

**Board of Athletic Trainers
Minutes**

Date: May 21, 2009

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

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

Member(s) Present: Joseph T. Erdeljac, A.T., Chair,
Monroe J. Abram, A.T., Vice Chair
Janet Rasmussen-Wilbert, A.T.
Walter Fitzpatrick, III, Consumer Member

Member(s) Absent: Kurt P. Spindler, M.D

Staff Present: Marva Swann, Board Director
Tomica Walker, Board Administrator
Juanita Stone, BIV Disciplinary Coordinator
Ernie Sykes, Assistant General Counsel

With a quorum being present, Mr. Erdeljac, Board Chair, called the meeting to order at 9:10 a.m.

Conflict of Interest Policy

Ernie Sykes instructed the members of their responsibility under the Conflict of Interest Policy.

Office of General Counsel Report

Mr. Sykes presented the report.

Rules

Mr. Sykes explained the Board's statutory rulemaking authority and gave an overview of the rulemaking process.

The General Rules and Regulations Governing the Practice of Athletic Trainers, which went to rulemaking hearing on June 19, 2007 and which were at the Attorney General's Office during the November 6, 2008 board meeting, were filed on November 26, 2008 and became effective on February 9, 2009.

The following amendments which went to rulemaking hearing on September 26, 2007 and which were discussed at the November 6, 2008 board meeting will require a new rulemaking hearing due to the Board's reconsideration of the continuing education cycle and the number of continuing education hours required per cycle.

- 0150-1-.09 relating to license renewal and reinstatement
- 0150-1-.11 relating to retirement and reactivation of license
- 0150-1-.12 relating to continuing education

Litigation

The Office of General Counsel has no open cases pertaining to the Board of Athletic Trainers at this time.

Investigative/Disciplinary Report

Juanita Stone presented the investigative and disciplinary reports. Currently there are no open cases in the Office of Investigations. One licensee is being monitored following board disciplinary action.

Applicant Interviews/File Reviews

Darcy Beck—Ms. Beck appeared before the Board due to a misdemeanor conviction. After interview, Mr. Abram made a motion seconded by Ms. Wilbert to approve Ms. Beck for licensure. The motion carried.

James Elks—Mr. Elks appeared before the Board due to a misdemeanor conviction. After interview, Ms. Wilbert made a motion seconded by Mr. Abram to approve Mr. Elks for licensure. The motion carried.

Shaun Hartman—Mr. Hartman appeared before the Board due to a felony offense to which he pled guilty and was placed on probation. After interview, Ms. Wilbert made a motion seconded by Mr. Abram to approve Mr. Hartman for licensure. The motion carried.

Administrator's Report

Ms. Walker presented the administrator's report. As of April 30, 2009, there are 665 active licensees.

Licensure activity since the last board meeting of November 8 2008:

- New licenses—31
- Reinstated licenses—7
- Retired licenses—7
- Failed to Renew—25

Board Members

All positions are currently filled.

Financial Report

The Board deferred discussion of fees until the 2009 fiscal year report has been received.

Ratifications

Ms. Abram made a motion seconded by Mr. Fitzpatrick to approve the following list of initial determinations for new licenses. The motion carried.

VINCENT JOHN BAGLINI
JEFFREY THMAS BARNES
BRYAN DAVIS BEASLEY
REGHAN D BOOB
BENJAMIN JOHNSON CLEVELAND
DANIEL PATRICK CLIFFORD
MERIDETH MARTIN COOPER
HEATHER LYNN CORNETT
ADRIAN LYN DUNN
JAMES ANDREW GERMAN
LISA REBECCA JASS

BLAKE COLE JEFFRIES
JENNIFER ASHLEY LONDON
CARLA MICHELLE MYERS
OSAYANDE ABRAHAM OMOREGIE
JASON DANIEL RATH
JAES THOMAS SCHOLLER
DAVID NATHANIEL SEWELL
RACHEL LEANE SHARPE
WILLIAM ROBERT STEWART III
NICOLE LYNN SWARTS-KANIKI
MOLLY JEANNE UHRICH

Mr. Fitzpatrick made a motion seconded by Ms. Wilbert to approve the following list of initial determinations for reinstated licenses. The motion carried.

BILL GRADY BAREFIELD
JASON JONOTHAN JURGEL
BARTON PERNELL
KRISTINE ALEES WOODRUM

BRETT ANDERSON LEWIS
ANDREW CHARLES SHEA
JASON RAY TUBBS

Minutes

Ms. Wilbert made a motion seconded by Mr. Fitzpatrick to approve the minutes of the November 6, 2008 meeting as presented. The motion carried.

Position Statement Discussion

Mr. Sykes drafted and advised the Board to adopt a position statement rather than proceed with a rulemaking hearing to clarify what is meant by “persons” pursuant to 63-24-100 (c) as it relates to assessing civil penalties against persons who have knowingly employed, contracted for or otherwise utilized unlicensed “persons in the practice of athletic training.”

The Board interprets the word “persons” used in this sense to mean any legally recognized person, including but not limited to natural persons, licensed facilities, corporations, etc.

Ms. Wilbert made a motion seconded by Mr. Abram to adopt the position statement as drafted by Mr. Sykes. The motion carried. The position statement will be posted on the Board's website.

Bill H.R. 1137

Ms. Wilbert made a motion seconded by Mr. Abram to support H.R. 1137 (the "Athletic Trainers' Equal Access to Medicare Act of 2009). This bill if enacted would facilitate greater access to care by reducing cost barriers to a key component of a patient's continuum of healthcare; particularly for underprivileged or vulnerable segments of the population. The motion carried. Mr. Sykes is to draft a letter to be signed by the Chair and sent to Tennessee's representatives.

Election of Officers

The Board elected Joseph Erdeljac as Chairman and Monroe Abram as Vice Chair.

2010 Board Meeting Dates

May 27, 2010
November 18, 2010

Adjournment

There being no further business to discuss, Ms Wilbert made a motion to adjourn seconded by Mr. Abram. The motion carried. The meeting was adjourned at 10:45 a.m.

These minutes were ratified at the October 29, 2009 meeting.