

# **WEST VIRGINIA LEGISLATURE**

## **2021 REGULAR SESSION**

**Introduced**

## **House Bill 3202**

BY DELEGATE BARNHART

[Introduced March 16, 2021; Referred to the Committee on  
Education then Finance]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,  
 2 designated §18-2-44, relating to ensuring that allowing public high schools to have full-  
 3 time athletic trainers.

*Be it enacted by the Legislature of West Virginia:*

**ARTICLE 2. STATE BOARD OF EDUCATION.**

**§18-2-44. Public schools to have full-time athletic trainers.**

1 (a) County boards shall provide proper medical services to all high school student athletes  
 2 attending the schools of their county and shall have the authority to take any other action  
 3 necessary to protect student athletes from injury, infectious diseases, or any other health  
 4 condition affecting participation in athletic and related activities.

5 (b) Each county board shall employ full time a minimum of one licensed athletic trainer for  
 6 each high school participating in organized sports, ROTC and performing arts to provide  
 7 healthcare for all student-athletes regardless of gender or activity. The county may opt to directly  
 8 hire a full-time athletic trainer to be paid from their annual budget, monies from levies or with  
 9 COVID CARES ACT funds, or the county may contract with a healthcare facility or university to  
 10 employ a full-time athletic trainer.

11 (c) Any person employed as an athletic trainer must be a certified athletic trainer licensed  
 12 by the West Virginia Board of Physical Therapy in accordance with §30-20A-2 of this code.

13 (d) Specialized health procedures that require the skill, knowledge and judgement of a  
 14 licensed health professional may be performed only by licensed athletic trainers, or another  
 15 licensed school health care provider such as Medical Doctor, Doctor of Osteopathy, Doctor of  
 16 Chiropractic, Advanced Registered Nurse Practitioner, Physician Assistant, or Physical Therapist  
 17 who have been trained and retrained every two years. For the purposes of this section  
 18 “specialized health procedures” includes, but is not limited to, concussion evaluation,  
 19 management, and return to play in accordance with §18-2-25a of this code, musculoskeletal injury  
 20 evaluation, management, and return to play, acute injury and illness in athletic participation, and

- 21 management of environmental illnesses and conditions.
- 22 (e) The licensed athletic trainer shall be responsible for compliance with all WVSSAC
- 23 policies and WV codes, including WV codes §18-2-25a (concussions), §18-2-25 (AED) and §18-
- 24 2-25b (Emergency Action Plans for sports) of this code.

NOTE: The purpose of this bill is to have full-time athletic trainers at public high schools in West Virginia.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.