

**Athletic Training Advisory
Committee Minutes**

A meeting of the Athletic Training Advisory Committee was held on September 26, 2005 at 9:45 A.M..

COMMITTEE MEMBER PARTICIPANTS

Karen Manista, A.T.; William Hyncik, A.T.; William King, D.O.

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

OPEN MINUTES

I. Ratification of Minutes

A. JUNE 6, 2005

A motion was made by Ms. Manista and seconded by Mr. Hyncik to accept the June 6, 2005 Open Minutes as presented. A vote was taken and the motion carried by a unanimous vote. The June 5, 2005 Open Minutes were ratified by the Board of Medical Examiners on September 14, 2005.

B. JULY 25, 2005

A motion was made by Ms. Manista and seconded by Mr. Hyncik to accept the July 25, 2005 Open Minutes as presented. A vote was taken and the motion carried by a unanimous vote. The July 25, 2005 Open Minutes were ratified by the Board of Medical Examiners on September 14, 2005.

DISCUSSION ITEMS

II. New Business

A. APPLICATION SUBMITTED BY REBECCA CRUICKSHANK

Ms. Cruickshank was educated in the United Kingdom and inquired whether she met the qualifications to apply for licensure in the State of New Jersey. Ms. Cruickshank provided the Committee with her Curriculum Vitae as well as supportive documentation of the information listed in her Curriculum Vitae.

Ratified by the Board of Medical Examiners 10/19/05 / AT Cmte. 11/28/05

The Committee will recommend to the Board of Medical Examiners that Ms. Cruickshank be advised that she does not meet the qualifications to apply for licensure as an athletic trainer in New Jersey as she has not met the athletic training curriculum requirements of having attended a college or university approved by the Board as required by N.J.S.A. 45:9-37.42(d). Furthermore, she has not successfully completed the examination administered by the National Athletic Trainers' Association Board of Certification, Inc. as required by N.J.S.A. 45:9-37.43 and she would not qualify to sit for this examination without first meeting the requirement set forth at N.J.S.A. 45:9-37.42(d).

B. MEMORANDUM FROM PETER C. HARVEY, ATTORNEY GENERAL
RE: READOPTION OF 13:45C; DUTY TO COOPERATE REGULATION

The Committee reviewed the Proposed Readoption with Amendments: N.J.A.C. 13:45C; Duty to Cooperate

Regulation and supports it without comment.

C. RESIGNATION LETTER FROM COMMITTEE MEMBER, DONALD KESSLER, A.T.

Mr. Kessler, former Chairman of the Committee, served on the Athletic Training Advisory Committee for twenty years and resigned from his service as an athletic trainer member of the Committee by letter dated September 6, 2005. His resignation was submitted because he relocated to another State. The Committee accepted his resignation and wishes him the best in his new endeavors.

D. ELECTION OF OFFICERS FOR 2005

Executive Director, Susan H. Gartland, took the chair to conduct the election of the Chairman of the Committee who will serve in that position from September of 2005 to June of 2006.

Mrs. Gartland called for nominations for Chairman and a motion was made by Ms. Manista and seconded by Dr. King to nominate Mr. Hyncik for Chairman of the Athletic Training Advisory Committee from September of 2005 to June of 2006. Mrs. Gartland called for further nominations and there were none. Ms. Manista then made a motion, seconded by Dr. King to close the nominations and elect Mr. Hyncik Chairman of the Committee by acclamation. A vote was taken and the motion carried by a unanimous vote.

III. Old Business

Ratified by the Board of Medical Examiners 10/19/05 / AT Cmte. 11/28/05

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

On March 28, 2005, the Athletic Training Advisory Committee previously approved the attached proposed Sexual Misconduct regulation with amendments which was then recommended to the Board of Medical Examiners for its approval. On May 10, 2005 the Board of Medical Examiners reviewed the proposed regulation and referred it back to the Athletic Training Advisory Committee for further review. The Board commented that it believed that the regulation relating to the basis of sexual misconduct for athletic trainers as written may be too onerous of a burden, especially in light of the college and professional teams.

Charles Manning, Regulatory Analyst, met with the Athletic Training Committee to discuss the comments of the Board of Medical Examiners concerning the proposed Sexual Misconduct regulation. The Committee members advised Mr. Manning that they reaffirm their original recommendation to the Board of Medical Examiners for approval of the proposed Sexual Misconduct regulation with amendments. The Committee has concerns with excluding the college and professional team athletic trainers from being subject to the proposed amended regulation. The Committee opined that sexual misconduct or harassment can occur at the college level and even though one could argue that the matter may involve two consenting adults, there still remains an issue that the athletic trainer is in a position of authority/power in that athletic trainer/student relationship. The Committee voted to resubmit the proposed amended regulation to the Board again with no changes as the Committee feels strongly that the proposed amended regulation is in the best interest of the public. The proposed amended regulation will be provided to the Board of Medical Examiners for its approval. If the Board of Medical Examiners does not approve the proposed amended regulation, the Committee would ask the Board to further delineate its reasoning for the exclusion of college and professional team athletic trainers.

IV. Adjournment

A motion was made by Dr. King and seconded by Ms. Manista to adjourn the Open Meeting at 12:30 P.M. 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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