23 completion of the annual continuing education program shall be  
24 a requisite for the renewal of licenses issued pursuant to  
25 this chapter."

1                   Section 4. The Legislature concurs in the  
2                   recommendations of the Sunset Committee as provided in  
3                   Sections 1, 2, and 3.

4                   Section 5. This act shall become effective  
5                   immediately upon its passage and approval by the Governor, or  
6                   its otherwise becoming law.

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Speaker of the House of Representatives

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President and Presiding Officer of the Senate

House of Representatives

I hereby certify that the within Act originated in  
and was passed by the House 29-MAR-11.

Greg Pappas  
Clerk

Senate	14-APR-11	Amended and Passed
House	21-APR-11	Concurred in Senate Amendment