



K A N S A S

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DEPARTMENT OF HEALTH AND ENVIRONMENT

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**Testimony on Licensure of Athletic Trainers
House Bill No.
to the
House Health and Human Services Committee**

**by
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Chairman Morrison, I am pleased to appear before the House Health and Human Services Committee to discuss House Bill 2737 concerning the licensure of athletic trainers. In order for the Committee to make an informed decision, some history may be helpful.

In 1989, a credentialing review of a request for registration of athletic trainers was conducted in accordance with the Kansas Act on Credentialing. In June 1989, the request for registration was recommended for approval by the technical review committee, and on August 15, 1989, the Secretary of Health and Environment concurred with the technical committee's recommendation. In 1991, SB 105 was introduced to establish registration as the level of credentialing for athletic trainers; that bill did not pass. In 1995, SB 57 was passed, which established registration as the level of credentialing for athletic trainers.

There has been no subsequent notice of intent by athletic trainers to seek licensure as the level of credentialing, nor has an application for credentialing review at the level of licensure been received from members of that profession.

The purpose of Credentialing Review under the Health Occupations Credentialing Act is twofold: 1) provide the legislature a thorough analysis of the application for credentialing, by gathering and describing information through technical and public meetings; and 2) recommend to the legislature whether a group should be credentialed, and if so, at what least restrictive level is necessary to protect the public. This review is accomplished through a process outlined in the act and administrative rules and regulations. The Health Occupations Credentialing Act requires that any health profession seeking credentialing by the state apply to the Secretary of KDHE and participate in a thorough review of the occupation and its impact on health care and the health and safety of the citizens of Kansas.

The first step an applicant group takes is to submit a letter of intent to the Secretary.

If the letter of intent provides required information, and the occupation fits the definition of health care profession or occupation under the act, the letter of intent is approved and the applicant group may submit an application for review. The Secretary appoints a technical committee consisting of seven members, four of whom must be credentialed health care professionals and three, consumer representatives.

The technical committee then conducts a formal review of the application. The review process takes about six months to complete and includes at least four fact-finding public meetings to cumulate data and formulate a recommendation to the Secretary. The Secretary's recommendation is then forwarded to the legislature, along with the technical committee's recommendation. The enacting of any credentialing law is the result of the legislative process.

In circumventing the Kansas Act on Credentialing to replace registration with licensure, the legislature has not been afforded the opportunity of reviewing data cumulated through the process. The "impact to taxpayers" is one of ten criteria in the technical review process of the Act. Data from the applicant as well as testimony from opponents and proponents is presented during the technical review process identifying data on topics such as:

- how the unregulated practice can harm or endanger the health, safety or welfare of the public;
- what the public need is and how the public will benefit by assurance of initial and continuing occupational or professional ability;
- explaining why the current arrangement is not adequate to protect the public;
- describing and defining the effect of credentialing of the occupation or profession on the cost of health care to the public and assuring that the cost is minimal; and
- assessing that the effect of credentialing on the availability of health care personnel providing services is minimal.

The applicant group desires to be able to practice by repealing the registration statute and replacing it with licensure without benefit of a technical review. Perhaps the most compelling reason to conduct this review is to abide by the Kansas Act on Credentialing provision that all recommendations of the technical committee and the secretary shall be consistent with the policy that "the *least* regulatory means of assuring the protection of the public is preferred."

We respectfully request that House Bill 2737 not be passed and that the legislature uphold its Act on Credentialing as the means by which such a request can be fairly evaluated.

Thank you again for the opportunity to comment on House Bill No. 2737. I would be happy to respond to any questions you may have.