

**Board of Athletic Trainers  
Minutes**

**Date:** May 5, 2016  
**Time:** 9:00 a.m. CST  
**Location:** Poplar Conference Room  
665 Mainstream Drive  
Ground Floor  
Nashville, TN 37243  
**Members Present:** Monroe Abram, A.T., Chair  
Helen Binkley, A.T., Ph.D.  
Craig Moorhouse, A.T., Vice Chair  
Walter Fitzpatrick, Consumer Member  
**Member(s) Absent:** Alex Diamond, MD  
**Staff Present:** Michael Sobowale, Unit Director  
Lakita Taylor, Board Manager  
Tomica Walker, Board Administrator  
Paetria Morgan, Assistant General Counsel  
Nichelle Dorroh, Office of Investigations, Disciplinary Coordinator  
Vanessa Crutcher, Finance Officer  
**Guest Present:** Clint Sanders- Tennessee Athletic Trainers Society

Upon the determination of a quorum being present, the Board meeting was called to order by Mr. Abram at 9:20 a.m.

**Approval of Minutes**

The Board reviewed the minutes of the last meeting. Mr. Fitzpatrick made a motion to approve the minutes of November 5, 2015 meeting. During discussion, Dr. Binkley stated she would second the motion, provided the minutes are amended to remove the designation of vice-chair beside her name and correctly list Mr. Moorehouse as the elected board vice-chair at the last board meeting. Mr. Sobowale also suggested that Lisa Tittle's name be removed as being present at the November 5 board meeting. Thereafter, Dr. Binkley made a new motion to approve the minutes with the suggested changes. Mr. Fitzpatrick seconded the motion. The motion passed.

**Office of General Counsel Report**

Ms. Paetria Morgan, Attorney for the Board of Athletic Trainers presented the Office of General Counsel (OGC) report as follows:

#### A. Conflict of Interest

Ms. Morgan reminded Board members of the Board's conflict of interest policy. If a member has any personal or financial interest which might appear to be a conflict of interest, whether it relates to a contested case, a rulemaking issue, or any other Board decision, that fact should be shared with the Board so that a decision may be made regarding the need for recusal.

#### B. Litigation

OGC currently has ten (10) open cases pertaining to the Board of Athletic Trainers. OGC will be presenting seven (7) consent orders today.

#### C. Rules

The fee increase rules are now in the Secretary of State's Office, and they have an effective date of June 21, 2016. The biennial renewal fee will be increased from \$150.00 to \$200.00.

Ms. Morgan informed the Board that the Government Operations Committee extended the sunset for the Board of Athletic Trainers until 2022. She also informed the Board of Public Chapter 719 as it relates to additional grounds for discipline. This legislation allows licensing authorities for certain regulatory agencies to consider whether a person's conviction for the commission of a felony bears directly on the person's fitness to practice competently when making determinations regarding the person's licensure status.

#### D. Consent Orders

**1. Bill Grady Barefield, AT License # 448** - Ms. Morgan presented a Consent Order on Bill Grady Barefield, AT, for providing services without referrals or prescription for approximately 3 months and falsifying documentation for approximately 2 months. After discussion, Mr. Fitzpatrick made a motion, seconded by Ms. Binkley, to accept the Consent Order as presented. The motion carried.

**2. Joseph Todd Bullard, AT License # 824**- Ms. Morgan presented a Consent Order on Joseph Todd Bullard, AT for violating the standards of practice as determined by the board. After discussion, Ms. Binkley made a motion, seconded by Mr. Fitzpatrick, to accept the Consent Order as presented. The motion carried.

**3. Jeffrey Ryan Falis, AT License # 1879**- Ms. Morgan presented a Consent Order on Jeffrey Ryan Falis, AT for unlicensed practice for approximately one month. After discussion, Ms. Binkley made a motion, seconded by Mr. Moorhouse, to accept the Consent Order as presented. The motion carried.

**4. Annaleza M. Jones, AT License # 1871**- Ms. Morgan presented a Consent Order on Annaleza M. Jones, AT for unlicensed practice for approximately six months. After discussion,

Ms. Binkley made a motion, seconded by Mr. Moorhouse to accept the Consent Order as presented. The motion carried.

**5. Natoshia Marie Mancini, AT License # 1544-** Ms. Morgan presented a Consent Order on Natoshia Marie Mancini, AT for practicing on a lapsed license for approximately sixteen months. After discussion, Mr. Moorhouse made a motion, seconded by Mr. Fitzpatrick to accept the Consent Order as presented. The motion carried.

**6. Darrell Matthew Turner, AT License # 1561-** Ms. Morgan presented a Consent Order on Darrell Matthew Turner, AT for unlicensed practice for approximately eight months. After discussion, Mr. Moorhouse made a motion, seconded by Ms. Binkley to accept the Consent Order as presented. The motion carried.

**7. Kathryn Zeitler, AT License # 1876-** Ms. Morgan presented a Consent Order on Kathryn Zeitler, AT for unlicensed practice for approximately one month. After discussion, Ms. Binkley made a motion, seconded by Mr. Moorhouse to accept the Consent Order as presented. The motion carried.

### **Financial Report**

Vanessa Crutcher presented the Board's financial report. The report reflected total expenditures in the amount of \$61,664.36 and revenue in the amount of \$84,185.12 through June 30, 2015. Board's fiscal year ending June 30, 2015 reflects \$20,843.54 in cumulative carryover.

### **Investigative/Disciplinary Report**

Nichelle Dorroh presented the Board's investigative/disciplinary. There are currently three open complaints in the Office of Investigations and a review is scheduled in June 2016. Currently, the office is monitoring one licensee under Board Order, and two licensees under suspension.

### **Applicant Interviews**

1. Thomas Evans, AT Applicant- Shawn Clark was present on Mr. Evans behalf as he was unable to attend. Mr. Evans application for licensure by reciprocity is being presented to the Board due to discipline in the State of Alabama by the Board of Physical Therapy in 2005. Mr. Evans marked "no" on his application for licensure to the question pertaining to out of state license discipline. Also Mr. Evans' transcripts' does not show a degree in athletic training or related degree. After discussion, Dr. Binkley made a motion, seconded by Mr. Fitzpatrick, to grant approval for licensure after revising page 8 to indicate "yes" to question regarding state discipline. The motion carried.

2. Michael Polascik, AT- Mr. Polascik appeared before the Board regarding out of state discipline in Virginia. He was present. As a graduate assistant at Virginia Technology University, he practiced as an athletic trainer in that State without holding an actual athletic trainers' license. After discussion, Mr. Moorhouse made a motion, seconded by Mr. Fitzpatrick, to grant approval for licensure. The motion carried.

### **Ratifications**

Ms. Binkley made a motion, seconded by Mr. Moorhouse, to approve the following list of new licensees:

#### **NEW LICENSEES**

Avery Louis Kevin	Hudson Marilyn Breanne
Bates Denise S	Jones Emily Denise
Beaulieu Kathryn Ann	Jones Eric Wesley
Beverly Andrew Joseph	Krause Austin Michael
Bey Lasha Inique	Lenahan Jarod Stuart
Bracken Katie Lee	Ligon Margaret Virginia
Branson Briana Mari	Massengill Holly Blaser
Carroll Christina Blair	Maxey Christopher Michael
Casson Robinson Nakia Shaneice	Mohney Sarah Josephine
Clouse Billy Garrett	Moore Jerica Laine
Coppes Corey Michael	Neffendorf Meghan E
Davidson Emily Danielle	Nelder Summer Dawn
Draude Bracey Hancock	Pahls Matthew Ryan
Dycus Hilary Elise	Patrick Kyle Jacob
Ellena Julia Matthey	Price Alexandria Dominique
Evans Joshua Ryan	Robinson Matthew Garret
Freitas Rafael Marins	Stith Danielle Jean
Gilletti Lauren Marie	Swanson Geoffrey Thomas
Greene Matthew Reid	Watson Steven Allen
Halliburton Lauren Elizabeth	Williams Tiffany Diane
Harvey Brandon Colby	Willy Benjamin Myrton
Hillyer Brittany Leanne	

The motion carried.

Mr. Moorhouse made a motion, seconded by Ms. Binkley, to approve the following list of reinstatements:

#### **REINSTATEMENTS**

Brown Deidra Camille  
Emmons Jeremy Scott  
Glover William Christopher  
Kicklighter Taz Hunter  
Mallard Clayton Harris

Mancini Natoshia Marie  
Orengo Oscar  
Trew Kristen Michelle

The motion carried.

Mr. Moorhouse made a motion, seconded by Mr. Fitzpatrick, to approve the following list of closed files:

CLOSED FILES

Bunemann Sara V  
Connolly Debra Riley  
Dunham Erika Anne  
Hildebrand Matthew Davis  
Leonard Kimberly Elizabeth

Miller Jeffrey Thomas  
Mullins Danielle Celeste  
Powell Jordan Alan  
Vandever Lindsay Schultz

Agreed Citations

Mr. Sobowale, administrative director, presented the following Agreed Citation to the board for review and ratification:

**William Glover, License # AT 437** - Mr. Glover signed an Agreed Citation for practicing on a lapsed license. After discussion, Mr. Fitzpatrick made a motion, seconded by Mr. Moorhouse, to approve the Agreed Citation as presented. The motion carried.

**Kristen Legg, License # AT 1570** – Ms. Legg signed an Agreed Citation for practicing on a lapsed license. After discussion, Mr. Fitzpatrick made a motion, seconded by Mr. Moorhouse, to approve the Agreed Citation as presented. The motion carried.

**Clayton Mallard, License # AT 1669** – Mr. Mallard signed an Agreed Citation for practicing on a lapsed license. After discussion, Ms. Binkley made a motion, seconded by Mr. Moorhouse, to approve the Agreed Citation as presented. The motion carried.

**Melody Russell, License # AT 1751** – Ms. Russell signed an Agreed Citation for practicing on a lapsed license. After discussion, Mr. Moorhouse made a motion, seconded by Mr. Fitzpatrick to approve the Agreed Citation as presented. The motion carried.

Administrative Report

Ms. Walker, board administrator, presented the administrative report as follows:

A. There are 959 active licensees as of April 30, 2016.

B. Licensure activity for October 27, 2015 through April 30, 2016:

- New licenses—54
- Reinstated licenses—11
- Retired licenses—4
- Renewed licenses— 24 ( 21 renewed online for March 31, 2016)
- Expired—36

C. TSAC Orders for November 5, 2015 through May 5, 2016

- Orders of Suspension Lifted – 1
- Orders of Suspension - 1

D. Board Vacancies

All positions are currently filled at this time.

### **Other Board Business**

#### **A. Letter to Post-Secondary Institutions**

In order to promote awareness in the athletic training community of the need to employ only licensed Athletic Trainers rendering athletic training services, the Board had previously discussed sending a letter of awareness to all post-secondary institutions and employers of athletic trainers. The letter drafted by the board attorney has been signed by the Board Chair at its last meeting and have been sent out electronically to all licensees who “opted-in” to receive electronic mail notification from the administrative office. Ms. Morgan stated that the issue of unlicensed practice is why the Board is having such a huge increase in cases and it is important that the letter be communicated to people in the profession. Ms. Morgan suggested that the letter be sent via e-mail to appropriate recipients in order to cut down on the costs. The Board discussed that in addition to post-secondary institutions, they would like for the letter to be sent to all public and private secondary schools as well as all post-secondary institutions. Mr. Abram also suggested that it would be helpful if this information is placed in the board’s newsletter.

#### **B. Lapsed License Policy**

Ms. Morgan presented the revised lapsed license policy to the Board for discussion. After discussion, Ms. Binkley made a motion, seconded by Mr. Fitzpatrick, to approve with suggested

revisions for the Board to present an Agreed Citation, which specifies that the administrative office may renew the license with payment of a fine in the amount of \$200 per month, for every month in which the licensee has worked at least one day beyond a thirty (30) days grace period. Should the licensee fail to execute the Agreed Citation or is found to have practiced beyond 6 months on an expired license, the matter will be referred to the Office of General Counsel for discipline. A copy of this policy in its entirety can be found on the Board's website under policies.

#### C. Unlicensed Practice Enforcement Policy

Ms. Morgan suggested changes to the unlicensed practice enforcement policy. The current policy states that individuals found to be practicing without a license can be asked to pay a fine in the amount of \$1000 per day which she considers to be either unrealistic or too prohibitive. After discussion, the board decided to change the policy to reflect payment of civil penalty of \$50-100 per week for the unlicensed individual, \$100-\$200 per week for persons knowingly employing or utilizing the services of unlicensed individuals in the practice of athletic training, and \$500-\$1000 per week against all other entities knowingly employing or contracting for the services on unlicensed individuals. Mr. Fitzpatrick moved 2 motions: to adopt the above changes in the policy regarding first individuals, and then, other employers. Both motions were consecutively seconded by Dr. Binkley and Mr. Moorhouse. Both motions passed.

#### D. Fee Increase

Ms. Crutcher presented a spreadsheet showing scenarios for application fee increase to the board. Mr. Clint Sanders, with Tennessee Athletic Trainers Society stated that their members would prefer to see an increase in the initial application fee because they feel that it is unfair to have the renewal fee be the same amount as the initial application fee. The Board requested to add to the November 3, 2016 agenda, a discussion for a possible rulemaking hearing regarding a fee increase for initial applications.

#### Adjournment

There being no further business to discuss, Mr. Fitzpatrick moved for adjournment of the meeting. Motion was seconded by Mr. Moorhouse. The motion passed.

The meeting was adjourned at 11:49 a.m.

**These minutes were approved by the Board at the November 3 meeting.**

