



ARIZONA BOARD OF ATHLETIC TRAINING
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SPECIAL SESSION MEETING MINUTES
December 14, 2020

Board Members Present via Webex: Eric Freas, ATC – Chair
Cheryl Ingram – Vice-Chair
Charles Baughman, ATC – Athletic Trainer Member
Bart Peterson, ATC – Athletic Trainer Member
Jennifer Fadeley – Public Board Member

Board Members Absent: None

Staff Present via Webex: Karen Whiteford – Executive Director
Amber Jones – Administrative Assistant

Legal Staff Present via Webex: Mary Williams – Assistant Attorney General

Location: Meeting held via Webex due to COVID-19 concerns
Meeting number 177 812 6060

- 1) **CALL TO ORDER** – Mr. Freas called the meeting to order at 9:30 a.m.
- 2) **ROLL CALL**
The following Board members were present: Eric Freas, Cheryl Ingram, Charles Baughman, Bart Peterson, and Jennifer Fadeley.
- 3) **DECLARATION OF CONFLICTS OF INTEREST**
No conflicts of interest were reported.
- 4) **REVIEW, CONSIDERATION, AND POSSIBLE ACTION ON WHETHER TO APPROVE THE PROPOSED RULES ON DRY NEEDLING IN ARIZONA ADMINISTRATIVE CODE, TITLE 4, CHAPTER 49**

Mr. Freas expressed concern regarding athletic trainers obtaining dry needling certification without a requirement to renew that certification on a regular basis. Mr. Baughman asked if there are refresher courses on dry needling. Alison Valier, from the Arizona Athletic Trainers' Association Governmental Affairs Committee (AZATA-GAC) stated that there are courses available, but other states do not require refresher courses in order to continue performing dry needling. Laurie White, also from AZATA-GAC, said dry needling should be treated as any other modality and that refresher courses are not required for modalities such as ultrasound. She added that the directing physician would be aware of how much the athletic trainer is using dry needling.

Mr. Freas asked if dry needling is part of the CAATE (Commission on Accreditation of Athletic Training Education) curriculum standards. David Mesman, President of the Arizona Athletic

Trainers' Association, stated that Grand Canyon University ("GCU") is currently addressing dry needling in coursework for their athletic training program. Mr. Peterson asked if GCU supplies certificates for dry needling. Dr. Mesman replied they do not but would like to allow for it in the future. Mr. Peterson asked if we would want to allow universities to create programs that would qualify athletic trainers for perform dry needling. Ms. White said she felt the current language should remain, with the certification obtained through an additional course requirement.

Ms. Ingram asked if it is necessary to clarify the Board can take action on dry needling complaints. Ms. Williams stated that if the Board already has statutes and rules regarding discipline, dry needling should be covered.

Ms. Fadeley said, as a consumer, dry needling seems invasive and high risk compared to other treatments. She would want to know that the athletic trainer was adequately trained and refreshed.

Ms. White stated that the role of Board members is to make sure athletic trainers are practicing in a safe manner and hold the profession up to standards. She added that any malpractice would be handled with a complaint. She asked that the Board approve these rules and let the public speak during the public comment period. She reminded the Board that athletic trainers coming to Arizona from another state currently cannot perform dry needling. She added that the Governor's office has the same concern and reminded the Board that dry needling would be performed under the direction of a physician.

Mr. Baughman stated that he is interested in the public's take on dry needling. Ms. Whiteford said that she would like to invite directing physicians for comment. Mr. Peterson stated that the AZATA-GAC could assist with these invitations.

Mr. Peterson made a motion to approve all rule changes as presented. Ms. Whiteford asked Mr. Peterson if he wanted to move that the Board approve all dry needling rules. Ms. Williams asked if anyone had questions regarding the remaining rules. Ms. Whiteford informed the Board that R4-49-202.B.3 (transcript requirement) and R4-49-202.B.4. (professional recommendation requirement) had been identified for removal. Ms. Williams suggested that the Board vote on the current agenda item before moving onto the next agenda item. Mr. Peterson restated his motion to approve the rule changes regarding dry needling. Ms. Ingram seconded the motion. The motion passed 5-0 by roll call vote.

5) REVIEW, CONSIDERATION, AND POSSIBLE ACTION ON WHETHER TO APPROVE THE PROPOSED RULES THAT WOULD LESSEN THE BURDEN ON THE ATHLETIC TRAINING COMMUNITY IN ARIZONA ADMINISTRATIVE CODE, TITLE 4, CHAPTER 49

Mr. Freas stated that he felt the removal of R4-49-202.B.3 and R4-49-202.B.4 was appropriate.

Ms. Whiteford then stated that proposed addition of R4-49-204.B.5 should be reconsidered. This new item would require that reinstating licensees provide a letter on letterhead from the licensee's employer, stating that the athletic trainer had not practiced since their license expired. She stated that adding a requirement would not be viewed favorably by the Governor's office. There was discussion as to whether the already-existing requirement in R4-49-204.B.4. would be sufficient. Mr. Baughman moved the Board omit the addition of R4-49-204.B.5. Ms. Ingram seconded the motion. The motion passed 5-0 by roll call vote.

Ms. Ingram asked for clarification on R4-49-102.B.3. Ms. Whiteford stated that she would work with the attorney general's office to identify an already-existing definition to reference, rather than adding another definition.

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Mr. Peterson asked for clarification on the removal of R4-49-208.D. Ms. Whiteford stated that this is the requirement for licensees renewing for the first time to complete the statutes and rules exam. She added that this item was moved to the initial license application section (R4-49-202.B.) because applicants should be aware of rules and statutes at the time of initial licensure.

Mr. Baughman moved the Board approve the document as modified with prior vote. Mr. Peterson seconded the motion. The motion passed 5-0 by roll call vote.

6) FUTURE AGENDA ITEMS

None

7) CALL TO THE PUBLIC

Ms. White thanked the Board for their time and due diligence. Dr. Mesman thanked the Board for hosting a special meeting for the review of these documents.

8) ADJOURNMENT

Mr. Baughman made a motion to adjourn at 10:42 a.m. Mr. Peterson seconded the motion. The motion passed 4-0 roll call vote.

Respectfully Submitted,

Karen Whiteford
Executive Director