

# Arizona Board of Athletic Training Substantive Policy Statement AT.01-12

## Guidelines for Board Complaint Resolution

This substantive policy statement is advisory only. A substantive policy statement does not include internal procedural documents that only affect the internal procedures of the agency and does not impose additional requirements or penalties on regulated parties or include confidential information or rules made in accordance with the Arizona Administrative Procedures Act. If you believe that this substantive policy statement does impose additional requirements or penalties on regulated parties, you may petition the agency under Arizona Revised Statutes § 41-1033 for a review of the statement.

### Board Complaint Resolution Chart

If no violations of rule or statute are found, a complaint is dismissed. Non-disciplinary action may be taken by the Board for errors not of sufficient seriousness to merit direct action against a licensee. The following are guidelines representing the resolution options available to the Board for violations of A.R.S. Title 32, Chapter 41, A.A.C. Title 4, Chapter 49, and/or the Standards of Practice of Athletic Trainers, based upon the nature of the offense and the factual scenarios. The Board is not limited by these guidelines and may select any combination of resolutions found in this chart, which addresses general guidelines of infractions and suggested resolution. **IN THE EVENT OF A CONFLICT BETWEEN THIS DOCUMENT AND THE ACTION BY THE BOARD, THE ACTION IMPOSED BY THE BOARD SHALL PREVAIL.**

Confidential Advisory Letters are non-disciplinary. All other resolutions listed below are disciplinary actions which must be concluded through a consent agreement or a hearing process, whether informal or formal.

<b>Level</b>	<b>Errors or Violations of Law and/or Community Standards of Care</b>	<b>Resolution</b>
<b>I</b>	Acts or omissions that are not of sufficient seriousness to merit direct action against the licensee.	<ul style="list-style-type: none"><li>● Confidential Advisory Letter</li></ul>
<b>II</b>	Violations of law or community standard of care have occurred that do not warrant revocation or suspension of a license. Examples may include ethical violations; engaging in activities that are unprofessional by current standards of practice; records violations; practicing beyond the scope of the license; failing to provide direct	<ul style="list-style-type: none"><li>● Confidential Advisory Letter</li><li>● Censure</li></ul>

	supervision; charging unreasonable fees; aiding unlicensed practice; failure to report; promoting an unnecessary device, treatment or service; providing treatment to the financial benefit of a referral source; and violating any Board statute or rule.	<ul style="list-style-type: none"> <li>● Civil penalty</li> <li>● Restriction or limitation on practice</li> </ul>
<b>III</b>	Acts of unprofessional conduct; mentally or physically unable to safely engage in practice; This level may include egregious acts of unprofessional conduct. Examples may include obtaining a license by fraud or misrepresentation; deliberate or negligent substandard care; substance abuse; sexual intimacies; practice standards or ethical violations; commission of a felony or misdemeanor involving moral turpitude; intentional and/or willful fraud, misrepresentation, or deception; intentional and/or willful violation of confidentiality; violating a formal Board order; interfering with an investigation or disciplinary proceeding; mental incompetency.	<ul style="list-style-type: none"> <li>● Censure</li> <li>● Civil penalty</li> <li>● Restriction or limitation on practice</li> <li>● Summary Suspension</li> <li>● Revoke or suspend license</li> <li>● Voluntary surrender</li> </ul>

A.R.S. §32-4159 provides that the Board may, in lieu of a disciplinary proceeding, permit a licensee to actively participate in a Board-approved substance abuse recovery program under the statute's terms and conditions.

*Adopted by the Board 6/4/12*