



Economic Impact Analysis Virginia Department of Planning and Budget

18 VAC 85-120 – Regulations Governing the Licensure of Athletic Trainers
Department of Health Professions
August 11, 2006

Summary of the Proposed Regulation

The Board of Medicine (board) proposes to amend its Regulations Governing the Licensure of Athletic Trainers to clarify that provisionally licensed athletic trainers must work in an environment where they have daily supervision on-site.

Result of Analysis

There is insufficient data to accurately compare the magnitude of the costs and benefits of the proposed regulatory change. Analysis of possible costs and benefits can be found below.

Estimated Economic Impact

Currently, the board offers a provisional athletic trainer license for individuals who have completed an accredited education program or who have fulfilled internship educational requirements through the National Athletic Trainer Association Board of Certification (NATABOC) but who have not taken and passed the national certification examination. Provisionally licensed individuals may work as athletic trainers so long as they are supervised by a fully licensed athletic trainer. The Department of Health Professions (DHP) reports that, because current regulatory language is silent as to the type and frequency of supervision required, provisionally licensed individuals have been practicing in environments where their listed supervisor is 50 or more miles away and where their only supervision is by way of infrequent phone calls. The board believes that this type of supervision is inadequate to protect student athletes who work with these provisionally licensed individuals from unsound, and possibly physically harmful, practices.

In order to ensure that provisionally licensed athletic trainers are adequately supervised, the board proposes to add language that they work in environments where there is daily, on-site

supervision by a fully licensed athletic trainer. Provisionally licensed individuals may experience a decrease in the wages they can command after the promulgation of this regulation since the educational institutions at which they will be able to seek employment will be limited to those that already have a licensed athletic trainer that can supervise. Institutions that have employed provisionally licensed individuals, but have not provided supervision for these individuals, will likely see cost increases. These institutions will either have to hire supervision for their provisionally licensed employee or, more likely, will choose to hire a fully licensed athletic trainer rather than a, likely lower cost, provisionally licensed one. To the extent that passage of the certification examination implies greater competence than does completion of training and educational requirements, this regulatory change may lead to safer practices for athletic trainers.

Businesses and Entities Affected

Individuals who hold provisional athletic trainer licenses, as well as their employers, will be affected by the proposed regulation. Currently, there are nine athletic trainers who are provisionally licensed by the board in the Commonwealth.

Localities Particularly Affected

The proposed regulation will affect all localities in the Commonwealth.

Projected Impact on Employment

The proposed regulatory change will likely make it more expensive for small schools to employ provisionally licensed individuals (since these schools would now have to have or hire on-site supervision for them); this may lead these schools to choose to hire fully licensed athletic trainers instead. Larger schools would likely already have a licensed athletic trainer on staff and, so, are not likely to change their hiring decisions because of the proposed regulation. DHP believes that provisionally licensed individuals will have to limit their job searches to larger institutions but they will not likely remain unemployed because of this regulatory change.

Effects on the Use and Value of Private Property

The value of a provisional athletic trainer license will likely be diminished by the proposed regulation since provisionally licensed individuals will no longer be able to choose employment that allows them to maximize their utility without constraint. These individuals will instead be constrained to choose jobs at institutions that can offer supervision. These institutions

will likely be able to offer wages lower than would be offered had they been in wider competition for the provisionally licensed individual's services.

Small Businesses: Costs and Other Effects

The proposed regulation is not likely to affect any small businesses.

Small Businesses: Alternative Method that Minimizes Adverse Impact

The proposed regulation is not likely to affect any small businesses.

Legal Mandate

The Department of Planning and Budget (DPB) has analyzed the economic impact of this proposed regulation in accordance with Section 2.2-4007.H of the Administrative Process Act and Executive Order Number 21 (02). Section 2.2-4007.H requires that such economic impact analyses include, but need not be limited to, the projected number of businesses or other entities to whom the regulation would apply, the identity of any localities and types of businesses or other entities particularly affected, the projected number of persons and employment positions to be affected, the projected costs to affected businesses or entities to implement or comply with the regulation, and the impact on the use and value of private property. Further, if the proposed regulation has adverse effect on small businesses, Section 2.2-4007.H requires that such economic impact analyses include (i) an identification and estimate of the number of small businesses subject to the regulation; (ii) the projected reporting, recordkeeping, and other administrative costs required for small businesses to comply with the regulation, including the type of professional skills necessary for preparing required reports and other documents; (iii) a statement of the probable effect of the regulation on affected small businesses; and (iv) a description of any less intrusive or less costly alternative methods of achieving the purpose of the regulation. The analysis presented above represents DPB's best estimate of these economic impacts.