
**FINAL RECOMMENDATION FOR
THE PROPOSAL TO LICENSE
ATHLETIC TRAINERS
April 12, 2005**

**Recommendation of the Joint Committee on Boards, Commissions,
and Consumer Protection (Joint Committee)**

ISSUE #1. (LICENSE ATHLETIC TRAINERS?) Should the State administer a new licensing and regulatory program for athletic trainers?

Recommendation #1: *At this time, there appears to be insufficient justification to license athletic trainers. However, some sort of state recognition of athletic trainers may be appropriate.*

Comments: Currently, California law does not require licensing of athletic trainers. When considering the establishment of a new licensure category, the standard for those seeking licensure is whether the unregulated profession poses a serious threat to the public health and safety, or can cause severe financial harm. Otherwise, licensure merely for the sake of licensure can create an unnecessary barrier to entry into the profession. In the past, some professional licensing boards have had a tendency to be driven by the interests of the profession, rather than the public interest, and the sunset review process was developed as a check against this tendency, and to periodically re-evaluate the need for licensure in the first place for every profession.

In the information provided by California Athletic Trainers' Association (CATA), there was no documentation of injury imparted by unqualified or negligent athletic trainers. While CATA argues that the student athletes and others are demonstrably safer when an athletic trainer is on the field, which is no doubt true, this is an argument for employment, not licensure. While CATA argues that the public would be assured of competence in these professionals if they were licensed and regulated by the state, as other allied health professionals are, it is unclear whether there is any reason to believe that athletic trainers are currently posing any threat due to their unregulated status.

According to CATA, it is important to protect the general public from individuals who hold themselves out as an athletic training professional when they are not. In California in particular, CATA states there is vast public confusion between athletic trainers and personal trainers. Athletic trainers are allied health care professionals with at least a bachelor's degree and national certification. Personal trainers focus on exercise and fitness, and there is no degree requirement. CATA argues that there needs to be a method of accountability for individuals who are, or call themselves Athletic Trainers. Currently, an athletic trainer can have their certification revoked

by the national professional certification body, but there would be no consequences in California. There is no deterrent for an unqualified person to practice in this medical field.

One of the primary reasons given by CATA for licensing athletic trainers was the recent change in practice protocols that prevented physicians from supervising non-licensed medical professionals. Because athletic trainers work under the supervision or direction of physicians, this suddenly put in question the employment of athletic trainers in numerous settings. This was at least partially overcome by some employment entities hiring an intermediary that the physician was able to supervise, who in turn directed the athletic trainer. CATA stated that this made it much more expensive to hire athletic trainers, and place many jobs in jeopardy.

An additional reason for licensure as argued by CATA, especially as an allied medical professional, is the fact that most 3rd party payors (private insurance companies, Medicare, etc.) will only reimburse costs for care provided by licensed professionals. Health plans generally only include licensed health professionals on their provider panels.

It appears in the documentation provided by CATA that private certification organizations have done an admirable job in self-regulating this profession. No one is allowed to sit for the certification examination without having graduated from an accredited four-year athletic training educational program, and the certification that is awarded is apparently recognized throughout the United States as the only legitimate certification for athletic trainers. This undoubtedly has a significant effect in the marketplace. Unlike some professions where there is an alphabet soup of accrediting organizations, and the public is at a loss to figure out which ones are of value, it seems that if one is a “certified athletic trainer” anywhere in the United States, including California, then the public can be confident that he or she has met the nationwide standards of minimum competency.

CATA rightfully points out that there is nothing anyone can do to prevent someone from holding themselves out as practicing athletic training, whether certified or not. Even if someone was once certified, but had their certification revoked by the National Athletic Trainers’ Association Board of Certification (NATABOC) for ethical or professional reasons, the state could not prevent this individual from continuing to practice in the field of athletic training. However, both of these instances could at least be partially addressed by enacting a “title protection” statute that would prevent anyone from holding themselves out as a “certified athletic trainer” or any derivation of that term, unless they held a NATABOC certification or equivalent.