

**Significant Legislative Rule Analysis**  
**WAC 246-916-020**  
**A Rule Concerning Athletic Training**  
**September 8, 2015**

**Describe the proposed rule, including a brief history of the issue, and explain why the proposed rule is needed.**

The proposed rule will allow graduates of accredited athletic training educational programs outside of the United States to qualify for licensure in Washington. The existing rule unintentionally prohibits graduates of programs outside of the United States from meeting Washington's licensure requirements. The proposed rule will remove a barrier that prevents qualified applicants from obtaining licensure.

The proposed rule removes the National Athletic Trainers' Association Board of Certification (NATABOC) reference and simplifies rule language to the commonly used Board of Certification for the Athletic Trainer (BOC). The proposed rule also simplifies and expands which educational programs are approved. The reference to educational programs being approved by the Commission on Accreditation of Athletic Training Education (CAATE) is removed and replaced with language that approves any accredited educational program approved by the BOC. The proposed language allows qualified applicants who have graduated from accredited programs in the United States and other countries to meet licensure requirements in Washington. CAATE is still the only entity that accredits programs in the United States. Approval of another country's educational program is done through a Memorandum of Understanding (MOU) with the other country's accrediting agency and the BOC.

**Is a Significant Analysis required for this rule?**

Yes, the proposed rule meets the definition of a legislatively significant rule in RCW 34.05.328 and requires a significant analysis.

**Clearly state in detail the general goals and specific objectives of the statute that the rule implements.**

The general goal of chapter 18.250 RCW is to provide licensure for people offering athletic training services to the public. The statutory goal of RCW 18.250.020 and RCW 18.250.060 is to ensure athletic trainers meet standards of competence and professional conduct to safeguard public health, safety, and welfare.

The rule implements the statutory intent by:

- Allowing applicants who graduated from schools outside of the United States to meet licensure requirements in Washington.
- Ensuring that athletic training services are provided by qualified and licensed individuals.

**Explain how the department determined that the rule is needed to achieve these general goals and specific objectives. Analyze alternatives to rulemaking and the consequences of not adopting the rule.**

The proposed rule will achieve the authorizing statute's goals and objectives by providing licensing requirements that are clear, concise, and necessary to ensure patient safety.

The department has assessed and determined that there are no feasible alternatives to rule making. Standards need to be established in rule to be enforced. The rule specifies educational requirements to obtain licensure in Washington in order to safeguard public health, safety, and welfare.

**Explain how the department determined that the probable benefits of the rule are greater than the probable costs, taking into account both the qualitative and quantitative benefits and costs and the specific directives of the statute being implemented.**

#### **WAC 246-916-020 Approved educational programs**

**Description of the proposed rule** – The proposed rule allows graduates of education programs outside of the United States to meet licensure requirements in Washington. The current rule unintentionally excludes out-of-country graduates from obtaining licensure in Washington. The Board of Certification for the Athletic Trainer (BOC) verifies accreditation of programs in other countries prior to allowing an individual to sit for the BOC exam. The BOC exam is also a requirement of licensure in Washington per WAC 246-916-010.

**Rule Cost/Benefit Analysis** – The proposed changes will benefit licensees and the public by ensuring qualified and licensed individuals will provide safe care to the public. The proposed changes do not cause any additional costs to licensees for the BOC's verification process.

**Identify alternative versions of the rule that were considered, and explain how the department determined that the rule being adopted is the least burdensome alternative for those required to comply with it that will achieve the general goals and specific objectives stated previously.**

Staff worked closely with stakeholders to minimize the burden of this rule. Rules discussions and workshops were held March 31, April 23, and December 22, 2014. Athletic training program staff used a collaborative rulemaking approach. Two of the three workshops were held during Athletic Training Advisory Committee meetings. The committee provided input on academic standards and reviewed information regarding MOUs the BOC currently had in place with other countries' accrediting agencies. The committee also verified that the BOC will continue to accept programs in the United States accredited by CAATE, as that is the only accrediting agency for athletic training programs in the United States. In addition, draft rule language was distributed to interested parties throughout the rule writing process. In the course of these and other efforts, the following alternative version of the rule was rejected:

<i>Alternative Version</i>	<i>Comparison</i>
<p>Rule language was considered that would accept and list each country's accrediting agency.</p>	<p>The decision to accept programs that are approved by the BOC streamlines the application process. The proposed version ensures the rule will not have to be revised frequently to add/accept education programs from additional countries. The BOC exam is a requirement of licensure. In order to sit for the exam, the BOC verifies accreditation of the applicant's education, either by the Commission on Accreditation of Athletic Training Education in the United States (CAATE), or the equivalent accrediting agency in another country. The BOC enters into formal agreements with accrediting agencies in other countries that allow graduates of accredited education programs outside of the United States to sit for the BOC exam. The BOC currently has formal agreements with accrediting agencies in Canada and Ireland.</p>

**Determine that the rule does not require those to whom it applies to take an action that violates requirements of another federal or state law.**

The proposed rule does not require those to whom it applies to take an action that violates requirements of federal or state law.

**Determine that the rule does not impose more stringent performance requirements on private entities than on public entities unless required to do so by federal or state law.**

The proposed rule does not impose more stringent performance requirements on private entities than on public entities.

**Determine if the rule differs from any federal regulation or statute applicable to the same activity or subject matter and, if so, determine that the difference is justified by an explicit state statute or by substantial evidence that the difference is necessary.**

The proposed rule does not differ from any applicable federal regulation or statute.

**Demonstrate that the rule has been coordinated, to the maximum extent practicable, with other federal, state, and local laws applicable to the same activity or subject matter.**

There are no other applicable laws.