

1 HB49
2 125696-1
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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8 SYNOPSIS: Under existing law, termination dates are
9 established for enumerated state agencies. The
10 agencies are periodically reviewed by the Alabama
11 Sunset Committee. After the review process is
12 completed, the committee prepares its
13 recommendations for the agencies to the Legislature
14 in the form of sunset bills which either continue,
15 terminate, or continue with modification each
16 agency reviewed.

17 This bill would provide for the continuance
18 of the Alabama Board of Athletic Trainers until
19 October 1, 2013, with the following changes: To
20 require the board, in lieu of the Alabama Athletic
21 Trainers Association, to notify licensees of the
22 meeting for electing new board members and to
23 clarify that licenses expire annually.

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25 A BILL
26 TO BE ENTITLED
27 AN ACT

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

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

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

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

"§34-40-3.

"(a) The Alabama Board of Athletic Trainers shall be composed of nine members who shall serve four-year terms. Members may not serve more than three consecutive four-year terms. Three members shall be Black, one of whom shall be a

1 physician member. The composition of the board shall be as
2 follows:

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

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

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

16 "(b) The six athletic trainers shall be appointed by
17 the Alabama Athletic Trainers Association. The association
18 shall conduct an annual meeting at which all athletic trainers
19 holding a current license as identified under this chapter
20 shall have the right to attend, nominate, and vote. The
21 association shall regulate and prescribe the date, hour, and
22 place of the meeting, the method of nomination, and the manner
23 of voting. At least 30 days prior to the meeting, the
24 ~~association~~ board shall mail notices to each current licensee
25 at the address shown on the current registration notifying of
26 the exact date, hour, and place of the meeting, the purpose of
27 the meeting, and of the right to attend and vote. To qualify

1 as a board member pursuant to this subsection, a person shall
2 be a citizen of the United States and have acted as an
3 athletic trainer for three years within this state immediately
4 preceding appointment.

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

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

20 "(e) The board shall elect a chair, a vice-chair,
21 and secretary from its members for a term of one year and may
22 appoint any committees and formulate any rules it considers
23 necessary to carry out its duties pursuant to this chapter.
24 The board shall meet at least twice each year. Additional
25 meetings may be held on the call of the chair or at the
26 written request of any two members of the board. The secretary
27 shall keep a record of the proceedings of the board. The board

1 may promulgate and adopt rules and regulations consistent with
2 this chapter which are necessary for the performance of its
3 duties. The board may employ an executive secretary and any
4 officers and employees as may be necessary to carry out the
5 duties of the board. The State Board of Medical Examiners and
6 the Alabama Board of Athletic Trainers shall jointly approve
7 any rule, regulation, or policy that interprets, explains, or
8 enumerates the permissible acts, functions, or services
9 rendered by an athletic trainer or apprentice athletic trainer
10 as those acts, functions, and services are defined in Section
11 34-40-2. Any rule, regulation, or policy adopted in violation
12 of this requirement is invalid. The board shall prescribe
13 forms for license applications, license certificate, license
14 renewal, verification of license, continuing education
15 verification, and any forms for information required from
16 licensees to carry out the duties of the board. The board
17 shall adopt an official seal and a license certificate of
18 suitable design.

19 "(f) Members of the board shall receive fifty
20 dollars (\$50) for every day actually spent in the performance
21 of their duties and in addition thereto shall be reimbursed
22 according to the state travel policy for other expenses in the
23 same amounts and under the same conditions as state employees
24 are reimbursed.

25 "(g) It shall be the duty of the board to pass upon
26 the qualifications of applicants for licensure as an athletic
27 trainer, and to issue licenses and annual renewals to athletic

1 trainers. The board shall be responsible for fixing fees for
2 such applications, licenses, renewals, verification of
3 licensure, replacement of licenses, name changes on licensees,
4 publication fees, or other administration fees deemed
5 necessary to carry out the provisions of this chapter.

6 "§34-40-8.

7 "All licenses issued by the board to athletic
8 trainers shall expire on the last day of December ~~of the year~~
9 ~~next succeeding the issuance thereof~~ each year. The license
10 may be renewed on payment of a fee, fixed by the board,
11 completion of continuing education, and current licensee
12 information, as may be needed. The board shall adopt a program
13 of continuing education for its licensees. The successful
14 completion of the annual continuing education program shall be
15 a requisite for the renewal of licenses issued pursuant to
16 this chapter."

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

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