

**JBC STAFF FISCAL ANALYSIS
SENATE APPROPRIATIONS COMMITTEE**

CONCERNING THE REGULATION OF ATHLETIC TRAINERS.

Prime Sponsors: Senator Williams
Representative Riesberg

JBC Analyst: Bernie Gallagher
Phone: 303-866-2061
Date Prepared: February 15, 2007

Summary of Amendments Made to the Bill After the 01/30/07 Legislative Council Staff Fiscal Note was Prepared (Amended by the Business, Labor and Technology Committee 01/31/07)

The Business, Labor and Technology Committee amendment made the following changes to the bill:

1. Modified the definition of "Athlete", eliminating references to "a program of sports performance enhancement training supervised by an athletic trainer" and "fitness club".
2. Removed language allowing the Director of the Division of Registrations to issue a temporary permit to practice athletic training.
3. Expanded the grounds for disciplinary action to include a licensee who "has engaged in a sexual act with a person receiving services while a therapeutic relationship existed *or within six months immediately following termination of the therapeutic relationship*".
4. Removed language permitting the Director to accept prima facie evidence as grounds to commence proceedings to take disciplinary action against a licensee.
5. Modified the Director's authority to issue subpoenas compelling the production of "all *relevant* records, papers, books, *documentary evidence*, and materials in any hearing, investigation, accusation, or other matter before the director an administrative law judge".
6. Modified language from condition of "reinstatement" to condition of "licensure".
7. Inserted language to expand the administration of mental and physical examinations to include a physician "or other licensed health care professional".

None of the above amendments change the fiscal impact of the bill as delineated in the Legislative Council Staff Fiscal Note dated January 30, 2007. Legislative Council staff agrees with this assessment.

JBC Staff Concurrence with Legislative Council Staff Fiscal Note

Concurs **Does Not Concur** **Updated Analysis**

Amendments/Appropriation Status

The bill does not contain an appropriations clause. Staff has drafted an amendment (**J.001**) that inserts an appropriations clause into the bill. This clause appropriates \$164,351 cash funds from the Division of Registrations Cash Fund and 1.2 FTE to the Department of Regulatory Agencies, Division of Registrations, for FY 2007-08. Also the clause appropriates \$35,918 cash funds exempt to the Department of Law, for the provision of legal services. This clause is consistent with the estimated fiscal impact of the bill as delineated in the Legislative Council Staff Fiscal Note dated January 30, 2007.

Sponsor Amendments

Staff is not aware of any sponsor amendments to be offered.

Points to Consider

None.