

**WEST VIRGINIA
SECRETARY OF STATE**

NATALIE E. TENNANT

ADMINISTRATIVE LAW DIVISION

Form #5

Do Not Mark In This Box

2011 OCT -7 PM 1:32

OFFICE OF THE SECRETARY OF STATE

**NOTICE OF AGENCY ADOPTION OF A PROCEDURAL OR INTERPRETIVE RULE
OR A LEGISLATIVE RULE EXEMPT FROM LEGISLATIVE REVIEW**

AGENCY: West Virginia Board of Education TITLE NUMBER: 126

CITE AUTHORITY: W. Va. Constitution, Article XII, §2 and W. Va. Code §18-2-5

RULE TYPE: PROCEDURAL _____ INTERPRETIVE _____

EXEMPT LEGISLATIVE RULE X

CITE STATUTE(S) GRANTING EXEMPTION FROM LEGISLATIVE REVIEW

W. Va. Code §§29A-3B-1, et seq.; W. Va. Board of Education
v. Hechler, 180 W.Va. 451; 376 S.E.2d 839 (1988).

AMENDMENT TO AN EXISTING RULE: YES X NO _____

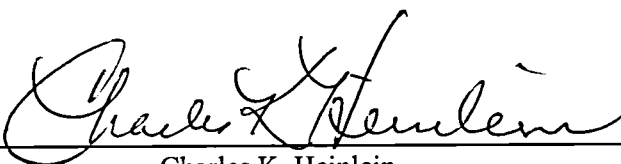
IF YES, SERIES NUMBER OF RULE BEING AMENDED: 118

TITLE OF RULE BEING AMENDED: Athletic Trainers in the Public Schools
of West Virginia (5112)

IF NO, SERIES NUMBER OF NEW RULE BEING PROPOSED: _____

TITLE OF RULE BEING PROPOSED: _____

THE ABOVE RULE IS HEREBY ADOPTED AND FILED WITH THE SECRETARY OF STATE. THE
EFFECTIVE DATE OF THIS RULE IS November 7, 2011.



Charles K. Heinlein
Deputy State Superintendent of Schools

EXECUTIVE SUMMARY
WEST VIRGINIA DEPARTMENT OF EDUCATION

WVBE Policy 5112: Athletic Trainers in the Public Schools of West Virginia

Background: The improvement of health care of student athletes in the public schools of West Virginia is critical to the success of all students in the 21st century. This policy identifies procedural requirements for licensure issuance and licensure renewal of athletic trainers and must be clear and reasonable. As revised, WVBE Policy 5112 will clarify licensure requirements for athletic trainers who work in the public schools of West Virginia in order to comply with West Virginia Code §30-20A-2, Athletic Trainers.

Proposals: Changes to WVBE Policy 5112 are as follows:

- Revise language to include the requirement that an athletic trainer hired by a county board of education be registered with the WV Board of Physical Therapy.
- Sunset the Athletic Trainer Student Support Certificate and Athletic Trainer Student Support Permit.
- Amend requirements for the Athletic Trainer Authorization to comply with West Virginia Code §30-20A-2, Athletic Trainers and Title Protection, which requires an athletic trainer be certified by the National Athletic Trainers Association Board of Certification (NATABOC) and be registered with the West Virginia Board of Physical Therapy.
- Revise unclear or inaccurate language heretofore included in the policy description.
- Delete the continuing education and professional development requirements that address the renewal of an Athletic Trainer Student Support Certificate which is no longer a specialization option.

Impact: Policy 5112 addresses the need for the improvement of health care of student athletes in the public schools of West Virginia as an element necessary for the success of all students in the 21st century.

Response to Comments: Minor edit changes made for clarity and consistency and do not affect the substance of the policy.

External Stakeholders

Barbara Brazeau
Charlie Callison
Dr. Jane Cardì
Jack Cullen
Duane Dober
Susan Grady
Kathy Hardy
Dr. Sue Hollandsworth
Dr. Thelma Isaacs

Putnam County Schools
Greenbrier County Schools
West Virginia University
Mason County Schools
Tyler County Schools
Mineral County Schools
Hardy County Schools
Marshall University
Marshall University

Dr. Kathryn Liptak
Chris Marr
Dr. Emily Meadows
Dr. Larry Parsons
Judy Perry
Kenneth Tanner
Dr. George Watson
Robert Jay Yeager

Concord University
WV Athletic Trainers Assoc.
Raleigh County Schools
Preston County Schools
Wood County Schools
Clay County Schools
Marshall University
Wetzel County Schools

Internal Stakeholders

Dr. Amelia Courts
Shawn Hawkins
Robert Hagerman
Lisa Hedrick
Lori Wiggins

Division of Educator Quality and System Support
Office of Professional Preparation
Office of Professional Preparation
Office of Professional Preparation
Office of Professional Preparation

126CSR118

FILED

TITLE 126

2011 OCT -7 PM 1:22

PROCEDURAL RULE
BOARD OF EDUCATION

WEST VIRGINIA
DEPARTMENT OF STATE

SERIES 118

Athletic Trainers in the Public Schools of West Virginia (5112)

126-118-1. General.

1.1. Scope. - The purpose of this athletic trainer policy is to improve the health care of student athletes in the public schools of West Virginia. This legislative rule describes the role of athletic trainers and individuals with limited football trainer authorization in the public schools of West Virginia and provides for their licensure and professional development.

1.2. Authority. - W.Va. Constitution, Article XII, §2 and W. Va. Code §18-2-5.

1.3. Filing Date. October 7, 2011.

1.4. Effective Date. November 7, 2011.

1.5. Repeal of Former Rule. - This procedural rule amends W.Va. 126CSR118, "Athletic Trainers in the Public Schools of West Virginia," filed April 19, 2004 and effective May 20, 2004.

126-118-2. General Rules.

2.1. Each county board of education shall employ a registered athletic trainer(s) or an individual(s) with limited football trainer authorization defined under section 4.1 to serve during senior high school football practices and games. High schools that do not have an athletic trainer or an individual with limited athletic trainer authorization may not participate in football practices and games.

2.2. Each county board of education is encouraged to employ an athletic trainer for middle and junior high school football practices and games.

2.3. County superintendents are encouraged to assign an athletic trainer to work with other school athletic programs.

2.4. Athletic Trainers employed to serve in any public school capacity must adhere to the licensure requirements set forth in this policy and Policy 5202, Minimum Requirements for the Licensure of Professional/Paraprofessional Personnel and Advanced Salary Classifications (126CSR136).

126-118-3. Licensure Governing Athletic Trainers (Policy 5202).

3.1. **Athletic Trainer Authorization.** A Temporary Authorization endorsed for athletic trainer may be issued to an individual who holds certification through the National Athletic Trainers Association Board of Certification (NATABOC); AND who has registered with the West Virginia Board of Physical Therapy, as provided in West Virginia §30-20A-2; AND who provides a copy of the valid registration from the West Virginia Board of Physical Therapy; AND who receives the recommendation of the superintendent of the employing county.

3.2. The Athletic Trainer Authorization may be reissued annually upon application to the WVDE Office of Professional Preparation with documentation of current registration with the West Virginia Board of Physical Therapy AND the recommendation of the superintendent of the employing county.

3.3. **Limited Football Trainer Authorization.** If an athletic trainer can not be obtained, county boards of education shall employ a licensed health care provider which may include one of the following: physician, registered nurse, licensed practical nurse, chiropractor, physical therapist, occupational therapist, physicians assistant, paramedic, emergency medical technician. To qualify for limited football trainer authorization, county boards of education must:

3.3.a. post the position of athletic trainer or individual to receive limited football trainer authorization with a closing date on or before May 1.

3.3.b. employ an athletic trainer. If a registered athletic trainer cannot be employed, county boards of education shall select a licensed health care provider to apply for limited football trainer authorization.

3.3.c. require the individual(s) seeking limited football trainer authorization to attend an athletic trainer workshop/clinic sanctioned by the WVSSAC.

3.3.d. require the individual(s) seeking limited football trainer authorization to complete and submit the Application for Limited Football Trainer Authorization to the WVDE Office of Professional Preparation by July 1.

3.3.e. The Limited Football Trainer Authorization may be reissued annually upon application to the WVDE Office of Professional Preparation with documentation of a valid health care provider license and the recommendation of the superintendent of the employing county.

3.4. **Student Support Certificate for Athletic Trainer.** Student Support Certificates for Athletic Trainer that were issued prior to July 1, 2011, may be renewed in accordance with renewal requirements for professional student support certificates, as described in

Policy 5202, §10.3.6(c). No Initial Professional Student Support Certificates will be issued after July 1, 2011.

3.5. First-Class/Full-Time Permit for Athletic Trainer Student Support Personnel.

3.5.a. Initial First-Class/Full-Time Permits for Athletic Trainer Student Support Personnel will not be issued after July 1, 2011, as stipulated in W. Va. Code §30-20A-2.

3.5.b. Renewal of First-Class/Full-Time Permits for Athletic Trainer Student Support Personnel. The First-Class/Full-Time Permit for Athletic Trainer may be renewed in accordance with renewal requirements described in Policy 5202, §11.1. Only those Permits that were in effect as of July 1, 2010, may be renewed.

§126-118-4. General Role Description.

4.1. Role of the Authorized Athletic Trainer. The athletic trainer possesses the essential knowledge, skills, attitudes, and credentials necessary to carry out the practices of prevention, evaluation, initial care, and physical rehabilitation of injuries sustained by students engaged in public school athletics. The athletic trainer has responsibility for the development, implementation, and management of the athletic training program.

4.2. Role of the Authorized Limited Football Trainer. The duties of individuals with limited football trainer authorization are limited to evaluation, initial care, and referral of injuries sustained by students engaged in public school athletics.

§126-118-5. Governing Principles.

5.1. An individual serving as an athletic trainer or individuals with limited football trainer authorization may not have simultaneous coaching responsibilities in the same sport.

5.2. An athletic trainer or an individual with limited football trainer authorization must be in attendance at all senior high school football practices and games.

5.2.a. County superintendents may grant excuses from this requirement for individual practices or games based on illness, accident or unforeseen events.

5.2.b. When an athletic trainer or an individual with limited football trainer authorization is not in attendance because of an illness, accident or other unforeseen event, the county superintendent must secure the attendance of other persons with specialized health related training.

5.3. It is the responsibility of the athletic trainer or individual with limited football trainer authorization to determine whether or not an injured student athlete participates in a

game or practice.

§126-118-6. Severability.

6.1. If any provision of this rule or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this rule.

FISCAL NOTE FOR PROPOSED RULES

Rule Title: W. Va. Code 126CSR136, Policy 5112: Athletic Trainers in the Public Schools of West Virginia

Type of Rule: Legislative Interpretive Procedural

Agency: West Virginia Department of Education

Address: Building 6, Room 252
 1900 Kanawha Blvd., East
 Charleston, WV 25305

Phone Number: 304-558-7010

Email: lhedrick@access.k12.wv.us

Fiscal Note Summary

Summarize in a clear and concise manner what impact this measure will have on costs and revenues of state government.

No state costs or revenues will be impacted by the proposed amendment of W. Va. Code 126CSR136, Policy 5112: Athletic Trainers in the Public Schools of West Virginia.

Fiscal Note Detail

Show over-all effect in Item 1 and 2 and, in Item 3, give an explanation of Breakdown by fiscal year, including long-range effect.

FISCAL YEAR			
Effect of Proposal	Current Increase/Decrease (use "-")	Next Increase/Decrease (use "-")	Fiscal Year (Upon Full Implementation)
1. Estimated Total Cost	0	0	0
Personal Services	0	0	0
Current Expenses	0	0	0
Repairs & Alterations	0	0	0
Assets	0	0	0
Other	0	0	0
2. Estimated Total Revenues	0	0	0

Rule Title: W. Va. Code 126CSR136, Policy 5112: Athletic Trainers in the Public Schools of West Virginia

- 3. Explanation of above estimates (including long-range effect);**
Please include any increase or decrease in fees in your estimated total revenues.

No state costs or revenues will be impacted by the proposed amendment of W. Va. Code 126CSR136, Policy 5112: Athletic Trainers in the Public Schools of West Virginia.

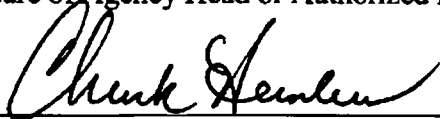
MEMORANDUM

Please identify any areas of vagueness, technical defects, reasons the proposed rule **would not** have a fiscal impact, and/or any special issues **not** captured elsewhere on this form.

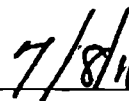
No state costs or revenues will be impacted by the proposed amendment of W. Va. Code 126CSR136, Policy 5112: Athletic Trainers in the Public Schools of West Virginia.

This is a revision to W. Va. Code 126CSR136, Policy 5112: Athletic Trainers in the Public Schools of West Virginia to meet the requirements set forth in West Virginia Code §30-20A-2, which provides for title protection of athletic trainers.

Signature of Agency Head or Authorized Representative



Date



Policy 5112: Athletic Trainers in the Public Schools of West Virginia

Comment Log

August 12 - September 12, 2011

Action Type
 N: No Response - Negative
 NA: Not Accepted + Positive
 A: Accepted o Neutral

Date	Individual/Organization	Comments	Action/Type	Rationale
8/23/11	Tony Corley/WVU Asst. Football AT	<p>Comments for section 126-118-1 General ----- Athletic Trainers in the state of WV are not licensed. All Athletic Trainers must register with the Board of Physical Therapy. The Limited football trainer authorization individuals cannot call themselves athletic trainer.</p> <p>Comments for section 126-118-2 General Rules ----- Each county shall employ a registered athletic trainer not licensed. Why is the BOE only mandating football practices and games be covered. Are we saying that soccer athletes don't get hurt or don't get the same benefits as football. Heat stroke, sickle cell deaths,</p>	<p>NA o</p> <p>A o</p>	<p>The designation of Limited Football Trainer meets the title protection requirements as defined in W. Va. Code §30-20A-2. The Limited Football Trainer Authorization is an authorization issued to a licensed healthcare provider and allows the football trainer to work with student athletes of West Virginia public schools.</p> <p>126-118-2: The reference to the employment of an athletic trainer is hereby amended in order to correct the term used to describe the athletic trainer. The</p>

		<p>cardiac related deaths, and concussions can occur in any sport not just football. The County is encouraged to employ an Athletic Trainer for other sports, but what steps have the counties taken to fund these position. The question is: What is the cost of the student athlete's life?</p> <p>Comments for section 126-118-3 Licensure Governing Athletic Trainers (Policy 5202)</p> <p>-----</p> <p>The public needs to understand that there is a difference between an Athletic Trainer and limited football trainer. Athletic Trainers possess a bachelor degree from a nationally accredited athletic training program and has registered with the board of physical therapy and has passed a board certification exam. The limited football trainer is a person who may have a college degree or may not and are not trained to make return to play decisions.</p> <p>Comments for section 126-118-4 General Role Description</p> <p>-----</p> <p>Good distinction between these in policy 5112. The problem is that limited football trainers are limited to evaluation, initial care, and referral. No where in here does it say return to play. So once an athlete gets hurt and notifies the limited football trainer they should not be allowed to return to play, until referred.</p>	<p>NA</p> <p>o</p> <p>NA</p> <p>o</p>	<p>term "licensed" is amended to "registered" athletic trainer.</p> <p>The scope of the changes to Policy 5112 in this revision are to comply with the change to W. Va. Code §30.20A.2 which addresses title protection for athletic trainers.</p> <p>The scope of the changes to Policy 5112 in this revision are to comply with the change to W. Va. Code §30.20A.2 which addresses title protection for athletic trainers.</p>
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		<p>Comments for section 126-118-5 Governing Principles ----- Section 5.7.3 states that a limited football trainer determines whether or not an injured student athlete participates in a game or practice. That contradicts section 4.6.2. Which states limited football trainer are limited to evaluation, initial care and referral. No where does it say return to play</p>	NA	The scope of the changes to Policy 5112 in this revision are to comply with the change to W. Va. Code §30.20A.2 which addresses title protection for athletic trainers.
8/24/11	No Name	<p>Comments for section 126-118-1 General ----- i think it should apply to all schools, not just public but also private schools that have athletics as well. there is proper accrediting steps that takes place before one can apply for license. after one has the proper courses/schooling they take the board exams from a known/ good reputable governing body in order to be FULLY licensed and without any misconducts (police or otherwise) on their records.</p> <p>Comments for section 126-118-3 Licensure Governing Athletic Trainers (Policy 5202) ----- they definitely need to be licensed otherwise anyone can come in and say "i know first aid and cpr" but not necessarily know the specific protocols of that particular sport...</p>	NA	The scope of the changes to Policy 5112 in this revision are to comply with the change to W. Va. Code §30.20A.2 which addresses title protection for athletic trainers.
			NR	

		<p>Comments for section 126-118-4 General Role Description</p> <p>-----</p> <p>their role is to provide the best care and implement prevention measures so that a season ending injury doesn't occur or worse. they also take on the role of being a liason between parents and coaching staff.</p>	<p>NA</p>	
<p>8/24/11</p>	<p>Randy Meador/WVU AT</p>	<p>Comments for section 126-118-1 General</p> <p>-----</p> <p>"Limited football trainer" creates a problem in two ways. ONE it obviously ignores all of the other sports and secondly registration prevents the use of athletic trainer unless they meet the specific requirements.</p> <p>Comments for section 126-118-2 General Rules</p> <p>-----</p> <p>Will someone make sure the high schools are trying their best to hire an athletic trainer?</p> <p>Comments for section 126-118-3 Licensure Governing Athletic Trainers (Policy 5202)</p> <p>-----</p> <p>A "Limited Football Trainer" will not be as educated in return to play decisions, concussions and heat illnesses. Which can jeopardize a student-athlete's life.</p>	<p>NA</p>	<p>The scope of the changes to Policy 5112 in this revision are to comply with the change to W. Va. Code §30.20A.2 which addresses title protection for athletic trainers.</p> <p>§3.2 requires that all county boards of education post the positions for athletic trainer, and if no athletic trainer can be employed, then the county board of education may use the limited football trainer option.</p>

	<p>Comments for section 126-118-5 Governing Principles</p> <p>-----</p> <p>On 5.3 it states "It is the responsibility of the athletic trainer or individual with limited football trainer authorization to determine whether or not an injured student athlete participates in a game or practice."</p> <p>Under 4.2 this is not included in their role.</p> <p>Comments for section 126-118-6 Severability</p> <p>-----</p> <p>Every child in every high school deserves to have proper medical coverage. It would be great to have a BOC certified athletic trainer in every high school.</p>	NA	<p>The scope of the changes to Policy 5112 in this revision are to comply with the change to W. Va. Code §30.20A.2 which addresses title protection for athletic trainers.</p>
8/24/11	<p>Allison Hetrick/WVU AT</p>	NA	<p>§2.2 and §2.3 encourage the employment of athletic trainers for other school athletic programs</p>
8/24/11	<p>Michael Boehke/AB Assoc. Professor Head AT</p>	N +	

		<p>Therefore, I encourage representatives to not stop with requiring Licensed Athletic Trainers for football but instead guarantee that a NATABOC Licensed Athletic Trainer be available for all sports, both male and female.</p> <p>Comments for section 126-118-3 Licensure Governing Athletic Trainers (Policy 5202)</p> <p>-----</p> <p>I agree whole heartedly with the Licensure of NATABOC Athletic Trainers and applaud our state representatives for providing student athletes with the best possible care by mandating the hiring of qualified individuals. However, I believe that ALL student athletes deserve the same quality of care. Therefore, I encourage representatives to not stop with requiring Licensed Athletic Trainers for football but instead guarantee that a NATABOC Licensed Athletic Trainer be available for all sports, both male and female.</p>	N +	
8/27/11	Ericka Zimmerman/UC Chair, Dept of AT	<p>Comments for section 126-118-1 General</p> <p>-----</p> <p>Please be careful using the term "limited football trainer" as this could easily confuse the public, particularly the parent and athlete. A more appropriate title would be "limited football first responder" or just "first responder". Besides confusing "limited football trainer" with athletic trainer, someone might also confuse that title with a personal trainer. A great example was the "trainer" who provided steroids to MLB players; this person</p>	NA o	<p>The designation of Limited Football Trainer meets the title protection requirements as defined in W. Va. Code §30-20A-2. The Limited Football Trainer Authorization is an authorization issued to a licensed healthcare provider and allows the football</p>

		<p>was neither an athletic trainer or a limited football trainer.</p> <p>Comments for section 126-118-2 General Rules ----- Section 2.1, line 4: "limited athletic trainer authorization"; this should not use the word athletic trainer here, as it is 1) inconsistent with the terminology used in line 2 and 2) creates confusion for the public.</p> <p>Section 2.2 and 2.3: Great opportunity to provide appropriate medical coverage to all athletes and both the middle school and high school level.</p> <p>Comments for section 126-118-3 Licensure Governing Athletic Trainers (Policy 5202) ----- Section 3.34: Again, using the term "limited football trainer" is confusing to the public. If the county is hiring another medical professional then the individual should go by the name of the profession. Imagine going to the emergency room to be treated by a "limited ER doctor", only to find out that person is a podiatrist, nurse, athletic trainer, or neurosurgeon. A person would be upset that s/he didn't know exactly who was caring for them. Let parents know who is providing medical coverage for their son or daughter and what professional experience and training that person has.</p> <p>Section 3.3a: who is going to ensure that the board has advertised and searched for an athletic trainer to provide coverage to high school football?</p>	NA	<p>trainer to work with student athletes of West Virginia public schools.</p> <p>The scope of the changes to Policy 5112 in this revision are to comply with the change to W. Va. Code §30.20A.2 which addresses title protection for athletic trainers.</p>
			NA	<p>The scope of the changes to Policy 5112 in this revision are to comply with the change to W. Va. Code §30.20A.2 which addresses title protection for athletic trainers.</p>

		<p>Comments for section 126-118-4 General Role Description</p> <p>-----</p> <p>Section 4.1: What about return to play decisions? An athletic trainer is highly qualified to make return to play decisions, as they do in professional sports, olympics, and colleges. Athletic trainers have extensive training and knowledge in the evaluation, treatment, and return to play protocols. This is especially the case most recently with respect to sickle cell trait carriers, heat illnesses, and concussions. I would encourage you to include a remark about return to play decisions.</p> <p>Section 4.2: A limited football trainer should only provide care to the level of training outlined by their professional credential and training.</p>	NA -	<p>The scope of the changes to Policy 5112 in this revision are to comply with the change to W. Va. Code §30.20A.2 which addresses title protection for athletic trainers.</p>
		<p>Comments for section 126-118-5 Governing Principles</p> <p>-----</p> <p>Use of "limited football trainer" is confusing to the public, the athlete, and does not clearly identify the level of expertise or training of the person in this role.</p>	NA -	<p>The scope of the changes to Policy 5112 in this revision are to comply with the change to W. Va. Code §30.20A.2 which addresses title protection for athletic trainers.</p>
9/1/11	Carl Swearingen/PT AT	<p>Comments for section 126-118-3 Licensure Governing Athletic Trainers (Policy 5202)</p> <p>-----</p> <p>I disagree with the title Limited Football Trainer. I believe that this is confusing and easily misunderstood as an athletic trainer to the public. The name should be changed not to use the word trainer in the title (ex. health care support personnel,</p>	NA -	<p>The designation of Limited Football Trainer meets the title protection requirements as defined in W. Va. Code §30-20A-2. The Limited Football Trainer Authorization is an authorization issued to a licensed healthcare provider</p>

		<p>responder, or their professional title) to avoid confusion and protect our title as the true athletic trainers. Also if they are using the title "Football trainer" - what about the other sports? People don't get injured in soccer, softball, cheerleading, etc. This title lends that the individual will only help football which leads to several issue and appears to be in violation of Title IX.</p> <p>Comments for section 126-118-4 General Role Description ----- The role description appears contradictory. In this section, it states the duties of the limited football trainer apply to students engaged in public school athletics. However, the name states "football", and leads you to believe otherwise. Also, it needs to be discussed whether the person as a limited football trainer (physician, RN, LPN, chiropractor, PT, OT, PA, paramedic or EMT) has the knowledge to truly decide return to play status. This is an area that could lead to severe injuries and even death if the person is not properly educated or trained.</p>	NA -	<p>and allows the football trainer to work with student athletes of West Virginia public schools.</p> <p>The scope of the changes to Policy 5112 in this revision are to comply with the change to W. Va. Code §30.20A.2 which addresses title protection for athletic trainers.</p>
9/7/11	Vincent G. Stilger/WVU HSD, ATC	<p>Comments for section 126-118-1 General ----- The first sentence in this section is the most important....improve the health care of student athletes in the public schools of WV. However, by allowing "limited football trainers" authorization for coverage, we are not improving the health care of WV student athletes...we are substituting a continual</p>	NA -	<p>The scope of the changes to Policy 5112 in this revision are to comply with the change to W. Va. Code §30.20A.2 which addresses title protection for athletic trainers.</p>

		<p>"stop gap" measure for a more qualified Board of Certification (BOC) athletic trainer by allowing the use of limited football trainers.</p> <p>Comments for section 126-118-2 General Rules ----- It is important to note here that "other school athletic programs" deserve the same type of coverage that a BOC athletic trainer could provide. Athletes in soccer, basketball, wrestling, baseball, softball, etc. should be afforded the same professional care regarding athletic related injuries and illnesses.</p> <p>Comments for section 126-118-3 Licensure Governing Athletic Trainers (Policy 5202) ----- The biggest concern here is the use of the term "limited football trainer." According to the state of West Virginia and House Bill 3152 from March, 2010, the term trainer is title protected and cannot be used by anyone other than an athletic trainer who is registered with the West Virginia Board of Physical Therapy.</p> <p>Comments for section 126-118-4 General Role Description -----</p>	<p>NA -</p> <p>NA -</p> <p>NA o</p>	<p>The scope of the changes to Policy 5112 in this revision are to comply with the change to W. Va. Code §30.20A.2 which addresses title protection for athletic trainers.</p> <p>The designation of Limited Football Trainer meets the title protection requirements as defined in W. Va. Code §30-20A-2. The Limited Football Trainer Authorization is an authorization issued to a licensed healthcare provider and allows the football trainer to work with student athletes of West Virginia public schools.</p> <p>The scope of the changes to Policy 5112 in this revision</p>
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		<p>This section states that the limited football trainer may evaluate, provide initial care, and refer. However, during the course of an event, whether it be a football, soccer, or basketball game, a limited football trainer may be making return to play decisions regarding a student athlete. The heat of the moment during a close game, pressure from coaches, or a player wanting to return to action may cause for a pre-mature return to play. Athletes perhaps with a concussion, heat related illness, or other type of musculoskeletal injury may therefore be at risk for further injury. BOC athletic trainers have the education and clinical skills necessary to make these important decisions.</p> <p>Comments for section 126-118-5 Governing Principles</p> <p>-----</p> <p>Concern abounds when a qualified health professional is not in attendance at football practices or games. Are practices actually not held or are games cancelled?</p> <p>The sentence in 5.3 states that an individual with the limited football trainer title may determine whether an injured student athlete may participate in a game or practice, thus, making a return to play decision. This is contradictory to the statement in section 4 that states a limited football trainer may only evaluate, provide initial care, and refer. Return to play decisions should not be made by a limited football trainer!!</p>	<p>NA</p> <p>o</p>	<p>are to comply with the change to W. Va. Code §30.20A.2 which addresses title protection for athletic trainers.</p> <p>The scope of the changes to Policy 5112 in this revision are to comply with the change to W. Va. Code §30.20A.2 which addresses title protection for athletic trainers.</p>
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9/8/11	John Spiker HealthWorks Rehab and Fitness, President	<p>Comments for section 126-118-3 Licensure Governing Athletic Trainers (Policy 5202)</p> <p>-----</p> <p>With concussions and heat illness management decisions needing to be made for safe participation, why are Athletic Trainers not required for more sports than football. Soccer, basketball, wrestling, softball and baseball all have significant risks.</p>	NA	The scope of the changes to Policy 5112 in this revision are to comply with the change to W. Va. Code §30.20A.2 which addresses title protection for athletic trainers.
9/9/11	Michael Casselman, HealthWorks Rehab & Fitness, Director, AT Services	<p>Comments for section 126-118-2 General Rules</p> <p>-----</p> <p>Limited Athletic Trainer authorization is no longer a good idea. Understand, NATA certified athletic trainers (ATC) have four years of formal education and practicum experience working with athletes vs. other, currently permissible, healthcare professionals who do not have the same training to work with this population. Have they been trained to manage a concussion? Are they familiar with Return to Play (RTP) guidelines for the various injuries they may come upon. Simply stated, can they adequately identify and with a high level of proficiency, evaluate an acute athletic injury?</p> <p>Comments for section 126-118-3 Licensure Governing Athletic Trainers (Policy 5202)</p> <p>-----</p> <p>With the onset of Athletic Trainer Registration in WV, it is no longer permissible for healthcare professionals issued a permit by the WVDE to identify themselves as Athletic Trainers. WV is only one of</p>	NA	<p>The scope of the changes to Policy 5112 in this revision are to comply with the change to W. Va. Code §30.20A.2 which addresses title protection for athletic trainers.</p> <p>The revisions to Policy 5112 remove the option for the Student Support Certificate for Athletic Trainer and the Student Support Permit for Athletic Trainer.</p>

		<p>four states remaining that does not have athletic trainer licensure. However, with state registration and the diligent work of NATA certified athletic trainers in this state, we are getting closer and closer. WVDE should be proactive and anticipate this change.</p> <p>Comments for section 126-118-5 Governing Principles ----- Why does the limited football athletic trainer only cover football practices and games. How about the incidence of injury in the other sports during the fall, winter, and spring sport seasons (boys soccer, wrestling, basketball, etc). And what about the girls sports at the high schools with risk of injury (cheerleading, girls basketball, girls soccer, and to a lesser extend volleyball). The state seems to run a risk discluding athletic training coverage for these gender specific activities.</p> <p>5.7.3 "The individual with limited football authorization is to determine whether or not an injured athlete participates or not". An RN, LPN, EMT, Chiropracter, PT, OT, PA, Paramedic, and in most cases a Physician is not trained adequately in return to play criteria for injured athletes. The state is expecting these healthcare professionals to make decisions they have not been educated regarding and trained to make. Frankly, it is not in the best interest of the injured high school athlete that they be making decisions of this nature.</p>	<p>NA -</p>	<p>The scope of the changes to Policy 5112 in this revision are to comply with the change to W. Va. Code §30.20A.2 which addresses title protection for athletic trainers.</p>
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9/9/11	Caitlin M. McFadden, WV Athletics Graduate Asst AT	<p>Comments for section 126-118-1 General</p> <p>-----</p> <p>This "limited football trainer authorization" must be changed - it does not comply with Title IX which all schools acquiring government funding must abide by. For this authorization only confirms the medical coverage of football which limited or removes the opportunity for medical coverage for ALL other sports (both male and female). Please see section 126-118-3 for more of an explanation of this violation if this policy is passed without specific corrections.</p> <p>Comments for section 126-118-2 General Rules</p> <p>-----</p> <p>Again only stating football coverage is warranted. However, the question to hiring a Board of Certification athletic trainer is only for the sport of football still violates this educational amendment. Also the fact that superintendents are only encouraged instead of REQUIRED to employ an athletic trainer for other school athletic programs as stated in part 2.3 is again reinforcing that violation.</p> <p>Comments for section 126-118-3 Licensure Governing Athletic Trainers (Policy 5202)</p> <p>-----</p> <p>In understanding the expectations of a limited football trainer authorization, as stated in part 3.3-3.3e, is that this authorization is only for the sport of football. However, Title IX states that "No person in the United States shall, on the basis of sex, be</p>	NA	o	<p>The scope of the changes to Policy 5112 in this revision are to comply with the change to W. Va. Code §30.20A.2 which addresses title protection for athletic trainers.</p>
			NA	-	<p>The scope of the changes to Policy 5112 in this revision are to comply with the change to W. Va. Code §30.20A.2 which addresses title protection for athletic trainers.</p>
			NA	-	<p>The scope of the changes to Policy 5112 in this revision are to comply with the change to W. Va. Code §30.20A.2 which addresses title protection for athletic trainers.</p>

		<p>excluded from participation in, be denied the BENEFITS of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance." This excerpt is not just a reference to equality for females, males also, when it comes to both athletics and academics. Therefore, Men's and women's soccer is played during the fall season, why then can Football have a limited football trainer authorization but not those soccer teams. According to the homepage of West Virginia Secondary School Activities Commission, in which there is a defined connection to the West Virginia Board of Education, lists seven sports that occur during the fall season. Through this policy, the West Virginia Board of Education is mandating that only one out the seven sports are allotted medical coverage, when all seven sports warrant, but also required by law to have medical coverage. As stated by this policy the level of medical care for a football is more so even if only a limited football trainer is employed compared to all other fall season sports. Level of medical care is still the most important point I would like to get across because even if the school employs an athletic trainer specifically for football and limited training authorization for other medical professionals to other sports there is still a low level for medical care. How would one feel if the coverage of care was switched? I am sure the parents of the football athletes would not feel that their child was protected; don't the parents of the soccer and volleyball players feel the same way?</p> <p>The Title IX education amendment has been used in many lawsuits around the country since its induction in 1972. If those lawsuits are reviewed one can see</p>		
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that many groups have brought forth this very same problem that is being proposed through this policy. In a case filled by parents against the Tulsa Public schools in Tulsa, Oklahoma, female athletes were not provided equitable athletic training and sports medicine services compared to male athletes. You can refer to my reference through <http://www.momentummedia.com/articles/tc/tc1103/equity.htm>. This article examines this case, just like many others, that ruled the school district in compliance with Title IX. It also mentions how to make sure school districts stay compliant. To help others understand what exactly Title IX is meant to do it defined Title IX as "a basic purpose... to ensure equal access to educational opportunities and services – including athletics- regardless of gender." It also brings up the false pretense that football is the only high injury risk sport in athletics. If one refers to recent studies, they show that there is an increase in injuries that require hospitalization in soccer and basketball; again, regardless of gender. Studies show that in soccer there is an increase in not just soft tissue injuries such as anterior cruciate ligament tears or ankle sprains but also sudden cardiac death. This great risk is there for all sports. The Youth Sports and Safety Alliance: report care on the Youth Sport Safety Crisis published the number of deaths in youth athletic of 2010. It lists twenty-one adolescent athletes who died of sudden cardiac death as well as other athletic deaths. These numbers are rising and it is not just happening in the sport of football. The only way to keep the number from increase even more is to have properly trained medical personal on the sidelines.

		<p>This is why athletic trainers are the most prepared. Again, this is all pointing out that society today is putting less emphasis on sports that greatly require medical attention along with football.</p> <p>To be a specific as possible Title IX has a list of services by which all must abide to and one is "Medical and training facilities and services." The entire list is in the article above. This policy is going against the Title IX law. If this policy is passed without change many will look to have the policy dismissed by simple complaint or filing a lawsuit. Seeing how Phyllis H. Carter a chief administrative law judge in West Virginia, who is a outspoken supporter of Title IX and stands for the understanding and enforcement as well, one could say that this policy can be overturned if not corrected in the first place.</p> <p>Therefore, I push for a reorganization of this policy requiring all school districts higher certified athletic trainers to provide medical coverage to all sports throughout the school year. Then, by this change, Title IX will be in compliance and safety and protection will be provided for our youth athletes.</p>		
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Lisa Hedrick

From: Nobody [nobody@wvde.state.wv.us]
Sent: Tuesday, August 23, 2011 12:49 PM
To: fibanez@wvde.state.wv.us; lhedrick@access.k12.wv.us
Subject: Comment Received for Policy 5112 (2011-08-23 12:49:25)

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Comment Received for Policy 5112

#####

Name: Tony Corley
Organization: West Virginia University
Email: tony.corley@mail.wvu.edu
Title: Assistant Football Athleti Trainer
Address1: 1 rogers Dr
Address2:
City/State/Zip: Morgantown , WV 26508
Role: Professional Support
Posted: 2011-08-23 12:49:25
Posted from IP: 157.182.106.48

Comments for section 126-118-1 General

Athletic Trainers in the state of WV are not licensed. All Athletic Trainers must register with the Board of Physical Therapy. The Limited football trainer authorization individuals cannot call themselves athletic trainer.

Comments for section 126-118-2 General Rules

Each county shall employ a registerd athletic trainer not licensed. Why is the BOE only mandating football practices and games be covered. Are we saying that soccer athletes don't get hurt or don't get the same benefits as football. Heat stroke, sickle cell deaths, cardiac related deaths, and concussions can occur in any sport not just football. The County is encouraged to employ an Athletic Trainer for other sports, but what steps have the counties taken to fund these position. The question is: What is the cost of the student athlete's life?

Comments for section 126-118-3 Licensure Governing Athletic Trainers (Policy 5202)

The puclic needs to understand that there is a differnce between an Athletic Trainer and limited football trainer. Athletic Trainers possess a bachelor degree from a nationally accredited athletic training program and has registerd with the board of physical therapy and has passed a board certification exam. The limited football trainer is a person who may have a college degree or may not and are not trained to make return to play decisions.

Comments for section 126-118-4 General Role Description

Good distiction between these in policy 5112. The problem is that limited football trainers are limited to evaluation, initial care, and referral. No where in here does it say return

to play. So once an athlete gets hurt and notifies the limited football trainer they should not be allowed to return to play, until referred.

Comments for section 126-118-5 Governing Principles

Section 5.7.3 states that a limited football trainer determines whether or not an injured student athlete participates in a game or practice. That contradicts section 4.6.2. Which states limited football trainer are limited to evaluation, initial care and referral. No where does it say return to play

Comments for section 126-118-6 Severability

Lisa Hedrick

From: Nobody [nobody@wvde.state.wv.us]
Sent: Wednesday, August 24, 2011 8:48 AM
To: fibanez@wvde.state.wv.us; lhedrick@access.k12.wv.us
Subject: Comment Received for Policy 5112 (2011-08-24 08:47:35)

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Comment Received for Policy 5112

#####

Name:
Organization:
Email:
Title:
Address1:
Address2:
City/State/Zip: ,
Role: Community Member
Posted: 2011-08-24 08:47:35
Posted from IP: 129.71.204.146

Comments for section 126-118-1 General

i think it should apply to all schools, not just public but also private schools that have athletics as well. there is proper accrediting steps that takes place before one can apply for license. after one has the proper courses/schooling they take the board exams from a known/ good reputable governing body in order to be FULLY licensed and without any misconducts (police or otherwise) on their records.

Comments for section 126-118-2 General Rules

Comments for section 126-118-3 Licensure Governing Athletic Trainers (Policy 5202)

they definitely need to be licensed otherwise anyone can come in and say "i know first aid and cpr" but not necessarily know the specific protocols of that particular sport...

Comments for section 126-118-4 General Role Description

their role is to provide the best care and implement prevention measures so that a season ending injury doesn't occur or worse. they also take on the role of being a liason between parents and coaching staff.

Comments for section 126-118-5 Governing Principles

Comments for section 126-118-6 Severability

Lisa Hedrick

From: Nobody [nobody@wvde.state.wv.us]
Sent: Wednesday, August 24, 2011 3:45 PM
To: fibanez@wvde.state.wv.us; lhedrick@access.k12.wv.us
Subject: Comment Received for Policy 5112 (2011-08-24 15:45:01)

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Comment Received for Policy 5112

#####

Name: Randy Meador
Organization: West Virginia University
Email: Randy.Meador@mail.wvu.edu
Title: Athletic Trainer
Address1: PO Box 0877
Address2: West Virginia University
City/State/Zip: Morgantown, WV 26505
Role: Professional Support
Posted: 2011-08-24 15:45:01
Posted from IP: 157.182.71.225

Comments for section 126-118-1 General

"Limited football trainer" creates a problem in two ways. ONE it obviously ignores all of the other sports and secondly registration prevents the use of athletic trainer unless they meet the specific requirements.

Comments for section 126-118-2 General Rules

Will someone make sure the high schools are trying their best to hire an athletic trainer?

Comments for section 126-118-3 Licensure Governing Athletic Trainers (Policy 5202)

A "Limited Football Trainer" will not be as educated in return to play decisions, concussions and heat illnesses. Which can jeopardize a student-athlete's life.

Comments for section 126-118-4 General Role Description

Comments for section 126-118-5 Governing Principles

On 5.3 it states "It is the responsibility of the athletic trainer or individual with limited football trainer authorization to determine whether or not an injured student athlete participates in a game or practice."

Under 4.2 this is not included in their role.

Comments for section 126-118-6 Severability

Every child in every high school deserves to have proper medical coverage. It would be great to have a BOC certified athletic trainer in every high school.

Lisa Hedrick

From: Nobody [nobody@wvde.state.wv.us]
Sent: Wednesday, August 24, 2011 3:59 PM
To: fibanez@wvde.state.wv.us; lhedrick@access.k12.wv.us
Subject: Comment Received for Policy 5112 (2011-08-24 15:58:52)

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Comment Received for Policy 5112

#####

Name: Alley
Organization: WVU
Email: allison.hetrick@mail.wvu.edu
Title: Athletic Trainer
Address1: 16 Davis Heights Road
Address2:
City/State/Zip: Madsville, WV 26541
Role: Community Member
Posted: 2011-08-24 15:58:52
Posted from IP: 157.182.71.97

Comments for section 126-118-1 General

Comments for section 126-118-2 General Rules

Concern with lack of coverage regarding female sports. Not worth the taxpayer money? Many injuries occur during female sports as well as male. Also other male sports are also at risk for injury.

Comments for section 126-118-3 Licensure Governing Athletic Trainers (Policy 5202)

Comments for section 126-118-4 General Role Description

Comments for section 126-118-5 Governing Principles

Comments for section 126-118-6 Severability

Lisa Hedrick

From: Nobody [nobody@wvde.state.wv.us]
Sent: Wednesday, August 24, 2011 6:12 PM
To: fibanez@wvde.state.wv.us; lhedrick@access.k12.wv.us
Subject: Comment Received for Policy 5112 (2011-08-24 18:12:14)

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Comment Received for Policy 5112

#####

Name: Michael Boehke
Organization: Alderson-Broaddus College
Email: boehkemj@ab.edu
Title: Associate Professor/Head Athletic Trainer
Address1: 101 College Hill Drive
Address2: Campus Box 2062
City/State/Zip: Philippi, WV 15613
Role: Higher Education Faculty
Posted: 2011-08-24 18:12:14
Posted from IP: 98.157.93.65

Comments for section 126-118-1 General

I agree whole heartedly with the Licensure of NATABOC Athletic Trainers and applaud our state representatives for providing student athletes with the best possible care by mandating the hiring of qualified individuals. However, I believe that ALL student athletes deserve the same quality of care. Therefore, I encourage representatives to not stop with requiring Licensed Athletic Trainers for football but instead guarantee that a NATABOC Licensed Athletic Trainer be available for all sports, both male and female.

Comments for section 126-118-2 General Rules

Comments for section 126-118-3 Licensure Governing Athletic Trainers (Policy 5202)

I agree whole heartedly with the Licensure of NATABOC Athletic Trainers and applaud our state representatives for providing student athletes with the best possible care by mandating the hiring of qualified individuals. However, I believe that ALL student athletes deserve the same quality of care. Therefore, I encourage representatives to not stop with requiring Licensed Athletic Trainers for football but instead guarantee that a NATABOC Licensed Athletic Trainer be available for all sports, both male and female.

Comments for section 126-118-4 General Role Description

Comments for section 126-118-5 Governing Principles

Comments for section 126-118-6 Severability

Lisa Hedrick

From: Nobody [nobody@wvde.state.wv.us]
Sent: Saturday, August 27, 2011 8:39 PM
To: fibanez@wvde.state.wv.us; lhedrick@access.k12.wv.us
Subject: Comment Received for Policy 5112 (2011-08-27 20:39:04)

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Comment Received for Policy 5112

Name: Ericka Zimmerman
Organization: University of Charleston
Email: erickazimmerman@ucwv.edu
Title: Chair, Dept. of Athletic Training
Address1: 2300 MacCorkle Ave, SE
Address2:
City/State/Zip: Charleston, WV 25304
Role: Higher Education Faculty
Posted: 2011-08-27 20:39:04
Posted from IP: 173.80.174.159

Comments for section 126-118-1 General

Please be careful using the term "limited football trainer" as this could easily confuse the public, particularly the parent and athlete. A more appropriate title would be "limited football first responder" or just "first responder". Besides confusing "limited football trainer" with athletic trainer, someone might also confuse that title with a personal trainer. A great example was the "trainer" who provided steroids to MLB players; this person was neither an athletic trainer or a limited football trainer.

Comments for section 126-118-2 General Rules

Section 2.1, line 4: "limited athletic trainer authorization"; this should not use the word athletic trainer here, as it is 1) inconsistent with the terminology used in line 2 and 2) creates confusion for the public.
Section 2.2 and 2.3: Great opportunity to provide appropriate medical coverage to all athletes and both the middle school and high school level.

Comments for section 126-118-3 Licensure Governing Athletic Trainers (Policy 5202)

Section 3.34: Again, using the term "limited football trainer" is confusing to the public. If the county is hiring another medical professional then the individual should go by the name of the profession. Imagine going to the emergency room to be treated by a "limited ER doctor", only to find out that person is a podiatrist, nurse, athletic trainer, or neurosurgeon. A person would be upset that s/he didn't know exactly who was caring for them. Let parents know who is providing medical coverage for their son or daughter and what professional experience and training that person has.

Section 3.3a: who is going to ensure that the board has advertised and searched for an athletic trainer to provide coverage to high school football?

Comments for section 126-118-4 General Role Description

Section 4.1: What about return to play decisions? An athletic trainer is highly qualified to make return to play decisions, as they do in professional sports, olympics, and colleges. Athletic trainers have extensive training and knowledge in the evaluation, treatment, and return to play protocols. This is especially the case most recently with respect to sickle cell trait carriers, heat illnesses, and concussions. I would encourage you to include a remark about return to play decisions.

Section 4.2: A limited football trainer should only provide care to the level of training outlined by their professional credential and training.

Comments for section 126-118-5 Governing Principles

Use of "limited football trainer" is confusing to the public, the athlete, and does not clearly identify the level of expertise or training of the person in this role.

Comments for section 126-118-6 Severability

Lisa Hedrick

From: Nobody [nobody@wvde.state.wv.us]
Sent: Thursday, September 01, 2011 8:13 PM
To: fibanez@wvde.state.wv.us; lhedrick@access.k12.wv.us
Subject: Comment Received for Policy 5112 (2011-09-01 20:12:32)

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Comment Received for Policy 5112

#####

Name: Carl Swearingen
Organization:
Email: swearingenjoe@yahoo.com
Title: Physical Therapist, Board Certified Athletic Trainer
Address1: 1103 Bailey Circle
Address2:
City/State/Zip: Morgantown, WV 26508
Role: Professional Support
Posted: 2011-09-01 20:12:32
Posted from IP: 98.236.82.236

Comments for section 126-118-1 General

Comments for section 126-118-2 General Rules

Comments for section 126-118-3 Licensure Governing Athletic Trainers (Policy 5202)

I disagree with the title Limited Football Trainer. I believe that this is confusing and easily misunderstood as an athletic trainer to the public. The name should be changed not to use the word trainer in the title (ex. health care support personnel, responder, or their professional title) to avoid confusion and protect our title as the true athletic trainers. Also if they are using the title "Football trainer" - what about the other sports? People don't get injured in soccer, softball, cheerleading, etc. This title lends that the individual will only help football which leads to several issue and appears to be in violation of Title IX.

Comments for section 126-118-4 General Role Description

The role description appears contradictory. In this section, it states the duties of the limited football trainer apply to students engaged in public school athletics. However, the name states "football", and leads you to believe otherwise. Also, it needs to be discussed whether the person as a limited football trainer (physician, RN, LPN, chiropractor, PT, OT, PA, paramedic or EMT) has the knowledge to truly decide return to play status. This is an area that could lead to severe injuries and even death if the person is not properly educated or trained.

Comments for section 126-118-5 Governing Principles

Comments for section 126-118-6 Severability

Lisa Hedrick

From: Nobody [nobody@wvde.state.wv.us]
Sent: Wednesday, September 07, 2011 10:54 AM
To: fibanez@wvde.state.wv.us; lhedrick@access.k12.wv.us
Subject: Comment Received for Policy 5112 (2011-09-07 10:54:05)

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Comment Received for Policy 5112

#####

Name: Vincent G. Stilger, HSD, ATC
Organization: West Virginia University
Email: vstilger@mail.wvu.edu
Title: Athletic Training Program Director
Address1: P.O. Box 6116-Coliseum
Address2:
City/State/Zip: Morgantown, WV 26506
Role: Higher Education Faculty
Posted: 2011-09-07 10:54:05
Posted from IP: 157.182.69.145

Comments for section 126-118-1 General

The first sentence in this section is the most important...improve the health care of student athletes in the public schools of WV. However, by allowing "limited football trainers" authorization for coverage, we are not improving the health care of WV student athletes...we are substituting a continual "stop gap" measure for a more qualified Board of Certification (BOC) athletic trainer by allowing the use of limited football trainers.

Comments for section 126-118-2 General Rules

It is important to note here that "other school athletic programs" deserve the same type of coverage that a BOC athletic trainer could provide. Athletes in soccer, basketball, wrestling, baseball, softball, etc. should be afforded the same professional care regarding athletic related injuries and illnesses.

Comments for section 126-118-3 Licensure Governing Athletic Trainers (Policy 5202)

The biggest concern here is the use of the term "limited football trainer." According to the state of West Virginia and House Bill 3152 from March, 2010, the term trainer is title protected and cannot be used by anyone other than an athletic trainer who is registered with the West Virginia Board of Physical Therapy.

Comments for section 126-118-4 General Role Description

This section states that the limited football trainer may evaluate, provide initial care, and refer. However, during the course of an event, whether it be a football, soccer, or basketball game, a limited football trainer may be making return to play decisions regarding a student athlete. The heat of the moment during a close game, pressure from coaches, or a player wanting to return to action may cause for a pre-mature return to play. Athletes

perhaps with a concussion, heat related illness, or other type of musculoskeletal injury may therefore be at risk for further injury. BOC athletic trainers have the education and clinical skills necessary to make these important decisions.

Comments for section 126-118-5 Governing Principles

Concern abounds when a qualified health professional is not in attendance at football practices or games. Are practices actually not held or are games cancelled?

The sentence in 5.3 states that an individual with the limited football trainer title may determine whether an injured student athlete may participate in a game or practice, thus, making a return to play decision. This is contradictory to the statement in section 4 that states a limited football trainer may only evaluate, provide initial care, and refer. Return to play decisions should not be made by a limited football trainer!!

Comments for section 126-118-6 Severability

Lisa Hedrick

From: Nobody [nobody@wvde.state.wv.us]
Sent: Thursday, September 08, 2011 2:22 PM
To: fibanez@wvde.state.wv.us; lhedrick@access.k12.wv.us
Subject: Comment Received for Policy 5112 (2011-09-08 14:21:58)

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Comment Received for Policy 5112

#####

Name: John Spiker
Organization: HealthWorks Rehab and Fitness
Email: spikerj@healthworksrf.com
Title: President
Address1:
Address2:
City/State/Zip: Morgantown, wv 26505
Role: Community Member
Posted: 2011-09-08 14:21:58
Posted from IP: 63.66.163.74

Comments for section 126-118-1 General

Comments for section 126-118-2 General Rules

Comments for section 126-118-3 Licensure Governing Athletic Trainers (Policy 5202)

With concussions and heat illness management decisions needing to be made for safe participation, why are Athletic Trainers not required for more sports than football. Soccer, basketball, wrestling, softball and baseball all have significant risks.

Comments for section 126-118-4 General Role Description

Comments for section 126-118-5 Governing Principles

Comments for section 126-118-6 Severability

Lisa Hedrick

From: Nobody [nobody@wvde.state.wv.us]
Sent: Friday, September 09, 2011 12:21 PM
To: fibanez@wvde.state.wv.us; lhedrick@access.k12.wv.us
Subject: Comment Received for Policy 5112 (2011-09-09 12:21:02)

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Comment Received for Policy 5112

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Name: Michael Casselman MS, ATC
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Title: Director, Athletic Training Services
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City/State/Zip: Morgantown, WV 26501
Role: Business-Industry
Posted: 2011-09-09 12:21:02
Posted from IP: 63.66.163.74

Comments for section 126-118-1 General

Comments for section 126-118-2 General Rules

Limited Athletic Trainer authorization is no longer a good idea. Understand, NATA certified athletic trainers (ATC) have four years of formal education and practicum experience working with athletes vs. other, currently permissible, healthcare professionals who do not have the same training to work with this population. Have they been trained to manage a concussion? Are they familiar with Return to Play (RTP) guidelines for the various injuries they may come upon. Simply stated, can they adequately identify and with a high level of proficiency, evaluate an acute athletic injury?

Comments for section 126-118-3 Licensure Governing Athletic Trainers (Policy 5202)

With the onset of Athletic Trainer Registration in WV, it is no longer permissible for healthcare professionals issued a permit by the WVDE to identify themselves as Athletic Trainers. WV is only one of four states remaining that does not have athletic trainer licensure. However, with state registration and the diligent work of NATA certified athletic trainers in this state, we are getting closer and closer. WVDE should be proactive and anticipate this change.

Comments for section 126-118-4 General Role Description

Comments for section 126-118-5 Governing Principles

Why does the limited football athletic trainer only cover football practices and games. How about the incidence of injury in the other sports during the fall, winter, and spring sport seasons (boys soccer, wrestling, basketball, etc). And what about the girls sports at the high schools with risk of injury (cheerleading, girls basketball, girls soccer, and to a lesser extend volleyball). The state seems to run a risk discluding athletic training coverage for these gender specific activities.

5.7.3 "The individual with limited football authorization is to determine whether or not an injured athlete participates or not".

An RN, LPN, EMT, Chiropracter, PT, OT, PA, Paramedic, and in most cases a Physician is not trained adequately in return to play criteria for injured athletes. The state is expecting these healthcare professionals to make decisions they have not been educated regarding and trained to make. Frankly, it is not in the best interest of the injured high school athlete that they be making decisions of this nature.

Comments for section 126-118-6 Severability

Lisa Hedrick

From: Nobody [nobody@wvde.state.wv.us]
Sent: Friday, September 09, 2011 12:46 PM
To: fibanez@wvde.state.wv.us; lhedrick@access.k12.wv.us
Subject: Comment Received for Policy 5112 (2011-09-09 12:45:41)

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Comment Received for Policy 5112

#####

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Posted from IP: 157.182.106.44

Comments for section 126-118-1 General

This "limited football trainer authorization" must be changed - it does not comply with Title IX which all schools acquiring government funding must abide by. For this authorization only confirms the medical coverage of football which limited or removes the opportunity for medical coverage for ALL other sports (both male and female). Please see section 126-118-3 for more of an explanation of this violation if this policy is passed without specific corrections.

Comments for section 126-118-2 General Rules

Again only stating football coverage is warranted. However, the question to hiring a Board of Certification athletic trainer is only for the sport of football still violates this educational amendment.
Also the fact that superintendents are only encouraged instead of REQUIRED to employ an athletic trainer for other school athletic programs as stated in part 2.3 is again reinforcing that violation.

Comments for section 126-118-3 Licensure Governing Athletic Trainers (Policy 5202)

In understanding the expectations of a limited football trainer authorization, as stated in part 3.3-3.3e, is that this authorization is only for the sport of football. However, Title IX states that "No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the BENEFITS of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance." This excerpt is not just a reference to equality for females, males also, when it comes to both athletics and academics. Therefore, Men's and women's soccer is played during the fall season, why then can Football have a limited football trainer authorization but not those soccer teams. According

to the homepage of West Virginia Secondary School Activities Commission, in which there is a defined connection to the West Virginia Board of Education, lists seven sports that occur during the fall season. Through this policy, the West Virginia Board of Education is mandating that only one out the seven sports are allotted medical coverage, when all seven sports warrant, but also required by law to have medical coverage. As stated by this policy the level of medical care for a football is more so even if only a limited football trainer is employed compared to all other fall season sports. Level of medical care is still the most important point I would like to get across because even if the school employs an athletic trainer specifically for football and limited training authorization for other medical professionals to other sports there is still a low level for medical care. How would one feel if the coverage of care was switched? I am sure the parents of the football athletes would not feel that their child was protected; don't the parents of the soccer and volleyball players feel the same way?

The Title IX education amendment has been used in many lawsuits around the country since its induction in 1972. If those lawsuits are reviewed one can see that many groups have brought forth this very same problem that is being proposed through this policy. In a case filled by parents against the Tulsa Public schools in Tulsa, Oklahoma, female athletes were not provided equitable athletic training and sports medicine services compared to male athletes. You can refer to my reference through

<http://www.momentummedia.com/articles/tc/tc1103/equity.htm>. This article examines this case, just like many others, that ruled the school district in compliance with Title IX. It also mentions how to make sure school districts stay compliant. To help others understand what exactly Title IX is meant to do it defined Title IX as "a basic purpose... to ensure equal access to educational opportunities and services - including athletics- regardless of gender." It also brings up the false pretense !

that football is the only high injury risk sport in athletics. If one refers to recent studies, they show that there is an increase in injuries that require hospitalization in soccer and basketball; again, regardless of gender. Studies show that in soccer there is an increase in not just soft tissue injuries such as anterior cruciate ligament tears or ankle sprains but also sudden cardiac death. This great risk is there for all sports. The Youth Sports and Safety Alliance: report care on the Youth Sport Safety Crisis published the number of deaths in youth athletic of 2010. It lists twenty-one adolescent athletes who died of sudden cardiac death as well as other athletic deaths. These numbers are rising and it is not just happening in the sport of football. The only way to keep the number from increase even more is to have properly trained medical personal on the sidelines. This is why athletic trainers are the most prepared. Again, this is all pointing out that society tod!

ay is putting less emphasis on sports that greatly require medical attention along with football.

To be a specific as possible Title IX has a list of services by which all must abide to and one is "Medical and training facilities and services." The entire list is in the article above. This policy is going against the Title IX law. If this policy is passed without change many will look to have the policy dismissed by simple complaint or filling a lawsuit. Seeing how Phyllis H. Carter a chief administrative law judge in West Virginia, who is a outspoken supporter of Title IX and stands for the understanding and enforcement as well, one could say that this policy can be overturned if not corrected in the first place.

Therefore, I push for a reorganization of this policy requiring all school districts higher certified athletic trainers to provide medical coverage to all sports throughout the school year. Then, by this change, Title IX will be in compliance and safety and protection will be provided for our youth athletes.

Comments for section 126-118-4 General Role Description

Comments for section 126-118-5 Governing Principles

Comments for section 126-118-6 Severability
