

(c) A supervising physician shall be available, either in person or through voice communication, whenever a licensed athletic trainer is practicing athletic training.

(d) A licensed athletic trainer shall make a plan of care available to the Board upon request.

Recodified from N.J.A.C. 13:35-10.6 and amended by R.2004 d.273, effective July 19, 2004.

See: 35 N.J.R. 2834(a), 36 N.J.R. 3400(a).

Rewrote the section. Former N.J.A.C. 13:35-10.4, Examinations, repealed.

Recodified from N.J.A.C. 13:35-10.4 by R.2005 d.120, effective April 18, 2005.

See: 36 N.J.R. 4633(a), 37 N.J.R. 1203(a).

Former N.J.A.C. 13:35-10.5, Violations, recodified to N.J.A.C. 13:35-10.6.

Repeal and New Rule, R.2012 d.013, effective January 3, 2012.

See: 43 N.J.R. 26(a), 44 N.J.R. 104(a).

Section was "Approved activities".

### 13:35-10.6 Practice outside of schools and professional teams

(a) If a licensed athletic trainer is working outside of an interscholastic, intercollegiate, intramural or professional athletic setting, the licensed athletic trainer shall provide athletic training services only when a physician (who may, in this instance, be licensed in another state) has referred the athlete for athletic training after physically examining the athlete.

(b) When a licensed athletic trainer is working outside of an interscholastic, intercollegiate, intramural or professional athletic setting with an athlete, the licensed athletic trainer's plan of care shall include provisions for supervision from a supervising physician during all aspects of athletic training, not just during the provision of physical modalities.

New Rule, R.2012 d.013, effective January 3, 2012.

See: 43 N.J.R. 26(a), 44 N.J.R. 104(a).

Former N.J.A.C. 13:35-10.6, Violations, recodified to N.J.A.C. 13:35-10.18.

### 13:35-10.7 Scope of practice

(a) A licensed athletic trainer in an interscholastic, intercollegiate, intramural or professional athletic setting, or any other setting pursuant to a referral from a physician, may provide to an athlete:

1. Conditioning programs for the prevention and management of injuries including:
  - i. Maintenance programs;
  - ii. Reconditioning programs;
  - iii. Exercise programs; and
  - iv. Bandaging, wrapping, taping, padding, bracing and splinting procedures;
2. Testing of neuromotor and musculoskeletal functional capability for the purposes of conditioning, recondi-

tioning or otherwise evaluating the athlete's performance capability; and

#### 3. First-aid.

(b) If they are included in the licensed athletic trainer's plan of care with a supervising physician, a licensed athletic trainer may administer physical treatment modalities, such as:

1. Cold;
2. Heat;
3. Light;
4. Sound;
5. Electricity;
6. Electromagnetic waves;
7. Water; and
8. Traditional mobilization techniques, rehabilitative exercise programs, traction and massage.

(c) A licensed athletic trainer shall not conduct electromyographic testing or nerve conduction velocity studies.

(d) A licensed athletic trainer shall not diagnose an injury or illness. Prior to implementing or continuing athletic training services, the licensed athletic trainer shall exercise professional judgment to determine whether any intervening circumstances have adversely affected the athlete's ability to participate in or continue to participate in athletic training.

(e) A licensed athletic trainer shall immediately refer an athlete to a health care professional licensed in this State if the licensed athletic trainer has cause to believe that athletic training is contraindicated or symptoms or conditions are present that require services outside the scope of a licensed athletic trainer's practice.

New Rule, R.2012 d.013, effective January 3, 2012.

See: 43 N.J.R. 26(a), 44 N.J.R. 104(a).

Former N.J.A.C. 13:35-10.7, Fees, recodified to N.J.A.C. 13:35-10.19.

### 13:35-10.8 Records

(a) A licensed athletic trainer shall prepare and maintain for each athlete a contemporaneous, permanent record that accurately reflects the evaluation and treatment of the athlete's illness or injury by the licensed athletic trainer.

(b) A licensed athletic trainer shall not falsify a record.

(c) A record shall include, in addition to personal identifying information, consents and disclosures, at least the following information:

1. The full name, as it appears on the license, and license number of the licensed athletic trainer who rendered care. This information shall be legible and shall appear at least once on each page of the record;

2. Dates of all athletic training services;
3. The findings of the evaluation including test results;
4. Documentation of health care practitioner referrals, if any;
5. Established measurable goals of the athletic training with stated time frames, the type of athletic training and the frequency and expected duration of athletic training;
6. A contemporaneous note that accurately represents the services rendered during the athletic training sessions including the components of athletic training, the athlete's response to activities and current status;
7. Progress notes in accordance with stated goals at a frequency consistent with the evaluated findings and changes in the athlete's conditions;
8. Communication with other health care professionals relative to the athlete's care;
9. A discharge or return to activity summary, which includes the reason for discharge from and outcome of athletic training relative to established goals at the time of discharge; and
10. Pertinent legal document(s).

(d) Records shall be maintained for at least seven years from the date of the last entry.

(e) A student in a Commission on Accreditation of Athletic Training Education approved athletic training education program may enter information in an athlete's record, as long as the licensed athletic trainer supervising the student co-signs his or her full name and license number next to the student's entry.

(f) A licensed athletic trainer shall maintain his or her plan of care as part of his or her records.

New Rule, R.2012 d.013, effective January 3, 2012.

See: 43 N.J.R. 26(a), 44 N.J.R. 104(a).

Former N.J.A.C. 13:35-10.8, Sexual misconduct, recodified to N.J.A.C. 13:35-10.20.

### **13:35-10.9 Use of personal or other computer to prepare records**

(a) A licensed athletic trainer who prepares a record maintained solely on a personal or other computer shall use a write-protected program that:

1. Contains an internal permanently activated date and time recordation for all entries;
2. Automatically prepares a back-up copy of the file; and
3. Is designed in such manner that, after the licensed athletic trainer "signs" by means of a confidential personal code (CPC), the entry cannot be changed in any manner.

(b) The licensed athletic trainer shall include in the record at least two forms of identification; for example, name and record number of the athlete or any other specific identifying information.

(c) The licensed athletic trainer shall finalize or "sign" the entry by means of a CPC. Where more than one individual is authorized to make entries into the computer file of any record, the licensed athletic trainer responsible for the facility at which the licensed athletic trainers work shall assure that each such person obtains a CPC and uses the program in the same manner.

(d) The licensed athletic trainer shall generate a hard copy of the complete record upon request.

New Rule, R.2012 d.013, effective January 3, 2012.

See: 43 N.J.R. 26(a), 44 N.J.R. 104(a).

### **13:35-10.10 Release of records**

(a) A licensed athletic trainer shall provide a copy of the athlete's record within 30 days of a written request by the athlete or any person whom the athlete has designated to receive that record, or, if the athlete is a minor, the athlete's legal guardian.

(b) Licensed athletic trainers may require a record request to be in writing and may charge a fee for the reproduction of records, which shall be no greater than \$1.00 per page or \$100.00 for the entire record, whichever is less. (If the record requested is less than 10 pages, the licensed athletic trainer may charge up to \$10.00 to cover postage and the miscellaneous costs associated with retrieval of the record.) If the athlete requests a summary in lieu of the actual record, the charge for the summary shall not exceed the cost that would be charged for the actual record.

(c) If the athlete or a subsequent treating health care professional is unable to read the treatment record, either because it is illegible or prepared in a language other than English, the licensed athletic trainer shall provide a transcription at no cost to the athlete or the person requesting the record.

(d) Where the athlete has requested the release of all or part of a professional treatment record to a specified individual or entity, in order to protect the confidentiality of the records, the licensed athletic trainer shall:

1. Secure and maintain a current written authorization, bearing the signature of the athlete or an authorized representative;
2. Assure that the scope of the release is consistent with the request; and
3. Forward the records to the attention of the specific individual or entity identified and mark the material "Confidential."