

**BOARD OF ATHLETIC TRAINERS  
MINUTES**

DATE: May 4, 2023

TIME: 9:00 a.m. C.D.T

LOCATION: 665 Mainstream Drive  
Poplar Conference Room, 1<sup>st</sup> Floor.  
Nashville, TN 37243

MEMBERS PRESENT: Helen Binkley, AT, Chair  
Craig Moorhouse, AT, Vice Chair  
Walter Fitzpatrick, Board Member  
Daniel Lewis, Physician

MEMBERS ABSENT: Jennifer Shumway, AT, Board Member

STAFF PRESENT: Noranda French, Board Director  
Mary Bennett, Board Manager  
Thomasina Scharkley, Board Administrator  
Elyse Nida, Associate General Counsel

STAFF ABSENT:

**I. Call to Order**

A roll call of board members was conducted by Elyse Nida. Noranda French called the meeting to order at 9:20 am.

**II. Discuss and take action, if needed, regarding rulemaking hearings, rule amendments, and policies**

Elyse Nida read the Regulatory Flexibility Analysis and Statement of Economic Impact to Small Businesses. A motion was made to approve the documents by Walter Fitzpatrick, and seconded by Craig Moorhouse. The motion passed.

Regarding changes to Rules 0150-01-.05(2)(h) If an applicant holds or has ever held a license/certificate to practice as an athletic trainer ~~any profession~~ in any other state, the applicant shall cause to be submitted the equivalent of a Tennessee Certificate of Endorsement (verification of licensure/certification) from each such licensing board which indicates the applicant holds or held an active license/certificate and whether it is in good standing presently

or was at the time is became inactive. It is the applicant's responsibility to request this information be sent directly from each such licensing board to the Administrative Office.

0150-01-.06(4) Licensure ~~reactivation~~ ~~restoration~~ fee \$50.00,

0150-01-.07(3) If an applicant is incomplete when received by the Administrative Office, or the reviewing Board member or the Board's designee determine additional information is required from an applicant before an initial determination can be made, the Board administrator ~~will~~ ~~shall~~ notify the applicant of the information required, including written notice that the applicant has 60 days to provide the requested information or the application will be deemed abandoned and closed. The applicant shall cause the requested information to be received in the Administrative Office on or before the sixtieth (60<sup>th</sup>) day after receipt of the notification. An application may be deemed abandoned and closed by the Board administrator if the applicant has not responded to a request for information within sixty (60) days after receipt of the notification. If that occurs, the applicant shall be notified that the rules governing that process, including another payment of all fees applicable to the applicant's circumstances and submission of such new supporting document as is required by the Board or the Board consultant.

0150-01-.09(2)(b) Payment of ~~all past due renewal fees; and~~ the late renewal fee provided in rule 0150-01-.06; and

0150-01-.11(3)(b) Complete and submit the Reactivation Application along with payment of the licensure renewal fee as provided in Rule 0150-01-.06 to the Administrative Office. If reactivation was requested prior to the expiration of one (1) year from the date of retirement, the Board may require payment of the licensure ~~reactivation~~ ~~restoration~~ fee and a late ~~past due~~ renewal ~~fee~~ ~~fees~~ as provided in Rule 0150-01-.06; and

0150-01-.12(3) Acceptable continuing education - To satisfy the requirements of this rule, the continuing education must be ~~accepted~~ ~~approved~~ in content, structure, and format ~~for credit~~ by the ~~Board of Certification Inc~~ ~~BOC~~.

0150-01-.15(4)(c) Petition for Order of Compliance Board of ~~Athletic Trainers~~ ~~Medical~~ ~~Examiners~~

A motion was made by Craig Moorhouse to change the language 0150-01-.05 (3)(b) from "be licensed or certified" to "have been licensed or certified." The motion was seconded Walter Fitzpatrick. The motion carried.

A motion was made by Craig Moorhouse to update the language 0150-01-.05 (3)(c). The motion was seconded by Walter Fitzpatrick. The motion carried.

A motion was made by Craig Moorhouse to accept the changes to rule 0150-01-.15 (2)(g)(i) “Summary Suspension” to “Summary Action.” The motion was seconded by Walter Fitzpatrick. The motion carried.

For consistency regarding the word “reactivation” and compliance with TENN. CODE. ANN. 63-1-107(d). A rulemaking hearing was held on these corrections November 4, 2021; however, the notice of rulemaking hearing posted on the Secretary of State’s website listed the wrong chapter (1050 instead of 0150). Accordingly, a corrected notice has been posted to the Secretary of State’s website, and the rulemaking hearing will be conducted again. A rulemaking hearing will also occur for Rule 0150-01-.15(c) to correct a scrivener’s error, removing “Medical Examiners” and replacing it with “Athletic Trainers” as the name of the form Petition Order of Compliance.

A motion was made to accept the rule changes as written by Craig Moorhouse. The motion was seconded by Walter Fitzpatrick. The motion carried.

### **III. Approval of Minutes**

A motion was made by Craig Moorhouse to approve the December 13, 2022, minutes, seconded by Walter Fitzpatrick. The motion carried.

### **IV. Receive reports and/or requests from the Office of General Counsel**

Elyse Nida presented the report from the Office of General Counsel. Ms. Nida reminded the board member of the Conflict of Interest and the Open Meetings Act.

#### A) Contested Case(s)

There were no Contested Cases

#### B) Consent Order(s)

- i. Christian Kiesel, AT #2687 – Practiced on a lapsed license for a period. A motion was made by Craig Moorhouse to approve the consent order, seconded by Walter Fitzpatrick. The motion carried.
- ii. Adam Selahaddin, AT #2904 – Disciplined due to texting sexual content to someone whom Mr. Selahaddin believed to be underage in October 2022. He has been found to have violated the rules of the Athletic Trainer board with unethical, unprofessional conduct. License is suspended for a period of six (6) months, and he is ordered to complete 11 CE hours. He has been assessed one (1) Type A civil penalty of one thousand (\$1,000) dollars. He must submit proof of having taken and passed Boundaries and Unprofessional Conduct section of the Ethics and

Boundaries Services Exam. The board members did not accept the conditions of this consent order.

C) Agreed Order(s)

There were no agreed orders.

D) Order(s) of Compliance

There were no orders of compliance.

E) Request(s) for Order of Modification

There were no orders of modification.

F) Agreed Citation(s)

- i. Michelle Benjamin, AT #2727 – Was found to be working on a lapsed license for a period of three (3) months from March 1, 2022, to on or about May 19, 2022. A motion was made by Craig Moorhouse to accept the agreed citation as written. The motion was seconded by Walter Fitzpatrick. The motion carried.
- ii. Timothy Harbison, AT #2326 – Was found to be working on a lapsed license for a period of five (5) months from March 1, 2022, to on or about September 12, 2022. A motion was made by Craig Moorhouse to accept the agreed citation as written. The motion was seconded by Walter Fitzpatrick. The motioned carried.
- iii. Tyler Hollenbeck, AT #2434 – Was found to be working on a lapsed license for a period of three (3) months from April 1, 2022, to on or about June 13, 2022. A motion was made by Craig Moorhouse to accept the agreed citation as written. The motion was seconded by Walter Fitzpatrick. The motion carried.
- iv. Stephen Maples, AT #2607 – Was found to be working on a lapsed license for a period of four (4) months from August 1, 2022, to on or about January 11, 2023. A motion was made by Craig Moorhouse to accept the agreed citation as written. The motion was seconded by Walter Fitzpatrick. The motion carried.
- v. Thomas Simac, AT #2458 – Was found to be working on a lapsed license for a period of two (2) from May 1, 2022, to on or about June 2, 2022. A motion was made by Craig Moorhouse to accept the agreed citation as written. The motion was seconded by Walter Fitzpatrick. The motion carried.
- vi. George Turner, AT #574 – Was found to be working on a lapsed license for a period of four (4) from July 1, 2022, to on or about October 12, 2022. A motion was made by Craig Moorhouse to accept the agreed citation as written. The motion was seconded by Walter Fitzpatrick. The motion carried.

**V. Receive reports and/or requests from the Office of Investigations**

Roger Knowlton presented the report for the Office of Investigation



Tennessee Department of Health  
Board Statistical Complaint Report

Parameters selected: Lic Type: 35 - ATHLETIC TRAINERS, 3527 - Athletic Trainers; Case Type: CMP - Complaint; Calendar year: 2023

License Type: 35 - ATHLETIC TRAINERS

Complaint Activity	Dec 2022	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	YTD
New Complaints Opened		0	0	2	0									2
Total Closed Complaints		0	0	3	0									3
7 - Closed BIV,EMS,HCF,AW		0	0	1	0									1
9 - Complaint Closed		0	0	1	0									1
94 - Closed - Warning Ltr		0	0	1	0									1
Currently Open Complaints	2	2	2	1	1									

ANALYSIS OF NEWLY OPENED COMPLAINTS

By Allegation	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	YTD
26-Unprofessional Conduct	0	0	1	0									1
36-Lapsed License	0	0	1	0									1
Total:	0	0	2	0									2

By Region	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	YTD
EAST	0	0	0	0									0
MIDDLE	0	0	0	0									0
WEST	0	0	0	0									0
Out of State	0	0	0	0									0



Tennessee Department of Health  
Board Statistical Complaint Report

License Type: 35 - ATHLETIC TRAINERS

By Region	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	YTD
Unknown	0	0	0	0									0
Total:	0	0	0	0									0

**VI. Receive reports and/or requests from the Division of Health Licensure and Regulation**

Fiscal report was presented by Keeyona Love, Fiscal Manager.



Tennessee Board of Athletic Trainers					
Actual Revenue and Expenditures					
for Fiscal Year ending June 30, 2023					
Acct. Code	Description	FY2023 Projected	FY2023 Actual	FY2022	FY2021
701	Salaries & Wages	\$ 42,787.39	\$ 17,828.08	\$ 38,924.87	\$ 13,676.20
702	Employee Benefits	\$ 14,317.92	\$ 5,965.80	\$ 12,541.67	\$ 4,035.81
<b>Payroll Related Items (701-702)</b>		<b>\$ 57,105.31</b>	<b>\$ 23,793.88</b>	<b>\$ 51,466.54</b>	<b>\$ 17,712.01</b>
703	Travel	\$ 4,151.04	\$ 1,729.60	\$ 5,817.44	\$ -
704	Printing & Duplicating	\$ -	\$ -	\$ -	\$ -
705	Utilities & Fuel	\$ -	\$ -	\$ -	\$ -
706	Communications	\$ 4,570.01	\$ 1,904.17	\$ 4,975.76	\$ 511.86
707	Maintenance & Repairs	\$ -	\$ -	\$ -	\$ -
708	Prof. Svc. & Dues	\$ 2,535.54	\$ 1,056.39	\$ 2,060.39	\$ 1,685.50
709	Supplies & Materials	\$ -	\$ -	\$ -	\$ -
710	Rentals & Insurance	\$ -	\$ -	\$ -	\$ -
711	Motor Vehicle Ops	\$ -	\$ -	\$ -	\$ -
712	Awards & Indemnities	\$ -	\$ -	\$ -	\$ -
713	Grants & Subsidies	\$ -	\$ -	\$ -	\$ -
714	Unclassified	\$ -	\$ -	\$ -	\$ -
715	Stores & Rentals	\$ -	\$ -	\$ -	\$ -
716	Equipment	\$ -	\$ -	\$ -	\$ -
717	Land	\$ -	\$ -	\$ -	\$ -
718	Buildings	\$ -	\$ -	\$ -	\$ -
721	Training of State Employees	\$ -	\$ -	\$ 600.00	\$ -
722	Computer Related Items	\$ -	\$ -	\$ -	\$ 59.96
725	State Prof. Svcs.	\$ 634.18	\$ 264.24	\$ 881.56	\$ 1,059.03
<b>Total Other Expenditures (703-725)</b>		<b>\$ 11,890.56</b>	<b>\$ 4,954.40</b>	<b>\$ 14,335.15</b>	<b>\$ 3,314.35</b>
<b>Total Direct Expenditures</b>		<b>\$ 68,995.87</b>	<b>\$ 28,748.28</b>	<b>\$ 65,801.69</b>	<b>\$ 21,026.36</b>
Allocated Expenditures					
	Administration	\$ 7,168.41	\$ 2,986.84	\$ 10,871.09	\$ 10,146.85
	Investigations	\$ 9,157.59	\$ 3,815.66	\$ 9,540.40	\$ 7,125.31
	Legal	\$ 9,746.35	\$ 4,060.98	\$ 8,117.75	\$ 6,401.77
	Cash Office	\$ 150.05	\$ 62.61	\$ 275.14	\$ 309.18
<b>Total Allocated Expenditures</b>		<b>\$ 26,222.38</b>	<b>\$ 10,925.99</b>	<b>\$ 28,802.37</b>	<b>\$ 23,983.11</b>
<b>Total Expenditures</b>		<b>\$ 95,218.25</b>	<b>\$ 39,674.27</b>	<b>\$ 94,604.06</b>	<b>\$ 45,009.47</b>
<b>Board Fee Revenue</b>		<b>\$ 113,100.00</b>	<b>\$ 47,125.00</b>	<b>\$ 112,495.00</b>	<b>\$ 111,162.67</b>
<b>Current Year Net</b>		<b>\$ 17,881.75</b>	<b>\$ 7,450.73</b>	<b>\$ 17,890.94</b>	<b>\$ 66,153.20</b>
Technology Improvements					
	LAARS Improvements	\$ (1,353.87)	\$ (564.11)	\$ 3,107.31	\$ 2,639.61
	Virtual Investigator	\$ 0.44	\$ 0.18	\$ 62.85	\$ 229.29
<b>Total Technology Improvements</b>		<b>\$ (1,353.44)</b>	<b>\$ (563.93)</b>	<b>\$ 3,170.16</b>	<b>\$ 2,868.90</b>
<b>Cumulative Carryover</b>		<b>\$ 769,278.31</b>	<b>\$ 320,532.63</b>	<b>\$ 327,238.74</b>	<b>\$ 312,517.97</b>

Tennessee Board of Athletic Trainers	
Analysis of Operating Expenditures and Carryover Balance	
FY2019 Operating Expenditures	\$ 39,672.04
FY2020 Operating Expenditures	\$ 59,283.60
FY2021 Operating Expenditures	\$ 45,009.47
3 Year Average of the Annual Operating Expenditures	\$ 47,988.37
2 Times 3 Year Average of the Annual Operating Expenditures	\$ 95,976.74
2021 Cumulative Carryover Balance	\$ 312,517.97
FY2020 Operating Expenditures	\$ 59,283.60
FY2021 Operating Expenditures	\$ 45,009.47
FY2022 Operating Expenditures	\$ 94,604.06
3 Year Average of the Annual Operating Expenditures	\$ 66,299.05
2 Times 3 Year Average of the Annual Operating Expenditures	\$ 132,598.09
2022 Cumulative Carryover Balance	\$ 327,238.74
Cumulative carryover exceeds two times the three-year average of operating expenditures.	



A motion was made by Craig Moorhouse to table the fee reduction until the November meeting. The motion was seconded by Walter Fitzpatrick. The motion carried.

**VII. Applicant Interviews/Reviews**

A) Robert Golden – Mr. Golden’s transcripts showed a graduation date of 2000 putting him outside of the board rule for acceptance. A motion was made by Craig Moorhouse to approved Mr. Golden’s application for licensure. The motion was seconded by Walter Fitzpatrick. The motion carried.

**VIII. Review, approve/deny and ratify initial determinations.**

**ATHLETIC TRAINER RATIFICATION LIST**

**OCTOBER 27, 2022 – APRIL 28, 2023**

**NEWLY LICENSED**

Adler Phillip Joseph	Merino Morales Argenis
Barfield Rachel	Miljkovic Branko Dr.
Beltz Cally Ms.	Mitsuyama Yoshihiro
Billings Justice	Mitts Catherine Allanna
Buehler Zachary	Mollner Killian
Daniels Desmond	Myers Anna
Depaola Alyse	Ostrovecky Katie
Dugger Makenzie	Scales Kathleen
Eugene Ardine Rachelle	Schaefer Melanie
Gressner Noel Cabot Mr.	Tanksley Mask Elisa Christine
Harris Jon LAT	Taylor Kara
Hodge Randall M.	Thetford Sadie
Jardon-Ramirez Ulises	Tsakiris Christian
Kaminski Joseph Nathaniel	Williams Alexandra
Kovert Kelsey Foss	Williams Kayla-Ann
Malloy Michelle	

**REINSTATED**

Behanan Mackenzie Danielle	Hall Holly Dr.
Clapp Aaron Seth Mr.	Howard-Berry Tierra
Deretchin Daniel George	Simac Thomas Richard

Closed Applications

Downey Zachary  
Golden Robert Owen Mr.  
Harding Josie  
Martinez-Sepanski Sarah Dr.  
McKelvey Molly Frances Catherine  
Monday Jessalyn

A motion was made by Craig Moorhouse to approve/ratify the ratification list for Athletic Trainers to include Newly Licensed, Reinstated and Closed Applications. The motion was seconded by Walter Fitzpatrick. The motion carried.

**IX. Receive reports and/or requests from the Administrative Office**

Presented by Thomasina Scharkey:

**ADMINISTRATORS REPORT**

**Board of Athletic Trainers  
Board Meeting**

This is an Administrative Report from Thomasina Scharkey, Board Administrator. The information contained in this report will keep the board aware of all essential activities pertaining to licensure for Athletic Trainers.

**STATISTICAL REPORT**

The following are the total active licensees as of April 28, 2023:

AT
Active Licensees – 1193

Licensing activities from October 27, 2022, to April 28, 2023:

AT
New applications received – 13
New licenses issued – 37
Reinstated – 9
Number of paper renewals – 4
Number of renewals online – 199
Number of licensees who retired – 6
Expired – 67
Closed Files – 0

For ATs, the number of renewals online during this period constituted a usage rate of 92%.

Board meeting dates for 2023

- November 2<sup>nd</sup>

Board Meeting Dates for 2024

- May 2<sup>nd</sup>
- November 7<sup>th</sup>

**BOARD MEMBER REMINDERS**

The maximum hotel lodging is \$230.00 per night. The mileage remains .65 cents per mile. The meals remain \$59.25 per day for overnight stay.



**X. Discuss and take action, if needed, regarding correspondence**

- A) Matt Schaller MS, ATC, CMPE of Tennessee Orthopedic Clinics – After a brief discussion, the board members provided guidance to the administrative office as to how to respond back to Mr. Schaller. To send a letter stating that it is up to the individual to work out what their responsibilities are between the doctor and the AT. Please review the BOC rule.
- B) Bradley Swope, AT #102 for Board Consultant – A motion was made by Craig Moorhouse to accept Mr. Swope as the newest Board Consultant for the Athletic Trainers board. The motion was seconded by Walter Fitzpatrick. The motion carried.

**XI. Discuss and/or take action, if needed, regarding legislation**

N/A

**XII. Discuss New/Old board business.**

- A) CE Cycle/BOC CE Cycle
- B) CE Broker/BOC Certification
- C) Licensure Day/Out of State Guide
- D) Application Processing time
- E) Supporting Documents Checklist
- F) Care Conference
- G) BOC transcript

A motion was made to send Dr. Helen Binkley, administrative staff and the board attorney to the Care Conference 2023 by Craig Moorhouse. This motion was seconded by Walter Fitzpatrick. The motion carried.

Mr. Moorhouse volunteered to assist Ms. Nida and Ms. French with A, B, and G of the old and new business items.

**XIII. Board Meeting Dates for 2024**

- **May 2**
- **November 7**

**XIV. Election of officers**

A nomination was made by Craig Moorhouse to elect Helen Binkley as Board Chair. The nomination was seconded by Daniel Lewis. A motion was made to accept Helen Binkley as Board Chair. The motion was seconded by Walter Fitzpatrick. The motion carried.

A nomination was made by Walter Fitzpatrick to elect Craig Moorhouse as Board Vice Chair. The nomination was seconded by Daniel Lewis. A vote was taken to accept Mr. Moorhouse as the Vice Chair. The motion carried.

**XV. Adjournment**

There being no further business, Walter Fitzpatrick, made a motion to adjourn the meeting at 11:06 am, seconded by Craig Moorhouse. The motion carried.

\_\_\_\_\_  
Board Chair

\_\_\_\_\_  
Date

**These minutes were ratified by the board at the November 2, 2023, meeting.**