

Board of Athletic Trainers
Minutes

Date: November 8, 2012

Time: 9:00 a.m., C.D.T.

Location: 227 French Landing
Heritage Place, Metro Center
Ground Floor, Poplar Conference Room
Nashville, TN 37243

Members Present: Joseph T. Erdeljac, A.T., Chair
Cliff Pawley, A.T.
Kurt P. Spindler, M.D.
Walter Fitzpatrick, III, Consumer Member

Member Absent: Monroe Abram, A.T., Vice Chair

Staff Present: Tomica Walker, Board Administrator
Anthony Czerniak Assistant General Counsel
Juanita Stone, Disciplinary Coordinator
Rosemarie Otto, Interim Director of Health Related Boards

Staff Absent: Marva Swann, Board Director

With a quorum being present, Mr. Erdeljac, Chair, called the meeting to order at 9:05 a.m.

Office of General Counsel Report

Rules

A rulemaking hearing date for the rules discussed at the May 2012 meeting and previously to revise the Board's continuing education requirements is not yet set. After review and discussion by the Board voted to hold a rulemaking hearing at its next meeting scheduled for May 9, 2013. Rules have been drafted that would revise the continuing education requirements of the Board to require 50 hours every two years.

Substance of Proposed Rules

Rule 0150-01-.09 Licensure Renewal and Reinstatement is amended by deleting subparagraph (2)(c) in its entirety and substituting instead the following language, so that as amended, the new subparagraph (2)(c) shall read:

(c) Submit documentation demonstrating successful completion of the continuing education requirements, as provided in rule 0150-01-.12, which must have been initiated and completed within the two (2) years prior to submission of the application for reinstatement; and

Authority: T.C.A. §§ 63-24-105 and 63-24-111.

Rule 0150-01-.11 Retirement and Reactivation of License is amended by deleting subparagraph (3)(c) in its entirety and substituting instead the following language, so that as amended, the new subparagraph (3)(c) shall read:

(c) Submit documentation demonstrating successful completion of the continuing education requirements, as provided in rule 0150-01-.12, which must have been initiated and completed within the two (2) years prior to submission of the application for reactivation; and

Authority: T.C.A. §§ 63-24-105 and 63-24-111.

Rule 0150-01-.12 Continuing Education is amended by deleting paragraphs (1) through (4) in their entirety and substituting instead the following language, so that as amended, the new paragraphs (1) through (4) shall read:

(1) Continuing Education – Hours Required

(a) All athletic trainers must complete fifty (50) hours of acceptable continuing education during the two (2) calendar years (January 1 – December 31) that precede the licensure renewal year.

(b) For applicants approved for initial licensure by examination, successfully completing the requirements of Rules 0150-01-.05 and 0150-01-.08, as applicable, shall constitute compliance with this rule for the initial period of licensure.

(c) For applicants approved for licensure by reciprocity, evidence demonstrating compliance with the continuing education requirements for their current, out-of-state active athletic trainer license or certificate shall constitute compliance with this rule for the initial period of licensure.

(d) Any individual course will not be counted toward the required hourly total more than once per continuing education cycle, regardless of the number of times the course is attended or completed by any individual during that cycle.

(e) The Board may waive or otherwise modify the requirements of this rule in cases where there is retirement, illness, disability, or for other good cause that prevents a licensee from obtaining the requisite number of continuing education hours. Requests for waivers or modification must be sent in writing to the Board prior to the expiration of the continuing education cycle in which the continuing education is required to be obtained.

(2) Continuing Education – Proof of Compliance

(a) The due date for completion of the required continuing education is December 31st of the second year of the two (2) year cycle.

(b) All athletic trainers must indicate, by their signature on the license renewal form, that they have completed the required number of continuing education hours in the continuing education cycle preceding renewal.

(c) All athletic trainers must retain documentation of completion of all continuing education hours. This documentation must be retained for a period of four (4) years from the end of each renewal cycle in which the continuing education was acquired. This documentation must be produced for inspection and verification if requested in writing by the Board or its designee. Certificates verifying the licensed individual's completion of the continuing education program(s) may consist of any one or more of the following:

1. Continuing education program's sponsor, date, length in minutes awarded (continuing education units must be converted to clock hours), program title, and licensee's name and license number.

2. An original letter from the continuing education program's sponsor indicating date, length in minutes awarded (continuing education units must be converted to clock hours), program title, and licensee's name and license number

(d) If a person submits documentation for continuing education that is not clearly identifiable as acceptable continuing education, the Board may request a written description of the education and how it applies to the practice as an athletic trainer.

(3) Acceptable continuing education – To satisfy the requirements of this rule, the continuing education must be approved in content, structure, and format by the NATABOC.

(4) Violations

(a) Any athletic trainer who falsely attests to completion of the required hours of continuing education may be subject to disciplinary action pursuant to Rule 0150-01-.15.

(b) Any athletic trainer who fails to obtain the required continuing education hours may be subject to disciplinary action pursuant to Rule 0150-01-.15 and may not be allowed to renew licensure.

(c) Continuing education hours obtained as a result of compliance with the terms of a Board order in any disciplinary action shall not be credited toward the continuing education hours required to be obtained in any continuing education cycle.

Authority: T.C.A. § 63-24-111.

It was disclosed during the Board discussion that the NATABOC were now separate entities, NATA and BOC, and this fact should be added to the rules amendments. Dr. Spindler made a motion seconded by Mr. Abram to send the rule amendments to a rulemaking hearing as presented with the inclusion of separation of the NATA and BOC as separate entities. The motion carried. A rulemaking hearing will be scheduled for the next meeting.

Litigation

There are two open cases at the Office of General Counsel. One will be closed by consent order today, if the Board ratifies it.

Consent Order

- A. Benjamin Fox—Mr. Fox was not present. His file was reviewed by the Board due to a finding of unlicensed practice for a period of 3 years. After review by the Board, Mr. Pawley made a motion seconded by Dr. Kurt Spindler to accept the order as presented. The motion carried.

Agreed Order

- A. Kimberly Lynn Taylor- Ms. Taylor was not present. Her file was reviewed by the Board due to a finding of practicing on a lapsed license. After review by the Board, Mr. Pawley made a motion seconded by Mr. Fitzpatrick to accept the order as presented. The motion carried.

Minutes

Mr. Pawley made a motion seconded by Dr. Kurt Spindler to approve the minutes of May 8, 2012 as presented. The motion carried.

Investigative/Disciplinary Report

There are two open complaints in the Office of Investigations at this time and two (2) practitioners are being monitored following Board disciplinary action.

Administrative Board Report

There are 806 active licensees as of October 31, 2012.

Licensure activity for May 1, through October 31, 2012:

- New licenses—78
- Reinstated licenses—5
- Retired licenses—5
- Renewed licenses—29 (15 renewed online)

- Failed to Renew—41

Board Members

All positions are currently filled.

Financial Report

The Board had revenue collections of \$62,657.40 through June 30, 2012 and direct expenditures of \$51,900.76 for the same period. The indirect expenditure totals have not been finalized. Mr. Guilford and Mr. Erdeljac attended the Joint Government Operations Committee to explain rules regarding the Board's increase in licensure fees. The Board has increased licensure fees to address its revenue deficit. Ms. Otto informed the Board that Assistant Commissioner, Michelle Long has brought back Lisa Tittle to assist with getting the financial reports to the Boards in a timely manner and to assist in training an individual to take over the job duties of the position she left at retirement, as it was never filled. Ms. Tittle was the financial officer for the Boards for several years.

Applicant Interviews

- A. Renee Hendershot- Ms. Hendershot was not present. Ms. Hendershot file was reviewed by the Board due to a finding on her criminal background check and unlicensed practice for a period of 2 years and 4 months. After review by the Board, Mr. Fitzpatrick made a motion seconded by Mr. Pawley to deny Ms. Hendershot application for licensure and send her file to the Office of Investigation to seek discipline for unlicensed practice. The motion carried.
- B. Adam Myers- Mr. Myers was present. Mr. Myers file was reviewed by the Board due to a finding on his criminal background check. After review by the Board, Mr. Fitzpatrick made a motion seconded by Mr. Pawley to approve Mr. Myers for licensure. The motion carried.
- C. Nathan Quebedeaux- Mr. Quebedeaux was present. Mr. Quebedeaux file was reviewed by the Board due to a finding on his criminal background check. After review by the Board, Mr. Fitzpatrick made a motion seconded by Mr. Pawley to approve Mr. Quebedeaux for licensure. The motion carried.
- D. Alyshia Teffeteller- Ms. Teffeteller was present. Ms. Teffeteller file was reviewed by the Board due to a finding on his criminal background check. After review by the Board, Mr. Pawley made a motion seconded by Dr. Spindler to approve Ms. Teffeteller for licensure. The motion carried.

Ratifications

Mr. Pawley made a motion seconded by Mr. Fitzpatrick to approve the following list of new licensees and reinstatements. The motion carried.

NEW LICENSES

TYLER LEE ANTONACCI
WHITNEY ANN BAILEY
TIMOTHY JAMES BASS
PERCY LEDERRIESS BELL
STEPHANIE ELIZABETH BLANTON
CHAD WAYNE BOOHER
DAVID ROBERT BOYD
BLAKE AARON BUTLER
CANA NICOLE CRANDALL
JOSEPH KYLE CRAVEY
NIKKI ANNE CROSSER
JONATHAN DAVID DIERCK
CHELSEA ELIZABETH DUNN
PETER RYAN ELLIOTT
LUCY JO EVANSON
MICHAEL BRENDAN FAGAN
JOSHUA HOSSAIN FARHAT
JAMES LEE FARNSWORTH
KELSEY LEE FERGUSON
MEGAN LEIGH GIBSON
MIGUEL MAXIMIIAN GONZALEZ
HOLLY LYNN GRADY
JOSHUA DEAN HEINES
MARGARET CASEY HILLER
MICHELLE KAREN HUBBARD
RYAN WESLEY HUBER
MACKENZIE SCOTT JUVETTE
CARLEY KRISTINE KEMMER
JOSHUA DAVID LAMMERT
KRISTEN MICHELLE LEGG
JOHN MICHAEL LEPPERT
MICHAEL PAUL LUTZ
MARISA ANN MALEIKE
WILLIAM LAYNE MATHIS
JUSTIN MARK MATLAGE
CHLOE MICHELLE MCCOY
LINDSEY ELIZABETH MERRYMAN

STEVEN WILLIAM MICHALSEN
TIMOTHY DANIEL MIESMER
BRADY H MOLINER
REBEKAH LYNN MOORE
MICHELLE ANN MORELAND
THOMAS MONTGOMERY MORRISON
STEPHANIE RENEE' OSMER PETERS
JESSICA LEIGH PIERCE
KAITLIN CHELSEA REAGAN
NICHOLAS ADAM ROBERSON
MARA NICHOLE RUTHERFORD
MATTHEW DAVID SALMEN
DIANE MARIE SCHLESSELMAN
HOPE MELTON SEARCY
TREVOR DOUGLAS SEARCY
KELLEY ANNE SEEKINS
DAVID LEE SMITH II
DAVID P SNYDER
JAY LINDSAY STURM
MORGANN DIXON SWOAPE
AMY ELIZABETH TAYLOR
ERIKA LYNN THEISS
MATTHEW CARROLL TIPTON
ROBERT CLAY TOWNSEND
DARRELL MATTHEW TURNER
LINDSAY LEE VALANINGHAM
CATHERINE ALEXANDRIA WELLENDORF
CLESTINE MARIE WEUVE
DANIELLE NYCOLE WHITLOW
KESHIA NICOLE WILLIAMS
ASHLEY BROOKE WILSON

REINSTATEMENT

HILARIE ELIZABETH BUCK
BYRON KEITH GRANT
LINDSEY ELIZABETH GUERRA
NICOLE SARELL MALLORY
KIMBERLY LYNN TAYLOR

Dr. Spindler made a motion seconded by Mr. Fitzpatrick to ratify the 2014 and 2015 Board meeting dates. The motion carried.

May 8, 2014
November 6, 2014
May 7, 2015
November 5, 2015

Adjournment

There being no further business to discuss, the meeting was adjourned at 10:00 a.m.

These minutes were ratified at the May 9, 2013 meeting.