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OFFICE OF THE LIEUTENANT GOVERNOR  
ALASKA

MEMORANDUM

**TO:** Jun Maiquis, AAC Contact  
Department of Commerce, Community and Economic Development

**FROM:** Scott Meriwether   
Special Assistant  
907.465.4081

**DATE:** June 1, 2015

**RE:** Filed Permanent Regulations: Department of Commerce, Community and Economic Development  
Regulations re: licensure of athletic trainers (12 AAC 02.395; 12 AAC 78)

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Attorney General File:	JU2015200220 ( Part 1)
Regulation Filed:	June 1, 2015
Effective Date:	July 1, 2015
Print:	214, July 2015

cc with enclosures: Linda Miller, Department of Law  
Genevieve Wojtusik, Administrative Regulation Review Committee  
Judy Herndon, LexisNexis

# JU2015200220 (Part 1)

## ORDER ADOPTING CHANGES TO REGULATIONS OF THE DEPARTMENT OF COMMERCE, COMMUNITY, AND ECONOMIC DEVELOPMENT

The attached six pages of regulations, dealing with licensing and practice of athletic trainers, are adopted and certified to be a correct copy of the regulation changes that the Department of Commerce, Community, and Economic Development adopts under the authority of AS 08.01.010, AS 08.01.065, AS 08.01.100, AS 08.07.010, AS 08.07.020, AS 08.07.030, AS 08.07.040, and AS 08.07.090 and after compliance with the Administrative Procedure Act (AS 44.62), specifically including notice under AS 44.62.190 and 44.62.200 and opportunity for public comment under AS 44.62.210.

This action is not expected to require an increased appropriation.

In considering public comments, the Department of Commerce, Community, and Economic Development paid special attention to the cost to private persons of the regulatory action being taken.

The regulation changes adopted under this order take effect on July 1, 2015, as provided in AS 44.62.180.

DATE:

May 28, 2015  
Juneau, Alaska

  
Janey Hovenden, Director  
Division of Corporations, Business and  
Professional Licensing

## FILING CERTIFICATION

I, Byron Mallott, Lieutenant Governor for the State of Alaska, certify that on June 1, 2015 at 9:55 A.m., I filed the attached regulations according to the provisions of AS 44.62.040 – 44.62.120.

  
Byron Mallott, Lieutenant Governor

Effective: July 1, 2015.

Register: 214, July 2015.



THE STATE  
of **ALASKA**  
GOVERNOR BILL WALKER

**Department of Commerce, Community,  
and Economic Development**

OFFICE OF THE COMMISSIONER

P.O. Box 110800  
Juneau, Alaska 99811-0800  
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**ALASKA DEPARTMENT OF COMMERCE, COMMUNITY, AND  
ECONOMIC DEVELOPMENT**

**Delegation of Authority**

In accordance with AS 44.17.010, the authority and responsibility for adopting regulations, outside of the Division of Corporations, Business and Professional Licensing (CBPI), but for the Department of Commerce, Community, and Economic Development (DCCED), under the Alaska Administrative Procedure Act, is hereby delegated to:


Micaela Fowler  
Legislative Liaison  
Office of the Commissioner  
DCCED  
P.O. Box 110800  
Juneau, AK 99811-0800  
907-465-2503  
[micaela.fowler@alaska.gov](mailto:micaela.fowler@alaska.gov)

In accordance with AS 44.17.010, the authority and responsibility for adopting regulations of the Division of Corporations, Business and Professional Licensing, under the Alaska Administrative Procedure Act, is hereby delegated to:

Janey Hovenden  
Director  
CBPI  
DCCED  
P.O. Box 110806  
Juneau, AK 99811-0806  
907-465-2538  
[janey.hovenden@alaska.gov](mailto:janey.hovenden@alaska.gov)

This Delegation of Authority will remain in effect until modified or revoked by a subsequent delegation. This Delegation supersedes and revokes all delegations preceding it.

Dated the 16<sup>th</sup> day of March, 2015

A handwritten signature in black ink, appearing to read "CH Hladick", is written over a horizontal line.

Chris Hladick  
Commissioner  
Department of Commerce, Community,  
and Economic Development

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12 AAC 02 is amended by adding a new section to Article 2 to read:

**12 AAC 02.395. Athletic trainers.** The following fees are established for athletic trainers:

- (1) nonrefundable application fee for initial license, \$200;
- (2) athletic trainer license fee for all or part of the initial biennial licensing period, \$500;
- (3) athletic trainer biennial license renewal fee, \$500. (Eff. 7 / 1 / 2015,

Register 214)

**Authority:**    AS 08.01.100                      AS 08.07.020                      AS 08.07.040  
                    AS 08.01.065

12 AAC is amended by adding a new chapter to read:

**Chapter 78. Athletic Trainers.**

**Article**

- 1.      Licensing (12 AAC 78.100)
- 2.      License Renewal and Maintenance of Current Certification (12 AAC 78.200 - 12 AAC 78.210)
- 3.      Athletic Trainer Standards of Practice (12 AAC 78.300)
- 4.      General Provisions (12 AAC 78.900)

**Article 1. Licensing.**

**Section**

100. Application for athletic trainer license

**12 AAC 78.100. Application for athletic trainer license.** An applicant for licensure as an athletic trainer must submit

- (1) a completed application on a form provided by the department;
- (2) the applicable fees established in 12 AAC 02.395;
- (3) proof of the applicant's certification as an athletic trainer as required in

AS 08.07.020, sent directly to the department from

(A) the Board of Certification, Inc.; or

(B) another nationally recognized professional association approved by the department; and

(4) verification of the applicant's licensure status sent directly to the department from each jurisdiction where the applicant is or was previously licensed to practice athletic training; each verification must include

(A) an explanation of any disciplinary actions taken against the licensee;

and

(B) documentation of

(i) any violation of the *BOC Standards of Professional Practice*, adopted by reference in 12 AAC 78.300(b); and



(ii) any conviction, unresolved pending action, or adverse decision based upon a complaint, investigation, review procedure, or other disciplinary proceeding that the jurisdiction or a federal or state law enforcement agency undertakes, that relates to the applicant's criminal or fraudulent activity, malpractice, or negligent care, and that adversely reflects on the applicant's ability or competence to practice athletic training. (Eff. 7/1/2015, Register 214)

**Authority:** AS 08.07.010      AS 08.07.020      AS 08.07.040

## **Article 2. License Renewal and Maintenance of Current Certification.**

### **Section**

200. License renewal

210. Maintenance of current certification

**12 AAC 78.200. License renewal.** (a) An individual must renew an athletic trainer license biennially on or before August 31 of odd-numbered years. The department will furnish a renewal reminder to each currently licensed athletic trainer at least 30 days before the renewal date at the address and in the manner that the licensee requests. Failure to receive a renewal reminder does not relieve a licensee from the responsibility of renewing a license on time.

(b) An applicant for renewal of an athletic trainer license must

(1) complete the renewal application on a form provided by the department;

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(2) pay the license renewal fee established in 12 AAC 02.395; and  
(3) provide proof of the applicant's certification as an athletic trainer as required in AS 08.07.020, sent directly to the department from

(A) the Board of Certification, Inc.; or

(B) another nationally recognized professional association approved by the department.

**Authority:** AS 08.01.100 AS 08.07.020 AS 08.07.040

**12 AAC 78.210. Maintenance of current certification.** A licensee under this chapter shall maintain current certification with the Board of Certification, Inc. or with another nationally recognized professional association approved by the department. (Eff. 7/1/2015, Register 214)

**Authority:** AS 08.07.020 AS 08.07.040

### **Article 3. Athletic Trainer Standards of Practice.**

#### **Section**

300. Athletic trainer standards

**12 AAC 78.300. Athletic trainer standards.** (a) While engaging in athletic training, an individual licensed under AS 08.07.020 shall display or carry proof of the licensee's current



license.

(b) An individual licensed under AS 08.07.020 shall comply with the ethical standards in the Board of Certification, Inc.'s *BOC Standards of Professional Practice*, dated January 1, 2006 and adopted by reference.

(c) An individual licensed under AS 08.07.020 or an individual licensed to practice medicine or osteopathy under AS 08.64 may supervise at the same time not more than five student athletic trainers described in AS 08.07.010(a)(1).

(d) An individual licensed under AS 08.07.020 shall inform the department not later than 30 days after any disciplinary action taken by the Board of Certification, Inc., by another nationally recognized professional association approved by the department, or by any jurisdiction in which the individual holds a license to practice athletic training. If the licensee fails to provide timely notification in accordance with this subsection, the department may impose disciplinary action, including probation, suspension of the individual's license, or revocation of the individual's license. (Eff. 7/1/2015, Register 214)

**Authority:** AS 08.07.020 AS 08.07.040

**Editor's note:** A copy of the *BOC Standards of Professional Practice*, adopted by reference in 12 AAC 78.300(b), is available for inspection at the Department of Commerce, Community, and Economic Development, Division of Corporations, Business and Professional Licensing, 333 Willoughby Avenue, Juneau, Alaska or may be obtained from the Board of Certification, Inc., 1415 Harney Street, Suite 200, Omaha, NE 68102; website at <http://www.bocatc.org>.

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### Article 4. General Provisions.

#### Section

900. Definition

**12 AAC 78.900. Definition.** In AS 08.07 and this chapter, "department" means the Department of Commerce, Community, and Economic Development. (Eff. 7 / 1 / 2015, Register 214)

**Authority:** AS 08.07.040