

The Commonwealth of Massachusetts
William Francis Galvin, Secretary of the Commonwealth
State Publications and Regulations

REGULATION FILING AND PUBLICATION

1. Regulation Chapter, Number and Heading: 259 CMR
2. BOARD OF REGISTRATION IN ALLIED HEALTH PROFESSIONS
3. This document is reprinted from the Code of Massachusetts Regulations and contains the following:
 - 259 CMR 1.00 Reserved
 - 2.00 General Provisions
 - 4.00 Athletic Trainers

Under the provisions of Massachusetts General Laws, Chapter 30A, Section 6 and Chapter 233, Section 75, this document may be used as evidence of the original documents on file with the Secretary of the Commonwealth.

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A true copy attest: FRANCIS GALVIN
Secretary of the Commonwealth

259 CMR: BOARD OF ALLIED HEALTH PROFESSIONS

Table of Contents

(259 CMR 1.00: RESERVED)
259 CMR 2.00: GENERAL PROVISIONS
Section 2.01: Definitions
Section 2.02: Licensing Process
Section 2.03: Participation in Continuing Education Courses by Persons Not Licensed by the Board
Section 2.04: Requirements for Renewal of License
Section 2.05: Requirements for Reinstatement of a Lapsed/Expired License

259 CMR 4.00: ATHLETIC TRAINERS
Section 4.01: Definitions
Section 4.02: Rules
Section 4.03: Licensure of Athletic Trainers
259 CMR: BOARD OF ALLIED HEALTH PROFESSIONS
259 CMR 2.00: General Provisions

Section
2.01: Definitions
2.02: Licensing Process
2.03: Participation in Continuing Education Courses by

Persons Not Licensed by the Board
2.04: Requirements for Renewal of License
2.05: Requirements for Reinstatement of a
Lapsed/Expired License
2.01: Definitions

These definitions apply to all sections of 259 CMR. Board. The Board of Allied Health Professions.

Co-operative Education. An educational approach which provides alternating or parallel periods of classroom study and supervised employment in which:

- (a) there is a formal agreement with the institution, the student and the employer;
- (b) the rotation between academic study and work experience is structured to further the student's education and employability; and
- (c) the services performed by the student during the work experience are commensurate with their level of education and training

Direct Supervision. A process by which a supervisor is on the premises and available to provide supervision in the form of aid, direction, and instruction when procedures or activities are performed.

Endorsement. A process of licensure based on the determination that a current license from another United States of America jurisdiction is consistent with Board requirements.

License. A document granted by the Board as proof of the privilege that the licensee has been approved by the Board to practice his/her discipline. The license must be kept on the licensee's person and posted/filed at the site of practice.

Renewal. The requirement that a license, which is issued for a two year period, be renewed by January 31 of every even year.

Student. Any person pursuing a supervised course of study leading to a degree in athletic training, occupational therapy or physical therapy in an accredited or approved program, affiliations which are part of their educational program may perform duties commensurate with their level of education, in addition to those duties which may be performed by aides, as set forth in 259 CMR 3.01, 3.02, 5.01 and 5.02. Students whose employment is not part of a co-operative education program may only perform those duties which may be performed by aides, as set forth in 259 CMR 3.01, 3.02, 5.01 and 5.02

Supervisor. A person who holds a current unrestricted license issued by the Board authorizing such person to practice the same discipline as the supervisee(s). A supervisor possesses skill, experience or education in excess of that possessed by the supervisee(s). The supervisor is responsible for the standard of services performed by the supervisee(s) and shall have knowledge of the patients/clients receiving treatment from the

supervisee(s) and the issues/problems involving such treatment. A supervisor must co-sign all treatment documentation of a temporary license holder, as set forth in 259 CMR 3.03 and 5.04,

Supervision. A process by which two or more people participate in joint effort to establish, maintain and elevate a level of performance. Supervision requires the physical presence of all parties at regularly scheduled supervision sessions. Supervision is structured according to the supervisee's qualifications, position, level of preparation, depth of experience and the environment within which the supervises functions.

12/12/97 259 CMR - 5

259 CMR: BOARD OF ALLIED HEALTH PROFESSIONS

Temporary License. A license granted under certain prescribed conditions for a limited period of time. A holder of a temporary license must practice under the supervision of a supervisor in that discipline.

2.02: Licensing Process

NOTE: Review specific discipline regulations for additional licensure requirements.

(1)(a) Applicants Seeking- Licensure by Examination. Applicants seeking licensure as new graduates awaiting examination shall:

1. have satisfactorily completed an accredited/approved educational program AND SUCH OTHER REQUIREMENTS AS REQUIRED BY THE BOARD FOR THE SPECIFIC APPLICANT'S DISCIPLINE;
2. obtain an application from the Board of Allied Health Professions, 100 Cambridge Street, 15th Floor, Boston, Massachusetts 02202;
3. obtain copies of.
 - a. M.G.L. c. 112, __ 23A through 23Q;
 - b. 259 CMR 1.00 through 5.00; and
 - c. the current Standards of Practice and Code of Ethics for the applicant's specific discipline;
4. complete the application in full (including notarization of the applicant's signature) and attach the required documentation;
5. provide the Board with an official transcript indicating successful completion of all academic and field work requirements, graduation date and degree conferred UNTIL THE OFFICIAL TRANSCRIPT IS AVAILABLE, AN ALTERNATE FORM PROVIDED BY THE BOARD, SIGNED BY THE PROGRAM DIRECTOR AND CARRYING THE OFFICIAL SCHOOL SEAL WILL BE ACCEPTED; and

6. return completed application and official transcript from the institution, and required fees to the Board at the above address.

(b) Temporary License Procedures for Occupational Therapists and Athletic Trainers An individual whose application for licensure as an occupational therapist or athletic trainer (not applicable to physical therapist applicants) has been approved by the Board will be issued a temporary license by the Board. A temporary license holder is authorized to practice in accordance with the requirements of 259 CMR 5.02 pending notice of the results of the next scheduled licensure examination in the applicant's discipline

1. A temporary license holder is required to practice under the SUPERVISION of a supervisor in that discipline. The supervisor must co-sign all documentation until the applicant receives an unrestricted license.

2. After an application is filed with the Board, the applicant is required to take the NEXT scheduled examination in the applicant's specific discipline.

a. A passing examination score will result in the issuance of an unrestricted license to the applicant. Upon receipt of the license, an applicant may practice without supervision.

b. Upon the applicant's notification by the testing agency of failure to achieve a passing score on the examination, the temporary license is rescinded and the applicant must cease practice immediately. The applicant may apply to take the examination a second time. When reapplication for licensure has been approved by the Board, the applicant will be issued a second temporary license. Upon receipt of same, the applicant is required to practice under the supervision of a supervisor that discipline. The applicant is required to take the NEXT scheduled examination in the applicant's specific discipline.

c. Upon the applicant's notification by the testing agency of failure to achieve a passing score on the examination for a second time, the temporary license is rescinded and the applicant must cease practice immediately. The applicant may apply to retake the examination a third time. The applicant must petition the Board to be issued a third temporary license. Upon approval of a petition, the applicant will be issued a third temporary license and is required to practice under the DIRECT SUPERVISION of a supervisor in that discipline. The applicant is required to take the NEXT scheduled examination in the applicant's specific discipline.

12/12/97 259 CMR - 6

259 CMR: BOARD OF ALLIED HEALTH PROFESSIONS

2.02: continued.

Upon the applicant's notification by the testing agency of failure to achieve a passing score on the examination for a third time. the temporary license is rescinded and the applicant must cease practice immediately. No further temporary license maybe issued by

the Board after the third examination.

(2) Applicant Seeking Licensure by Endorsement.

(a) Applicants seeking licensure by endorsement shall:

1. provide official documentation of a current license in good standing issued by another jurisdiction which is a state or territory United States, District of Columbia the Commonwealth of Puerto Rico;

2. obtain an application from the Board of Allied Health Professions, 15th Floor, 100 Cambridge Street, Boston, Massachusetts 02202;

3. obtain copies of-

a. M.G.L. c. 112, __ 23A through 23Q;

b. 259 CMR 1.00 through 5.00; and

c. the current Standards of Practice and Code of Ethics for the applicant's specific discipline;

4. complete the application in full (including notarization of the applicant's signature) and attached the required documentation;

5. provide the Board with an official transcript indicating successful completion of all academic and field work requirements, graduation date and degree conferred;

6. provide the Board with satisfactory evidence of successful completion of the examination required by the Board for the applicant's specific discipline;

7. return the completed application, official transcript from the institution, and required fees to the Board at the above address and;

8. meet such other requirements as the Board may require for the applicant's specific discipline.

(b) When an application for licensure by endorsement is approved by the Board, the applicant will be issued a license. Upon receipt of the license, an applicant may practice his specific discipline in Massachusetts.

(3) Applicants Seeking Licensure Who Have Achieved a Passing Score on the Licensure Examination, Including Applicants From States Without Licensure Statutes.

(a) Applicants seeking licensure who have passed the examination required for their discipline, but who are not currently licensed in another jurisdiction, shall:

1. obtain an application form from the Board of Allied Health Professions, 15th Floor, 100 Cambridge Street, Boston, Massachusetts 02202;

2. obtain copies of-
 - a. M.G.L. c. 112, __ 23A through 23Q;
 - b. 259 CMR 1.00 through 5.00; and
 - c. the current Standards of Practice and Code of Ethics for the applicant's specific discipline;
3. complete the application in full (including notarization of the applicant's signature) and attached the required documentation;
4. provide the Board with an official transcript indicating successful completion of all academic and field work requirements, graduation date and degree conferred;
5. provide the Board with OFFICIAL NOTICE of successful completion of the examination required by the Board for the applicant's specific discipline;
6. return the completed application official transcript from the institution, and required fees to the Board at the above address and;
7. meet such other requirements as the Board any require for the applicant's specific discipline.

(b) When an application for licensure under 259 CMR 2.02(3) is approved by the Board, the applicant will be issued a license. Upon receipt of the license, an applicant may practice her specific discipline in Massachusetts.

(4) Foreign Educated-Applicants Seeking, Licensure. Applicants for licensure who have completed a program in a foreign jurisdiction (i.e., NOT a state or territory of the United States, the District of Columbia, or the Commonwealth of Puerto Rico) shall be required to:

259 CMR: BOARD OF ALLIED HEALTH PROFESSIONS

2.02: continued

- (a) follow the application procedure set forth in 259 CMR 2.02 except for 259 CMR 2.02(1)(a)1. and;
- (b) meet the following additional requirements for licensure
 1. credentials must be evaluated by a credential evaluation service approved by the Board
 2. achieve a score of at least 560 on the Test of English as a Foreign Language (TOEFL) and 4.5 on the Test of Written English (TWE); and
 3. provide satisfactory evidence to the Board that the applicant is authorized to practice

his specific discipline without restriction in the legal jurisdiction in which the post secondary institution from which the applicant has graduated is located or in the legal jurisdiction in which the applicant is a citizen.

2.03: Participation in Continuing Education Courses by Persons Not Licensed by the Board

Individuals not licensed in Massachusetts who participate in continuing education courses in Massachusetts which involve the treatment of patients/clients must be licensed in their respected professions in their own state or jurisdiction.

2.04: Requirements for Renewal of License

A license is issued for a two year period and must be renewed by January 31st of every even year. The filing of a license renewal form is the responsibility of the licensee. A licensee must submit to the Board a completed renewal application and the proper fee prior to the renewal/expiration date of the license.

2.05: Requirements for Reinstatement of Lapsed/Expired License

(1) A license which has lapsed for one renewal cycle or less may be reinstated upon:

- (a) payment of past due license fee, a late fee and the current license fee;
- (b) presentation of evidence satisfactory to the Board of having completed all required continuing education credits; and
- (c) completion of any other Board requirements.

(2) A license which has lapsed for more than one renewal cycle may be reinstated upon:

(a) If practicing in Massachusetts during the period the license was expired:

1. payment of all past due license fees, a late fee and the current license fee
2. presentation of evidence, satisfactory to the Board, of having completed any required continuing education credits and
3. completion of any Board requirements, including, but not limited to, acknowledgment of practice during the period the license was expired, achievement of a passing score on the licensing examination and any other requirements provided in M.G.L. c. 112, 23B

(b) If not practicing during the period the license was expired:

1. payment of all past due license fees, a late fee and the current license fee;
2. presentation of evidence, satisfactory to the Board, of having completed any required continuing education credits;

3. completion of any other Board requirements, including , but not limited to achievement of a passing score on the licensing examination; and

4. submission of an affidavit signed under the penalties of perjury that the individual has not been practicing during the period the license was expired.

(c) If practicing in another state during the period the Massachusetts license was expired:

1. payment of all past due license fees, a late fee and the current license fee;

2. Official record of standing or certified statement indicating the license is in good standing in the state of current licensure; and

3. presentation of evidence satisfactory to the Board of having completed any required continuing education credits.

259 CMR: BOARD OF ALLIED HEALTH PROFESSIONS

(3) Notwithstanding the provisions of 259 CMR 2.05(2)(a), the Board may refer cases of unlicensed practice to appropriate law enforcement authorities for prosecution.

REGULATORY AUTHORITY

259 CMR 2.00: M.G.L. c. 112, _ 23M

259 CMR: BOARD OF ALLIED HEALTH PROFESSIONS

259 CMR 4.00: Athletic Trainers Section

4.01: Definitions

4.02: Rules

4.03: Licensure of Athletic Trainers

4.01: Definitions

Accredited Educational Program. An athletic trainer educational program accredited by JRC-AT.

Approved Educational Program. Athletic trainer educational programs approved by the NATA Professional Education Committee.

Athlete. An individual who prepares for or participates in sports activities.

CAAHEP. Committee on Accreditation for Allied Health Education Programs, which grants accreditation to educational programs for the athletic trainer.

Course. The instruction or teaching of appropriate athletic training knowledge or skills in a structured classroom environment. Academic credit of at least three semester or four quarter hours at the undergraduate or graduate level must be assigned.

Conditioning . Programs designed to enhance athletic performance or physical fitness in,

but not limited to, the following areas: cardiorespiratory endurance, flexibility, muscular endurance, neuromuscular coordination and strength.

Dentist. A licensed practitioner of dentistry, who is identified by the initials DDS or DMD.

Direction. The prescription, definition or order of a plan of care by a physician or dentist

Discretion. A directing physician or dentist may permit the athletic trainer to render the following services:

(a) Initiate injury recognition procedures and management techniques for athletic injuries and/or conditions that effect athletic performance.

(b) Plan, implement, evaluate and modify appropriate preconditioning, conditioning and reconditioning programs for athletes utilizing, but not limited, to the physical modalities described in M.G.L. c. 112, § 23A.

(c) Apply adhesive tape, elastic tape, protective devices, corrective devices, temporary splints, elastic bandages and other supplies for the prevention and/or treatment of athletic injuries.

(d) Design, construct and apply protective padding and supportive devices for the protection of soft tissue injuries

NATA. National Athletic Trainers Association, Inc

NATABOC. National Athletic Trainers Association Board of Certification, Inc. The administratively independent agency which sets and establishes entry level certification requirements and maintains continuing educational requirements for athletic trainers.

NATABOC Certification. The certification granted by NATABOC based on the achievement of a passing score on the national certification examination for entry level practitioners of athletic training.

Physician. A licensed practitioner of medicine, who is identified by the initials MD or DO.

Pre-conditioning. The preparatory conditioning programs which an athletic trainer utilizes to improve an athlete's fitness and performance.

259 CMR: BOARD OF ALLIED HEALTH PROFESSIONS

Re-conditioning. The process of restoration of an athlete's injured body to a level of fitness that enables safe sports participation.

Team/Organization. Any group which sponsors athletic participation.

4.02: Rules

(1) The athletic trainer practices in accordance with the standards described in M.G.L c.112, _ 23A. The physical presence of a directing physician or dentist is not required.

(2) The athletic trainer, except in life-threatening emergencies and when no physician or dentist is available, advises an athlete that he is not a physician or dentist and that an athletic trainer renders athletic training services only under the direction of physician or dentist.

(3) The athletic trainer will provide to the directing physician or dentist the historical and physical data of an athlete in a timely manner.

(4) In an emergency, the athletic trainer renders emergency care necessary to avoid disability or death of an injured athlete until a transfer of medical responsibility is made to a directing physician or dentist or to recognized emergency medical services which have been summoned for such purpose by the athletic trainer.

(5) No person may use in connection with her name or place of business the letters "A.T.", "A.T.C.", "L.A.T.", "L.A.T.C.", "Athletic Therapist", "Athletic Trainer", "Licensed Athletic Trainer", or "Licensed Athletic Therapist" when such person has not been duly licensed by the Board.

(6) The ethical standards of practice shall be the Code of Ethics of NATA and Standards of Practice of NATABOC, as the same may be amended and republished. The Board may whenever appropriate, consider other standards of practice or conduct for approval.

4.03: Licensure of Athletic Trainers

(1) An applicant for licensure as an athletic trainer shall:

(a) be a graduate of a NATA approved or CAAHEP accredited athletic training education program approved by the Board; or

(b) be a graduate of other program of study deemed acceptable by the Board; AND

(c) have successfully passed a certification examination approved by NATABOC and the Board.

(2) An applicant for licensure as an athletic trainer who is a graduate of a program of study deemed acceptable by the Board must demonstrate at the time of application successful completion of at least one course in EACH of the following areas of athletic trainer education:

Subject

Prevention of Athletic Injuries/Illnesses

Evaluation of Athletic Injuries/Illnesses

Therapeutic Modalities

Therapeutic Exercise

Administration of Athletic Training Programs

Human Anatomy

Human Physiology

Exercise Physiology

Kinesiology/Biomechanics

Nutrition

Psychology

Personal/Community Health

Cardiopulmonary Resuscitation Current American Red Cross or American Heart Association certificate

First Aid - Current American Red Cross or equivalent certificate or advanced emergency care certificate (Emergency Medical Technician)

(3) EFFECTIVE JANUARY 1, 1998, those programs of study which are not approved by NATA or accredited by CAAHEP will not be accepted by the Board for licensure as an athletic trainer. Any applicant who is a graduate of a program that is not approved by NATA or accredited by CAAHEP, who files an application for licensure after January 1, 1998 will not be approved for licensure by the Board. 259 CMR 4.03(3) shall not apply to applicants who are currently NATABOC certified.

(4) License Renewal. To renew an athletic training-license, a licensee must verify to the Board:

(a) current CPR certification; and

(b) current NATABOC certification.

REGULATORY AUTHORITY

259 CMR 4.00: M.G.L. c. 112, _ 23M.]

2/10/95 259 CMR - 1