

Article 162, Athletic Training

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§8350. Introduction.

This article applies to the profession of athletic training. The general provisions of all professions contained in article one hundred thirty of this chapter shall apply to this article.

*§8351. Definition.

As used in this article "athletic trainer" means any person who is duly certified in accordance with this article to perform athletic training under the supervision of a physician and limits his or her practice to secondary schools, institutions of postsecondary education, professional athletic organizations, or a person who, under the supervision of a physician, carries out comparable functions on orthopedic athletic injuries, excluding spinal cord injuries, in a health care organization. Supervision of an athletic trainer by a physician shall be continuous but shall not be construed as requiring the physical presence of the supervising physician at the time and place where such services are performed.

The scope of work described herein shall not be construed as authorizing the reconditioning of neurologic injuries, conditions or disease.

* NB Effective until December 22, 2025

* § 8351. Definition.

1. As used in this article "athletic trainer" means any person who is duly licensed in accordance with this article to perform athletic training under the supervision of a physician and limits his or her practice to secondary schools, institutions of postsecondary education, professional athletic organizations, amateur athletic organizations, non-profit athletic organizations, dance organizations, military academies and facilities of the United States, fire training programs or academies, and police training schools and academies. An athletic trainer may also, under the supervision of a physician in a health care organization or a physician's private practice, carry out comparable functions on orthopedic athletic injuries.
2. Supervision of an athletic trainer by a physician shall be continuous but shall not be construed as requiring the physical presence of the supervising physician at the time and place where such services are performed, provided however, that such supervision shall include a signed written agreement or protocol created collaboratively between the supervising physician and licensed athletic trainer. The written agreement or protocol shall address and describe the nature and scope of athletic training services to be performed by such licensed athletic trainer, in accordance with this title. Such written agreement or protocol shall be reviewed at least once a year by the supervising physician and athletic trainer and revised if necessary. No physician shall supervise more than four athletic trainers, except that such limitation shall not apply for athletic trainers practicing in secondary schools, and institutions of postsecondary education, who are practicing under the supervision of a physician who serves as the medical director for such school or institution.
3. An athletic trainer shall make a written or oral referral to a physician of any individual being treated for an orthopedic athletic injury whose symptoms have not improved for a period of four days from the day of onset. An individual treated for an orthopedic athletic injury by an athletic trainer in a healthcare organization or a physician's private practice shall receive a medical evaluation or reevaluation if treatment by the athletic trainer exceeds two weeks.
4. The scope of work described in this section shall not be construed as authorizing the management and treatment of acute, subacute, or chronic neurological pathologies and comorbidities or neurological disease processes. Athletic trainers may, however, perform an initial evaluation and triage of emergent neurological conditions such as potential concussions, spinal cord injuries or nerve injuries that result from engagement in athletic activity, and following the individual's clearance by the supervising physician, the athletic trainer may work with the individual pursuant to the signed written agreement or protocol to manage, monitor and treat concussions and peripheral nerve injuries in such settings as

part of the rehabilitation to return to athletic activity subject to the limitations of subdivision one of this section.

* NB Effective December 22, 2025

*§8352. Definition of practice of athletic training.

The practice of the profession of athletic training is defined as the application of principles, methods and procedures for managing athletic injuries, which shall include the preconditioning, conditioning and reconditioning of an individual who has suffered an athletic injury through the use of appropriate preventative and supportive devices, under the supervision of a physician and recognizing illness and referring to the appropriate medical professional with implementation of treatment pursuant to physician's orders. Athletic training includes instruction to coaches, athletes, parents, medical personnel and communities in the area of care and prevention of athletic injuries.

The scope of work described herein shall not be construed as authorizing the reconditioning of neurologic injuries, conditions or disease.

* NB Effective until December 22, 2025

he practice of the profession of athletic training is defined as:

1. The prevention, recognition, examination, evaluation, assessment, management, treatment and rehabilitation of athletic injuries;
2. The recognition of illness and referral to the appropriate medical professional with implementation of treatment pursuant to physician's orders;
3. Instruction to coaches, athletes, parents, medical personnel, and communities in the area of care and prevention of athletic injuries; and
4. The use of clinically appropriate therapeutic modalities and techniques, including the use of:
 - a. Physical, chemical, and mechanical means including the use of heat, cold, light, air, water, sound, electricity, massage, mobilization as it relates to athletic training, including non-thrust mobilization, and exercise; and
 - b. Appropriate preventative and supportive devices and temporary splinting or bracing.

* NB Effective December 22, 2025

*§8353. Use of the title "certified athletic trainer".

Only a person certified or otherwise authorized under this article shall use the title "certified athletic trainer".

* NB Effective until December 22, 2025

* § 8353. Use of the title "licensed athletic trainer". Only a person licensed or otherwise authorized under this article shall use the title "licensed athletic trainer", "athletic trainer", or the abbreviation "AT" or "LAT" in connection with his or her name or with any trade name in the conduct of his or her profession. Only a person licensed or otherwise authorized under this article shall practice athletic training.

* NB Effective December 22, 2025

*§8354. State committee for athletic trainers.

A state committee for athletic trainers shall be appointed by the board of regents, upon the recommendation of the commissioner and shall assist on matters of certification and professional conduct in accordance with section six thousand five hundred eight of this title. The committee shall consist of five members who are athletic trainers certified in this state. The committee shall assist the state board for medicine in athletic training matters. Nominations and terms of office of the members of the state committee for athletic trainers shall conform to the corresponding provisions relating thereto for state boards under article one hundred thirty of this chapter. Notwithstanding the foregoing, the members of the first committee need not be certified prior to their appointment to the committee.

* NB Effective until December 22, 2025

* § 8354. State committee for athletic trainers. A state committee for athletic trainers shall be appointed by the board of regents, upon the recommendation of the commissioner and shall assist on matters of professional licensing and professional conduct in accordance with section six thousand five hundred eight of this title. The committee shall consist of seven members, five of whom are athletic trainers licensed in this state, one physician who is licensed in the state and certified by a physician specialty certification organization acceptable to the department in the specialties of orthopedic surgery, primary care, family practice, sports medicine, or neurology, and one public member that is a consumer of the profession. The committee shall assist the state board for medicine in athletic training matters. Nominations and terms of office of the members of the state committee for athletic trainers shall conform to the corresponding

provisions relating thereto for state boards under article one hundred thirty of title eight of this chapter.

* NB Effective December 22, 2025

*§8355. Requirements and procedure for professional certification.

For certification as a certified athletic trainer under this article, an applicant shall fulfill the following requirements:

1. Application: file an application with the department;
2. Education: have received an education including a bachelor's, its equivalent or higher degree in accordance with the commissioner's regulations;
3. Experience: have experience in accordance with the commissioner's regulations;
4. Examination: pass an examination in accordance with the commissioner's regulations;
5. Age: be at least twenty-one years of age; and
6. Fees: pay a fee for an initial certificate of one hundred dollars to the department; and a fee of fifty dollars for each triennial registration period.

* NB Effective until December 22, 2025

* § 8355. Requirements and procedure for professional licensure. To qualify for a license as an athletic trainer under this article, an applicant shall fulfill the following requirements:

1. Application: file an application with the department;
2. Education: have received an education including a bachelor's, its equivalent or higher degree in accordance with the commissioner's regulations;
3. Experience: have experience in accordance with the commissioner's regulations;
4. Examination: pass an examination in accordance with the commissioner's regulations;
5. Age: be at least twenty-one years of age;
6. Fees: pay a fee for an initial license of one hundred fifty-eight dollars to the department; and a fee of fifty-eight dollars for each triennial registration period; and
7. Character: be of good moral character as determined by the department.

* NB Effective December 22, 2025

*§8356. Special provisions.

A person shall be certified without examination provided that, within three years from the effective date of regulations implementing the provisions of this article, the individual:

1. files an application and pays the appropriate fees to the department; and
2. meets the requirements of subdivisions two and five of section eight thousand three hundred fifty-five of this article and who in addition:
 - a. has been actively engaged in the profession of athletic training for a minimum of four years during the seven years immediately preceding the effective date of this article; or
 - b. is certified by a United States certifying body acceptable to the department.

* NB Effective until December 22, 2025

* § 8356. Exempt persons. This article shall not be construed to affect or prevent:

1. Qualified members of other licensed or legally recognized professions from performing work incidental to the practice of their profession, except that such persons may not hold themselves out under the title athletic trainer or as performing athletic training.
2. An athletic training student from engaging in clinical practice under the supervision of a licensed athletic trainer as part of a program of study approved by the department.
3. An athletic trainer licensed in another state or country from conducting a teaching clinical demonstration in connection with a program of basic clinical education, graduate education, or post-graduate education in an approved school of athletic training, or in a clinical facility, or a health care agency.

* NB Effective December 22, 2025

*§8356-a. Mandatory continuing education.

1.
 - a. Each licensed athletic trainer, licensed pursuant to this article, shall be required to register triennially with the department to practice in the state and shall comply with the provisions of the mandatory continuing education requirements prescribed in subdivision two of this section

except as set forth in paragraphs (b) and (c) of this subdivision. Licensed athletic trainers who do not satisfy such mandatory continuing education requirements shall not practice until they have met such requirements, and have been issued a registration certificate, except that a licensed athletic trainer may practice without having met such requirements if he or she is issued a conditional registration certificate pursuant to subdivision three of this section.

- b. Each licensed athletic trainer shall be exempt from the mandatory continuing education requirement for the triennial registration period during which he or she is first licensed. In accordance with the intent of this section, adjustment to the mandatory continuing education requirement may be granted by the department for reasons of health certified by an appropriate health care professional, for extended active duty with the armed forces of the United States, or for other good cause acceptable to the department which may prevent compliance.
 - c. A licensed athletic trainer not engaged in practice, as determined by the department, shall be exempt from the mandatory continuing education requirement upon the filing of a statement with the department declaring such status. Any licensee who returns to the practice of athletic training during the triennial registration period shall notify the department prior to reentering the profession and shall meet such mandatory education requirements as shall be prescribed by regulations of the commissioner.
2. During each triennial registration period, an applicant for registration as a licensed athletic trainer shall complete a minimum of forty-five hours of acceptable formal continuing education, as specified in subdivision four of this section, provided that no more than fifteen hours of such continuing education shall consist of self-study courses. Any licensed athletic trainer whose first registration date following the effective date of this section occurs less than three years from such effective date shall complete continuing education hours on a prorated basis, as determined by the department, beginning on such effective date until his or her first registration date thereafter. A licensee who has not satisfied the mandatory continuing education requirements shall not be issued a triennial registration certificate by the department and shall not practice unless and until a conditional registration certificate is issued as provided for in subdivision three of this section. Continuing education hours taken during one triennium shall not be transferred to a subsequent triennium.
 3. The department, in its discretion, may issue a conditional registration to a licensee who fails to meet the continuing education requirements established in subdivision two of this section but who agrees to make up any deficiencies and complete any additional education which the department may require. The fee

for such a conditional registration shall be the same as, and in addition to, the fee for the triennial registration. The duration of such conditional registration shall be determined by the department but shall not exceed one year. Any licensee who is notified of the denial of registration for failure to submit evidence, satisfactory to the department, of required continuing education and who practices without such registration may be subject to disciplinary proceedings pursuant to section sixty-five hundred ten of this title.

4. For purposes of this section:
 - a. "Acceptable learning activities" shall include, but not be limited to, formal courses of learning which contribute to professional practice in athletic training and/or self-study activities; independent study; formal mentoring activities; publication in professional journals; or lectures, which meet the standards prescribed by regulations of the commissioner; and
 - b. "Formal courses of learning" shall include, but not be limited to, collegiate level credit and non-credit courses, professional development programs and technical sessions offered by national, state and local professional associations and any other organizations acceptable to the department, and any other organized educational and technical programs acceptable to the department. Formal courses shall be taken from a sponsor approved by the department, based upon an application and fee, pursuant to the regulations of the commissioner.
5. The department may, in its discretion and as needed to contribute to the health and welfare of the public, require the completion of continuing education credits in specific subjects to fulfill the mandatory continuing education requirement under this section.
6. A licensed athletic trainer shall maintain adequate documentation of completion of acceptable formal continuing education and shall provide such documentation at the request of the department. Failure to provide such documentation upon the request of the department shall be an act of misconduct subject to disciplinary proceedings pursuant to section sixty-five hundred ten of this title.
7. The mandatory continuing education fee shall be payable on or before the first day of each triennial registration period, and shall be paid in addition to the triennial registration fee required by section eighty-three hundred fifty-five of this article.

* NB Effective December 22, 2028

*§8357. Non-liability of certified athletic trainers for first aid or emergency treatment.

Notwithstanding any inconsistent provision of any general, special or local law, any certified athletic trainer who voluntarily and without the expectation of monetary compensation renders first aid or emergency treatment at the scene of an accident or other emergency, outside a hospital, doctor's office or any other place having proper and necessary athletic training equipment, to a person who is unconscious, ill or injured, shall not be liable for damages for injuries alleged to have been sustained by such person or for damages for the death of such person alleged to have occurred by reason of an act or omission in the rendering of such first aid or emergency treatment unless it is established that such injuries were or such death was caused by gross negligence on the part of such athletic trainer. Nothing in this section shall be deemed or construed to relieve a certified athletic trainer from liability for damages for injuries or death caused by an act or omission on the part of an athletic trainer while rendering professional services in the normal and ordinary course of his or her practice.

* NB Effective until December 22, 2025

* § 8357. Non-liability of licensed athletic trainers for first aid or emergency treatment. Notwithstanding any inconsistent provision of any general, special or local law, any licensed athletic trainer who voluntarily and without the expectation of monetary compensation renders first aid or emergency treatment at the scene of an accident or other emergency, outside a hospital, doctor's office or any other place having proper and necessary athletic training equipment, to a person who is unconscious, ill or injured, shall not be liable for damages for injuries alleged to have been sustained by such person or for damages for the death of such person alleged to have occurred by reason of an act or omission in the rendering of such first aid or emergency treatment unless it is established that such injuries were or such death was caused by gross negligence on the part of such athletic trainer. Nothing in this section shall be deemed or construed to relieve a licensed athletic trainer from liability for damages for injuries or death caused by an act or omission on the part of an athletic trainer while rendering professional services in the normal and ordinary course of his or her practice.

* NB Effective December 22, 2025

*§8358. Separability.

If any section of this article, or part thereof, shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder of any other section or part thereof.

* NB Effective until December 22, 2025

* § 8358. Limited permits.

1. The department may issue a limited permit to an applicant who meets all qualifications for licensure, except the examination, in accordance with regulations promulgated therefor.
2. Limited permits shall be valid for one year, and such limited permits may be renewed, at the discretion of the department, for one additional year.
3. The fee for each limited permit and for each renewal shall be seventy dollars.
4. A limited permit holder shall practice only under the supervision of a physician as determined in accordance with the commissioner's regulations.

* NB Effective December 22, 2025

*§8359. Special provisions.

Any person who is certified as an athletic trainer on the effective date of this article shall be licensed as an athletic trainer without meeting any additional requirements.

* NB Effective December 22, 2025

*§8360. Separability.

If any section of this article, or part thereof, shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder of any other section or part thereof.

* NB Effective December 22, 2025