CHAPTER 75

Athletic Trainers' Act of South Carolina

**SECTION 44‑75‑10.** Short title.

 This chapter may be cited as "The Athletic Trainers' Act of South Carolina".

HISTORY: 1984 Act No. 441, Section 1.

**SECTION 44‑75‑20.** Definitions.

 As used in this chapter:

 (a) "Athletic trainer" means an allied health professional with specific qualifications as set forth in Section 44‑75‑50 who, upon the advice and consent of a licensed physician, carries out the practice of care, prevention, and physical rehabilitation of athletic injuries, and who, in carrying out these functions, may use physical modalities, including, but not limited to, heat, light, sound, cold, electricity, or mechanical devices related to rehabilitation and treatment.

 (b) "Certificate" means official acknowledgment by the department that an individual has successfully completed educational and other requirements referred to in this act which entitle that individual to perform the functions and duties of an athletic trainer.

 (c) "Department" means the Department of Health and Environmental Control.

 (d) "Board" means the Board of Health and Environmental Control.

HISTORY: 1984 Act No. 441, Section 2; 1992 Act No. 330, Section 1; 2019 Act No. 61 (H.3621), Section 1, eff May 16, 2019.

Effect of Amendment

2019 Act No. 61, Section 1, in (a), substituted "means an allied health professional" for "means a person".

**SECTION 44‑75‑30.** Promulgation of regulations; establishment of Athletic Trainers' Advisory Committee.

 (a) The department, with the advice of the Athletic Trainers' Advisory Committee, must develop standards and prescribe regulations for the improvement of athletic training services in the State. All administrative responsibility for this program is vested in the department.

 (b) An Athletic Trainers' Advisory Committee is created consisting of nine members appointed by the board. Two members must be from the department, one must be from the State Board of Medical Examiners, four must be certified athletic trainers, and two must be from the general public who are not certified or licensed in any health care field and are not connected in any way with athletic trainers.

 Membership on the committee is by appointment by the board. The terms of the members are for four years or until successors are appointed except that of those first appointed four are appointed to a term of two years.

 The committee must meet at least once each year to review the standards and regulations for improving athletic training services and make recommendations to the department.

HISTORY: 1984 Act No. 441, Section 3; 1990 Act No. 522, Section 2.

**SECTION 44‑75‑40.** Necessity of certification; application; administrative procedures.

 (a) No person may hold himself out as an athletic trainer or perform, for compensation, any activities of an athletic trainer as defined in Section 44‑75‑20 without obtaining certification.

 (b) Any person desiring certification as an athletic trainer must apply to the department. The department must make a determination of the applicant's qualifications and issue the appropriate certificate to the applicant.

 (c) A certificate so issued is valid for a period not to exceed two years from the date of issuance and may be renewed subject to any requirements of this chapter.

 (d) The department must suspend or revoke a certificate so issued at any time it is determined that the holder no longer meets the prescribed qualifications set forth by the department or has failed to provide athletic training services of a quality acceptable by the department.

 (e) Any person whose application is denied, suspended, or revoked is entitled to a hearing before the board if he submits a written request to the board. Proceedings for denial, revocation, or suspension of a certificate must be conducted consistent with Act 176 of 1977 (Administrative Procedures Act).

HISTORY: 1984 Act No. 441, Section 4.

**SECTION 44‑75‑50.** Requirements for certification.

 An applicant for an athletic trainer certification must pass the Board of Certification, Inc., (BOC) examination and have met the athletic training curriculum requirements of a college or university and give proof by means of a certified transcript.

HISTORY: 1984 Act No. 441, Section 5; 1992 Act No. 330, Section 2; 2006 Act No. 356, Section 1, eff June 9, 2006; 2019 Act No. 61 (H.3621), Section 2, eff May 16, 2019.

Effect of Amendment

2019 Act No. 61, Section 2, substituted "Board of Certification, Inc., (BOC)" for "National Athletic Trainers' Association Board of Certification, Inc., (BOC)".

**SECTION 44‑75‑60.** Reciprocity with other states.

 A certificate may be issued to any qualified athletic trainer holding certification in any other state if such other state recognizes the certificate of this State in the same manner.

HISTORY: 1984 Act No. 441, Section 6.

**SECTION 44‑75‑70.** Fees.

 The department may levy fees in an amount sufficient to administer the requirements of this chapter.

HISTORY: 1984 Act No. 441, Section 7.

**SECTION 44‑75‑80.** Exemption from certification.

 Nothing in this chapter prevents:

 (a) Licensed, registered, or certified professionals such as physicians, nurses, physical therapists, and chiropractors from practicing their professions if they do not hold themselves out to the public by any title or description as being athletic trainers.

 (b) A person from rendering services that are the same as or similar to those within the scope of practice provided for in this chapter so long as he is otherwise now employed or employed in the future as a faculty or staff member at the school in question and does not represent himself to be an athletic trainer.

 (c) The continued employment of persons employed on the effective date of this chapter by the State Department of Education, local boards of education, or private secondary or elementary schools for the treatment of injuries received by students participating in school sports activities.

 (d) Any person from serving as a student‑trainer or in any similar position if service is carried out under the supervision of a physician or certified athletic trainer.

HISTORY: 1984 Act No. 441, Section 8.

**SECTION 44‑75‑90.** Grandfather provision.

 Any person actively engaged as an athletic trainer on the effective date of this chapter must be issued a certificate if he submits proof of two years' experience as an athletic trainer within the preceding five‑year period, is approved by the department, and pays any required fee.

HISTORY: 1984 Act No. 441, Section 9.

**SECTION 44‑75‑100.** Applicability to employee of athletic organization.

 For purposes of this chapter, a person is engaged as an athletic trainer if the person is employed on a salary or contractual basis by an educational institution, a hospital, a rehabilitation clinic, a physician's office, an industry, a performing arts group, a professional athletic organization, the military, a governmental agency, or other bona fide organization which employs or serves a physically active population and performs the duties of athletic trainer as a major responsibility of this employment.

HISTORY: 1984 Act No. 441, Section 10; 1992 Act No. 330, Section 3; 2019 Act No. 61 (H.3621), Section 3, eff May 16, 2019.

Effect of Amendment

2019 Act No. 61, Section 3, substituted "a rehabilitation clinic, a physician's office, an industry, a performing arts group, a professional athletic organization, the military, a governmental agency, or other bona fide organization which employs or serves a physically active population" for "rehabilitation clinic, professional athletic organization, or other bona fide athletic organization".

**SECTION 44‑75‑110.** Hiring of certified athletic trainers by school districts.

 Nothing in this chapter may be construed to require school districts to hire certified athletic trainers.

HISTORY: 1984 Act No. 441, Section 11.

**SECTION 44‑75‑120.** Penalties.

 The department is authorized to suspend, deny, or revoke an athletic trainer's certificate, and impose a civil monetary penalty, against any person for a violation of a regulation promulgated pursuant to this chapter. Any person violating the provisions of this chapter is guilty of a misdemeanor and, upon conviction, must be punished by a fine of not less than twenty‑five nor more than two hundred dollars.

HISTORY: 1984 Act No. 441 Section 12; 2019 Act No. 61 (H.3621), Section 4, eff May 16, 2019.

Effect of Amendment

2019 Act No. 61, Section 4, inserted the first sentence, and made nonsubstantive changes in the second sentence.