

Athletic Trainer Compact: Section by Section Summary

This section-by-section guide provides a summary version of the Athletic Trainer Compact. The compact language has been abridged to provide a clear and direct overview of the legislation. When appropriate, the full draft model legislation should be consulted for the exact provisions and context of the content provided herein.

Section 1: Title and Purpose

The purposes of this compact are to expand mobility of athletic training practice and improve public access to services by providing athletic trainers licensed in a member state the ability to practice in other member states. This compact preserves the regulatory authority of states to protect public health and safety through the current system of state licensure, while also providing for expanded interstate mobility through a compact privilege granted to qualifying professionals.

This compact is designed to achieve the following objectives:

- Increase public access to athletic training through mutual recognition of state licenses.
- Enable interstate practice by licensed athletic trainers with uniform licensure standards.
- Promote workforce mobility by eliminating the need for multiple state licenses.
- Reduce administrative burden for both applicants and member states.
- Enhance public health and safety protection.
- Foster cooperation among states in regulating multistate athletic trainer practices.
- Support active military personnel and their spouses.
- Improve exchange of licensure, investigative, and disciplinary information among states.
- Ensure uniformity in athletic trainer licensure requirements across states.
- Affirm each state's authority to enforce practice laws where care is provided, ensuring continuity of care.

Section 2: Definitions

This section establishes the definitions of key terms and concepts as used throughout the compact. Defined terms are capitalized throughout the document.

Key Definitions:

- “Compact Privilege” means the authorization granted by a Remote State to allow a Licensee from another Member State to provide Athletic Training Services in a Remote State.

- “Compact Qualifying License” means a License that is not an Encumbered License issued by a Member State to practice Athletic Training.
- “Licensee” or “Licensed Athletic Trainer” means an individual who currently holds an unrestricted License and who meets all of the requirements outlined in Section 4 of this Compact.
- “Remote State” means a Member State where a Licensee who is not licensed as an Athletic Trainer is exercising or seeking to exercise the Compact Privilege.

Section 3: State Participation in the Compact

States must meet certain requirements to achieve and maintain their eligibility to participate in the compact.

To participate in the compact, a state must currently:

- License and regulate the practice of athletic training;
- Require that licensees in that state maintain continuing competence standards as part of their state practice act or rules competence; and
- Have a mechanism in place for receiving and investigating complaints about licensees.

To maintain membership in the compact, a state must:

- Enact a compact that is not materially different from the model compact.
- Participate fully in the compact data system.
- Notify the compact commission of any adverse action or the availability of significant investigative information regarding a licensee or applicant.
- Implement procedures for requiring a fbi background check of applicants for a qualifying license.
- Comply with the rules of the commission, the governing body of the compact.
- grant a compact privilege to a licensee who meets the requirements established by the compact.

Section 4: Compact Privilege

An athletic trainer must meet certain requirements in order to access the compact, including the following:

- Hold a valid, current and active certification through the Board of Certification (BOC), or its successor organization OR

Complete all of the following: (1) have passed the examination administered by the BOC and (2) have graduated from an athletic training education program accredited by Commission on Accreditation of Athletic Training Education (CAATE)

- Hold an unencumbered license in a compact member state
- Have not had any encumbrance or restriction against a license or compact privilege within the previous two years.
- Notify the commission that the applicant is seeking a compact privilege within a remote state.
- Pay any applicable fees.
- Meet any jurisprudence requirements established by the remote state in which the licensee is seeking a compact privilege.
- Meet any requirements (including continuing education) established by the state of qualifying licensure
- Report to the commission any adverse action taken by any non-member state.

The compact privilege is valid until the expiration date of the compact qualifying license, at which point it may be renewed congruent with the renewal of the compact qualifying license.

A licensee practicing in a remote state is subject to the laws and regulations of the state in which they are providing services.

Section 5: Compact Qualifying License

A licensee can only hold one qualifying license at a time, with procedures for this designation defined by the commission. This does not affect a licensee's ability to hold a single state license in multiple states. Additionally, the compact does not alter the requirements for issuing a single state license in any member state.

Section 6: Active-Duty Military Personnel or their Spouses

Active military members and their spouses are exempt from paying any compact commission fees for a compact privilege. If a remote state charges a fee, it may offer a reduced fee or waive the fee for them.

Section 7: Adverse Actions

Remote states may take adverse action against any compact privilege it has granted and may issue enforceable subpoenas for witnesses and evidence from other member states.

Only the state that issued the qualifying license may take action against that license. However, if the qualifying license is revoked, the athletic trainer will lose all compact privileges since they would no longer meet the requirements of section 4.

member states must report any adverse action and the existence of significant investigative information to the compact data system, which then promptly alerts the other member states of this information. Any member state may take adverse action

based on the reported information as long as the member state follows its own procedures. This section also directs the compact member states to work together on joint investigative activities related to licensees using the compact.

Section 8: Establishment and Operation of the Commission

The compact commission is the joint government agency whose membership consists of all compact member states.

- Each member state is entitled to one commissioner.
- The commissioner will be a member or designee of the state's licensing authority.
- Each commissioner has one vote on the commission
- The commission may establish a term of office, code of ethics, bylaws, rules, a budget and financial records in order to carry out the compact.
- The commission shall elect an executive committee composed of five (5) voting members.
- The executive committee shall include up to two ex-officio, nonvoting members from recognized national athletic trainer organizations.

Section 9: Data System

This section establishes the commission's shared information system. This data system will facilitate the granting of compact privileges and the expedited sharing of disciplinary and investigative information. The compact commission is responsible for the development, operation, maintenance and utilization of the data system.

member states are required to submit a uniform dataset to the data system on all practitioners to whom this compact is applicable as required by the rules of the commission.

Section 10: Rulemaking

The compact commission has rulemaking authority to carry out the provisions of the compact.

- Rules carry the force of law in all member states.
- The full compact commission would vote on any proposed rules.
- there is a required 30-day notice of proposed rulemaking, with an opportunity for a public hearing and public comments.
- A simple majority of member state legislatures may veto a rule of the commission.
- If the commission takes an action that is beyond the scope of the compact, the action is invalid and has no force and effect.

Section 11: Oversight, Dispute Resolution and Enforcement

This section details the procedures for member state compliance with the compact.

In the event that a member state fails to comply with the compact, there may be:

- A period of technical assistance in remedying the situation.
- Dispute resolution, including mediation and binding processes.
- Termination from the compact if no other means of compliance is successful.

the commission shall attempt to resolve any compact-related disputes that may arise between states.

Section 12: Effective Date, Withdrawal and Amendment

This section establishes the effective date of the compact and includes provisions for states withdrawing from the compact and the member states collectively amending the compact.

- The compact takes effect on the date of enactment by the seventh state.
- States that join after this date are subject to the rules of the commission as they exist on the date when the compact becomes law in that state.
- Member states may enact a law to repeal their membership in the compact. A state's withdrawal takes effect 180 days after enactment of such law.

Section 13: Construction and Severability

The compact is to be liberally construed to effectuate its purposes.

The compact's provisions are severable, meaning that:

- If a provision is declared to conflict with the united states constitution, all other provisions remain valid for all member states.
- If a provision is held contrary to a member state's constitution, the compact retains its full force in all other states, and all other provisions remain valid in the affected state.

Section 14: Consistent Effect and Conflict with Other State Laws

Member states retain sovereignty over all laws, and nothing shall inhibit or prohibit enforcement of laws that are not in conflict with the compact. Any laws, statutes, regulations or other legal requirements in a member state that conflict with the compact are superseded to the extent of the conflict.