

Athletic Training Advisory Committee Minutes

A meeting of the Athletic Training Advisory Committee was held on Monday, March 28, 2005 at 124 Halsey Street, Newark, New Jersey in the Hudson Conference room on the 6th floor. The meeting was called to order at 10:10 A.M.

COMMITTEE MEMBER PARTICIPANTS

Donald Kessler, A.T.; William King, D.O.; Karen Manista, A.T.

ABSENT

William Hyncik, A.T.

OTHER PARTICIPANTS

Joyce Brown, D.A.G. ; Susan Gartland, Executive Director, Athletic Training Advisory Committee; Lisa Petrowski, Assistant to the Executive Director, Athletic Training Advisory Committee; Dwayne Williams, Assistant to the Executive Director, Athletic Training Advisory Committee; Sandra Y. Dick, S.D.A.G. (present for discussion of regulations only); and Charles Manning, Regulatory Analyst (present for discussion of regulations only)

OPEN MEETING

I. Ratification of Minutes

A. NOVEMBER 29, 2004

A motion was made by Ms. Manista and seconded by Dr. King to accept the November 29, 2004 Open Minutes as presented. A vote was taken and the motion carried by a unanimous vote. The November 29, 2004 Open Minutes were ratified by the Board of Medical Examiners on December 8, 2004.

B. DECEMBER 20, 2004

A motion was made by Ms. Manista and seconded by Dr. King to accept the December 20, 2004 Open Minutes as amended. A vote was taken and the motion carried by a unanimous vote. The December 20, 2004 Open Minutes were ratified by the Board of Medical Examiners on January 8, 2005.

Ratified by the Board of Medical Examiners 4/13/05 / AT Cmte. 6/6/05

DISCUSSION ITEMS

I. New Business

A. MARK A. DONETZ, AT REQUEST FOR WAIVER OF REINSTATEMENT

Athletic training licenses expired on January 30, 2005. During the 30 day period from February 1, 2005 through March 2, 2005 licensees were able to renew their license provided they paid the renewal fee and a late renewal fee. If a licensee did not renew the athletic training license by March 2, 2005, the licensee's license would be automatically suspended without a hearing pursuant to N.J.S.A. 45:1-7.1b and c as it was not renewed within 30 days of the expiration date. When the license is not renewed during the 30 day grace period, the licensee would have to satisfy all reinstatement requirements set forth at N.J.S.A. 45:107.2 in order to reinstate the license. Once

the licensee's license has been reinstated, the licensee is permitted to practice his/her profession.

Mr. Donetz wrote the Committee and advised that he submitted his renewal form with the renewal fee and a late fee on March 5, 2005 and requested a waiver of the reinstatement requirements. Mr. Donetz explained that his wife gave birth to their first child in December of 2004 and parenthood has been an adjustment. Mr. Donetz further explained that waiving the reinstatement requirements would allow him to continue employment and to provide for his family.

A motion was made by Dr. King and seconded by Ms. Manista to recommend to the Board of Medical Examiners that Mr. Donetz's request for a waiver of the reinstatement requirements be denied. The Committee opined that Mr. Donetz had 30 days after the expiration date, January 30, 2005, of his license to renew and he did not provide the Committee with any information or extenuating circumstances which would have caused him not to renew his license on or before January 30, 2005 or during the 30 day grace period which ended on March 2, 2005. A vote was taken and the motion carried by a unanimous vote.

B. JULIE McWHORTER, AT REQUEST FOR WAIVER OF REINSTATEMENT

If the athletic trainer has an agreement with the employing school that the school pay the athletic trainer's renewal fees, the school will forward the Athletic Training Advisory Committee a purchase order. The purchase order is reviewed by the staff at the Committee's office in Newark for accuracy and the payment voucher is then signed by the Executive Director of the Committee,

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Susan Gartland. The information is returned to the school for processing. The school will then provide a check with the athletic trainer's renewal form and mail it to the Department of Revenue in Trenton for processing.

Ms. McWhorter wrote the Committee and requested a waiver of the reinstatement requirements as she stated she completed her renewal application and supplied it to the school administrator in December of 2004 to be processed. The school administrator mailed Ms. McWhorter's completed renewal form to the Department of Revenue in Trenton without payment and failed to forward to the Athletic Training Advisory Committee a purchase order in a timely manner. Therefore, the school never processed the information necessary to provide a check along with her renewal form and the school is in the process of resolving this matter.

A motion was made by Ms. Manista and seconded by Dr. King to recommend to the Board of Medical Examiners that Ms. McWhorter's request for a waiver of the reinstatement requirements be granted. Ms. McWhorter was not aware that the school forwarded her renewal form without payment and failed to complete the paperwork via a voucher in order to provide payment of her renewal fee in a timely manner. A vote was taken and the motion carried by unanimous vote.

C. JOHN F. CANZONE, AT REQUEST FOR WAIVER OF REINSTATEMENT

Mr. Canzone wrote the Committee and requested a waiver of the reinstatement fee. Mr. Canzone advised the Committee that he was in the process of moving from his parent's home during the renewal period and his parents were collecting his mail at their address. Mr. Canzone further advised that he never received the renewal form at his parent's address, but received notification from the Committee at his parents address in March, 2005 indicating his license was suspended due to failure to renew his license.

Susan Gartland advised the Committee that Mr. Canzone's renewal correspondence was returned to the Committee office and his parents address was correct on the renewal.

A motion was made by Dr. King and seconded by Ms. Manista to recommend to the Board of Medical Examiners that Mr. Canzone's request for a waiver of the reinstatement fee be granted as it appeared that Mr. Canzone did

not receive his renewal application due to a post office error. A vote was taken and the motion carried by a unanimous vote.

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II. Old Business

A. ATHLETIC TRAINING REGULATIONS - SUNSET CHARLES MANNING, REGULATORY ANALYST

A motion was made by Dr. King and seconded by Ms. Manista to approve the proposed regulations with amendments. A vote was taken and the motion carried by a unanimous vote. The Board of Medical Examiners adopted the Athletic Training regulations on February 9, 2005 and they will subsequently be published in the New Jersey Register.

B. ATHLETIC TRAINING REGULATION 13:35-10.7 SEXUAL MISCONDUCT CHARLES MANNING, REGULATORY ANALYST

Charles Manning, Regulatory Analyst met with the Athletic Training Advisory Committee to discuss concerns raised by the Division of Consumer Affairs during its review of the proposed Sexual Misconduct regulation. The Sexual Misconduct regulation was previously approved by the Athletic Training Advisory Committee and the Board of Medical Examiners and the prefatory language had been completed.

A motion was made by Ms. Manista and seconded by Dr. King to approve the proposed Sexual Misconduct regulation with amendments. The amended portion (amendments are in bold text) of the proposed Sexual Misconduct regulation reads as follows:

(f) A licensed athletic trainer shall not engage in sexual contact with a student who is enrolled in a high school at which the licensed athletic trainer is employed. (g) If a licensed athletic trainer has an athlete-athletic trainer relationship, the licensed athletic trainer shall not engage in sexual contact with the athlete if: 1. Such sexual contact is prohibited by (f) above: or 2. The athlete-athletic trainer relationship is ongoing. The athlete-athletic trainer relationship is ongoing for the purposes of this section, unless: i. Athletic training services are terminated by way of written notice to the athlete, the termination is documented in the licensed athletic trainer's records and alternative athletic training services are provided: or ii. The athlete has left the school, college, university or team for which the licensed athletic trainer works.

The amended regulation will be provided to the Board of Medical Examiners for its approval.

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III. Adjournment

A motion was made by Dr. King and seconded by Ms. Manista to adjourn the Open Meeting at 1:50 PM. A vote was taken and the motion carried by a unanimous vote.

Respectfully submitted,

Susan H. Gartland
Executive Director
Athletic Training Advisory Committee

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