



## **NSATA Practice Act Update FAQ and Prep Sheet**

- **The following is not for public distribution. It is meant to be a resource to educate NSATA members and for NSATA Members who are meeting with State Senators regarding the AT Practice Act update.**
- **These FAQ's can be used to help familiarize NSATA members with responses that can be shared when engaging State Senators.**
- **If there are any questions that you are not prepared to answer please refer them to Rusty McKune, NSATA GAC Chair (Phone: 402-250-5720).**

### **NSATA Legislative Priorities:**

1. The NSATA fully supports the ability of Athletic Trainers in the State of Nebraska to work to the fullest extent of their education and training.
2. The NSATA supports access to quality health care.
3. The NSATA supports safety in sports and recreation.
4. The NSATA seeks to ensure that Nebraska retains educated professionals. (I added this in on my list during our discussion).

### **Elevator Speech relative to Practice Act:**

The Nebraska State Athletic Trainers Association is committed to the improvement and advancement of the athletic training profession in the state of Nebraska. The NSATA is committed to addressing the needs of the patients we serve and to enhancing the professional capabilities of our members.

The athletic training practice act was last updated in 1999. Athletic trainers hold a unique role in health care. The skills, education and populations served have continued to evolve and the current practice act limits the ability of the athletic trainers in Nebraska to practice to the highest level of their professional preparation. The NSATA is seeking to update the practice act to not only ensure that athletic trainers can practice to a level which reflects their education and training but also to ensure that Nebraskans have access to the level of care they deserve.

### **GAC Members:**

Rusty McKune (Chair)  
Phone: 402-250-5720  
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Stacy Dahlkoetter	Jason Ensrud
Cassie Metzner	Andrew Sheridan
Sam Wilkins	

### **407 Work Group (de facto GAC members)**

Mike Roberts	Danielle Kleber
Denise Marshall	Kerry Waple



## FAQ's

### **What is an athletic trainer?**

*Athletic trainers are Health Care Professionals who render service or treatment, under the direction of a physician, in accordance with their education and training and in compliance with their state statutes, rules and regulations. As a part of the healthcare team, services provided by AT's include injury and illness prevention, wellness promotion and education, emergent care, examination and clinical diagnosis, therapeutic intervention and rehabilitation of injuries and medical conditions. Athletic training is recognized by the AMA as a healthcare profession.*

### **What is the education and training of an athletic trainer?**

*Athletic trainers must graduate from nationally accredited programs at either the bachelors or master's level. The accredited programs provide coursework and clinical education for students in the areas of prevention, evaluation and management of injuries, illnesses and emergent conditions in a variety of patient populations, as well as healthcare administration. Athletic trainers must pass a national certification exam to become a certified athletic trainer. After certification, athletic trainers must complete and report a minimum of 50 continuing education units (CEUs) every 2 years to the Board of Certification (BOC) in order to maintain their certification.*

### **How many athletic trainers reside in the state/district?**

*417- in the state*

*If they have questions specific to your district, please contact your Quick Strike representative, Andrew Sheridan or Rusty McKune.*

### **What is the bill number?**

*LB 436*

*Date of Introduction: January 15, 2021*

### **Who is sponsoring our bill?**

*Senator Ben Hansen- District 16*

### **What does this bill specifically do?**

*Ensures that athletic trainers are allowed to work to the highest levels of their education and professional preparation. It seeks to define what we treat, not who.*



### **Why is it critical to pass this bill now?**

*This practice act was last updated in 1999 (407 process in 1998). Since that time, there have been three iterations of educational competencies. The skills, education and populations served have continued to evolve and the current practice act limits the ability of the athletic trainers in Nebraska to practice to the highest level of their professional preparation. It further limits access to quality health care by individuals on the basis of a single term- athlete. Those who are not defined as athletes cannot access the services of athletic trainers and providers may not refer these patients to athletic trainers.*

### **What are the major goals that we seek to accomplish with this bill?**

- 1. Provide the opportunity for athletic trainers in Nebraska to practice at a level that reflects our education and training while at the same time ensuring mechanisms are in place to ensure patient safety.*
- 2. Identify patient population based on the conditions and illnesses we are educated to treat, not who we may treat, based on the definition of athlete.*
- 3. Update the modalities we are able to perform and include physical modalities.*
- 4. Provide athletic trainers with the ability to administer emergency medications.*
- 5. Collaborate with other professional organizations to enhance relationships and strengthen our position as health care professionals in Nebraska.*

### **What are some key changes contained in LB 436?**

- 1. 38-404- Athletic trainers are now defined in statute as healthcare professionals.*
- 2. 38-403- repealed- The term "athlete" has been removed from statute.*
- 3. Section 6- Injuries and Illnesses re-defined to mean injuries or common illnesses and conditions related to, or which limit participation in, exercise, athletic, recreational, or activities requiring physical strength, agility, flexibility, range of motion, speed, or stamina, and which athletic trainers as a result of their education and training are qualified to provide care and make referrals to the appropriate health care professionals.*
- 4. 38-404 and 38-408(5)- As defined, "Athletic Trainer" maintains our ability to practice under guidelines established with a licensed physician in the traditional settings of high school, college, professional, youth sports, etc. and clarifies provisions for hospital outpatient departments, or outpatient based medical facilities or clinics*
- 5. 38-408 (5 a-f) Clarification of processes and procedures (including documentation requirements) when athletic training is performed in the outpatient setting to include who we can receive referrals from when practicing hospital outpatient department, or outpatient based medical facility or clinic (38-408 (5) (a-f).*
- 6. 38-408 (1d) and 38-408(3)- Added "physical modalities" to the list of therapeutic modalities that may be used (38-408 section 1 (d). With this addition, dry needling will now be allowed upon the development and adoption of language in rules and regulations (38-408(3).*
- 7. 38-408 (2)- The bill provides for the ability to administer emergency drugs (will require the development and inclusion of language in rules and regulations) (38-408(2).*
- 8. 38-411- Updated application requirements to clarify internship (prior to 2004) and accredited AT programs (after January 1, 2004).*



**What is the cost associated with this bill?**

*Zero fiscal note with the bill*

**Why do we want the support of the Senator?**

*As we have indicated, the current practice act is outdated and limits the ability of athletic trainers to practice at the top of their education. As a result, Nebraskans across the state are limited in their ability to access qualified health care professionals for medical care. Further, athletic trainers educated in Nebraska are forced to leave the state to acquire experiences and skills required by the accrediting body for Athletic Training Education. After graduation, these students may then find it hard to utilize their skills and therefore leave the state to find employment that will allow them to practice to the full extent of their education.*

*Any personalized experiences from the member as well will help!*