

# D R A F T

## SUMMARY

Directs Health Licensing Office to issue license to engage in practice of athletic training to qualified applicant. Defines “practice of athletic training.”

Becomes operative January 1, 2020.

Takes effect on 91st day following adjournment sine die.

## A BILL FOR AN ACT

Relating to athletic trainers; creating new provisions; amending ORS 336.485, 417.875, 688.701, 688.709, 688.715, 688.718, 688.720, 688.730 and 688.734; and prescribing an effective date.

**Be It Enacted by the People of the State of Oregon:**

## ATHLETIC TRAINERS

**SECTION 1.** ORS 688.701 is amended to read:

688.701. As used in ORS 688.701 to 688.734:

*[(1) “Athlete” means any individual participating in fitness training and conditioning, sports or other competitions, practices or activities requiring physical strength, agility, flexibility, range of motion, speed or stamina, generally conducted in association with an educational institution, or professional or amateur sports activity.]*

*[(2) “Athletic injury” means an injury occurring as the result of participating as an athlete.]*

*[(3) “Board” means the Board of Athletic Trainers.]*

*[(4) “Practice athletic training” means the application by a registered ath-*

1 *letic trainer of principles and methods of:]*

2 [(a) *Prevention of athletic injuries;*]

3 [(b) *Recognition, evaluation and immediate care of athletic injuries;*]

4 [(c) *Rehabilitation and reconditioning of athletic injuries;*]

5 [(d) *Health care administration; and*]

6 [(e) *Education and counseling.*]

7 [(5) *“Registered athletic trainer” means a person who is registered in ac-*  
8 *cordance with ORS 688.720.*]

9 (1) **“Licensed athletic trainer” means a person who is licensed under**  
10 **ORS 688.720.**

11 (2) **“Practice of athletic training” means the provision of any of the**  
12 **following services, in collaboration with a physician licensed under**  
13 **ORS chapter 677:**

14 (a) **Injury and illness prevention;**

15 (b) **Wellness promotion and education;**

16 (c) **Emergent care, examination and clinical diagnosis;**

17 (d) **Therapeutic intervention; and**

18 (e) **Rehabilitation of injuries and other medical conditions.**

19 **SECTION 2.** ORS 688.709 is amended to read:

20 688.709. The Board of Athletic Trainers shall:

21 (1) Advise the Health Licensing Office about the adoption of rules neces-  
22 sary for the administration of ORS 688.701 to 688.734.

23 (2) Determine training and education requirements for [*registration as*  
24 *described in*] **licensure under** ORS 688.720.

25 (3) Determine qualifications and documentation required for  
26 [*registrations*] **licenses**, permits, temporary [*registrations*] **licenses** and  
27 waivers.

28 (4) Determine requirements for reciprocity and equivalency for the prac-  
29 tice of athletic training.

30 (5) Establish a code of professional responsibility and standards of prac-  
31 tice for [*registered*] **licensed** athletic trainers.

1 (6) Develop, approve or recognize a written examination to test an  
2 applicant's knowledge of the basic and clinical sciences relating to athletic  
3 training techniques and methods and any other subjects the board [*may de-*  
4 *termine to be*] **determines** necessary to assess an applicant's fitness to **en-**  
5 **gage in the practice of** athletic training.

6 (7) Establish standards for acceptable performance, including but not  
7 limited to a passing score on the approved or recognized competency exam-  
8 ination.

9 (8) Establish policies and criteria for the assessment of the quality of the  
10 practice of athletic trainers.

11 (9) Adopt rules that include provisions describing procedures[, *when ap-*  
12 *propriate,*] for collaboration between athletic trainers and physicians licensed  
13 pursuant to ORS chapter 677.

14 **SECTION 3.** ORS 688.715 is amended to read:

15 688.715. The Health Licensing Office [*is granted authority to carry out the*  
16 *following duties*] **may**:

17 (1) Adopt rules [*that are*] necessary to conduct business, carry out duties  
18 and administer the provisions of ORS 688.701 to 688.734.

19 (2) Issue [*registrations*] **licenses**, including temporary [*registrations*] **li-**  
20 **censes**, permits, waivers and other authorizations to **engage in the practice**  
21 **of** athletic training as determined by the Board of Athletic Trainers.

22 (3) Authorize all necessary disbursements to carry out the provisions of  
23 ORS 688.701 to 688.734, including but not limited to payment for necessary  
24 supplies, office equipment, books and expenses for the conduct of examina-  
25 tions, payment for legal and investigative services rendered to the office and  
26 such other expenditures [*as are*] provided for in ORS 688.701 to 688.734.

27 (4)(a) Employ inspectors, examiners, special agents, investigators, clerical  
28 assistants and accountants [*as are*] necessary for the investigation and  
29 prosecution of alleged violations and the enforcement of ORS 688.701 to  
30 688.734, and for such other purposes as the office may require.

31 (b) Nothing in ORS 688.701 to 688.734 [*shall*] **may** be construed to prevent

1 **an employee of the office from rendering** assistance [*being rendered by*  
2 *an employee of the office in any hearing called by it*] **to the board in a**  
3 **hearing called by the office.** However, all obligations for salaries and ex-  
4 penses incurred under ORS 688.701 to 688.734 shall be paid only from the fees  
5 accruing to the office under ORS 688.701 to 688.734.

6 (5) Provide the board with such administrative services and employees as  
7 the board requires to carry out its duties.

8 (6) Maintain an accurate record of all **meetings and** proceedings of the  
9 board [*and of all its meetings*], **any board** receipts and disbursements, civil  
10 penalties and orders for violation of ORS 688.701 to 688.734, records for  
11 [*registration*] **licensure to engage in the practice of** athletic training to-  
12 gether with the addresses of [*those registered,*] **persons licensed** and the  
13 names of all persons whose [*registration*] **licensure** has been subject to dis-  
14 ciplinary action.

15 (7) Investigate complaints, take disciplinary action, including assessment  
16 of civil penalties, and provide opportunity for hearing according to ORS  
17 183.745.

18 (8) Administer oaths, issue notices and subpoenas in the name of the  
19 board, enforce subpoenas in the manner authorized by ORS 183.440, hold  
20 hearings and perform such other acts [*as are*] reasonably necessary to carry  
21 out duties of the board granted under ORS 688.701 to 688.734.

22 **SECTION 4.** ORS 688.718 is amended to read:

23 688.718. (1) A person may not **engage in the practice of** athletic training  
24 or claim to be a [*registered*] **licensed** athletic trainer unless the person is  
25 [*registered*] **licensed** under ORS 688.720.

26 (2) Nothing in ORS 688.701 to 688.734 is intended to:

27 (a) Limit, preclude or otherwise interfere with the practices of health care  
28 providers or other persons licensed or registered in this state under any  
29 other statutes, or prevent health care providers or other persons from en-  
30 gaging in the profession or occupation for which the health care provider  
31 or person is licensed or registered;

1 (b) Prevent any person from performing athletic training services if the  
2 person is employed as an athletic trainer by the federal government or any  
3 of its agencies;

4 (c) Prohibit a person from performing athletic training services if:

5 (A) The person accompanies **an organization or** a sports team from an-  
6 other state, a territory of the United States or a foreign country;

7 (B) The **organization or** team is in this state for purposes related to  
8 competition or training; and

9 (C) The person performs athletic training services only on members of the  
10 **organization or** team and the services are performed for no more than 60  
11 days in a calendar year;

12 (d) Preclude any person from pursuing a supervised course of study lead-  
13 ing to a degree or [*registration*] **licensure** as an athletic trainer in an ac-  
14 credited or approved educational program if the person is identified by a title  
15 that clearly indicates student or trainee status;

16 (e) Prevent any person from completing any supervised practical experi-  
17 ence requirements established by the Board of Athletic Trainers by rule; or

18 (f) Prohibit any person from performing athletic training services in this  
19 state for purposes of continuing education, consulting or training if the ser-  
20 vices are performed for no more than 60 days in any calendar year and are  
21 performed in association with a [*registered*] **licensed** athletic trainer if the  
22 person is:

23 (A) Registered or licensed and in good standing as an athletic trainer in  
24 another state; or

25 (B) Certified as an athletic trainer by, and in good standing with, the  
26 national Board of Certification.

27 (3) Nothing in ORS 688.701 to 688.734 [*shall*] **may** be construed to require  
28 [*registration*] **licensure** of an elementary or secondary school teacher, coach  
29 or volunteer who:

30 (a) Does not purport to be an athletic trainer; and

31 (b) Is acting within the scope of the person's duties as a teacher, coach

1 or volunteer.

2 **SECTION 5.** ORS 688.720 is amended to read:

3 688.720. *[(1) The Health Licensing Office shall issue a registration as an*  
4 *athletic trainer under ORS 688.701 to 688.734 to an applicant who has:]*

5 *[(a) Provided to the office adequate proof of:]*

6 *[(A) Receipt of a bachelor's degree from an accredited four-year college or*  
7 *university and having met the minimum athletic training curriculum require-*  
8 *ments established by the Board of Athletic Trainers by rule; or]*

9 *[(B) Military experience or training that the board determines is substan-*  
10 *tially equivalent to the education required by subparagraph (A) of this para-*  
11 *graph;]*

12 *[(b) Successfully completed the certification examination administered by*  
13 *the national Board of Certification, or an equivalent examination approved by*  
14 *the Board of Athletic Trainers;]*

15 *[(c) Completed any other requirements for registration as determined by the*  
16 *Board of Athletic Trainers by rule;]*

17 *[(d) Submitted to the office adequate documentation that the applicant is*  
18 *at least 18 years of age; and]*

19 *[(e) Paid the applicable fees for registration established under ORS*  
20 *676.576.]*

21 *[(2) The office shall issue a registration under this section to an applicant*  
22 *who has not successfully completed an examination under subsection (1) of this*  
23 *section if the applicant:]*

24 *[(a) Furnishes documentation that demonstrates that the applicant meets the*  
25 *education, experience or training requirements described in subsection (1)(a)*  
26 *of this section; and]*

27 *[(b) Is registered as an athletic trainer in another state or by a national*  
28 *association and the board determines that the registration requirements of the*  
29 *other state or the association are substantially equivalent to the registration*  
30 *requirements described in subsection (1)(c) of this section.]* **The Health Li-**

31 **censing Office shall issue a license to engage in the practice of athletic**

1 **training to an applicant who submits to the office:**

2 **(1) Sufficient proof that the applicant:**

3 **(a) Has passed a nationally accredited examination that is approved**  
4 **by the Board of Athletic Trainers;**

5 **(b) Is at least 18 years of age; and**

6 **(c) Has met other requirements for licensure established by the**  
7 **board; and**

8 **(2) The fee established under ORS 676.576.**

9 **SECTION 6.** ORS 688.730 is amended to read:

10 688.730. (1) A person who is a [*registered*] **licensed** athletic trainer under  
11 ORS 688.701 to 688.734 may use the title “Athletic Trainer, [*Registered*] **Li-**  
12 **icensed**” and the abbreviation [*ATR.*] “**ATL.**”

13 (2) A person who is a [*registered*] **licensed** athletic trainer under ORS  
14 688.701 to 688.734 and who is certified as an athletic trainer by, and in good  
15 standing with, the national Board of Certification may use the title “Athletic  
16 Trainer, [*Certified/Registered*] **Certified/Licensed**” and the abbreviation  
17 “ATC.”

18 **SECTION 7.** ORS 688.734 is amended to read:

19 688.734. In the manner prescribed in ORS chapter 183 for contested cases  
20 and in consultation with the Board of Athletic Trainers, the Health Licens-  
21 ing Office may impose a form of discipline listed in ORS 676.612 against any  
22 person [*practicing*] **engaged in the practice of** athletic training for any of  
23 the grounds listed in ORS 676.612 and for any violation of the provisions of  
24 ORS 688.701 to 688.734 or the rules adopted [*thereunder*] **under ORS 688.701**  
25 **to 688.734.**

26

27

## CONFORMING AMENDMENTS

28

29 **SECTION 8.** ORS 336.485 is amended to read:

30 336.485. (1) As used in this section:

31 (a) “Coach” means a person who instructs or trains members on a school

1 athletic team, as identified by criteria established by the State Board of  
2 Education by rule.

3 (b) "Health care professional" means a physician licensed under ORS  
4 677.100 to 677.228, psychologist, physician assistant or nurse practitioner li-  
5 censed or certified under the laws of this state.

6 (2)(a) Each school district shall ensure that coaches receive annual  
7 training to learn how to recognize the symptoms of a concussion and how  
8 to seek proper medical treatment for a person suspected of having a  
9 concussion.

10 (b) The board shall establish by rule:

11 (A) The requirements of the training described in paragraph (a) of this  
12 subsection, which shall be provided by using community resources to the  
13 extent practicable; and

14 (B) Timelines to ensure that, to the extent practicable, every coach re-  
15 ceives the training described in paragraph (a) of this subsection before the  
16 beginning of the season for the school athletic team.

17 (3) Except as provided in subsection (4) of this section:

18 (a) A coach may not allow a member of a school athletic team to partic-  
19 ipate in any athletic event or training on the same day that the member:

20 (A) Exhibits signs, symptoms or behaviors consistent with a concussion  
21 following an observed or suspected blow to the head or body; or

22 (B) Has been diagnosed with a concussion.

23 (b) A coach may allow a member of a school athletic team who is pro-  
24 hibited from participating in an athletic event or training, as described in  
25 paragraph (a) of this subsection, to participate in an athletic event or  
26 training no sooner than the day after the member experienced a blow to the  
27 head or body and only after the member:

28 (A) No longer exhibits signs, symptoms or behaviors consistent with a  
29 concussion; and

30 (B) Receives a medical release form from a health care professional.

31 (4) A coach may allow a member of a school athletic team to participate



1 in any athletic event or training at any time after an athletic trainer [*reg-*  
2 *istered*] **licensed** by the Board of Athletic Trainers determines that the  
3 member has not suffered a concussion. The athletic trainer may, but is not  
4 required to, consult with a health care professional in making the determi-  
5 nation that the member has not suffered a concussion.

6 **SECTION 9.** ORS 336.485, as amended by section 1, chapter 121, Oregon  
7 Laws 2018, is amended to read:

8 336.485. (1) As used in this section:

9 (a) “Coach” means a person who instructs or trains members of a school  
10 athletic team, as identified by criteria established by the State Board of  
11 Education by rule.

12 (b) “Qualified health care professional” means:

13 (A) A physician licensed pursuant to ORS 677.100 to 677.228; or

14 (B) A health care professional who meets the requirements described in  
15 section 3, chapter 121, Oregon Laws 2018, to provide a medical release for a  
16 member of a school athletic team who is suspected of having a concussion.

17 (2)(a) Each school district shall ensure that coaches receive annual  
18 training to learn how to recognize the symptoms of a concussion and how  
19 to seek proper medical treatment for a person who is suspected of having a  
20 concussion.

21 (b) The board shall establish by rule:

22 (A) The requirements of the training described in paragraph (a) of this  
23 subsection, which shall be provided by using community resources to the  
24 extent practicable; and

25 (B) Timelines to ensure that, to the extent practicable, every coach re-  
26 ceives the training described in paragraph (a) of this subsection before the  
27 beginning of the season for the school athletic team.

28 (3) Except as provided in subsection (4) of this section:

29 (a) A coach may not allow a member of a school athletic team to partic-  
30 ipate in any athletic event or training on the same day that the member:

31 (A) Exhibits signs, symptoms or behaviors consistent with a concussion

1 following an observed or suspected blow to the head or body; or

2 (B) Has been diagnosed with a concussion.

3 (b) A coach may allow a member of a school athletic team who is pro-  
4 hibited from participating in an athletic event or training, as described in  
5 paragraph (a) of this subsection, to participate in an athletic event or  
6 training no sooner than the day after the member experienced a blow to the  
7 head or body and only after the member:

8 (A) No longer exhibits signs, symptoms or behaviors consistent with a  
9 concussion; and

10 (B) Receives a medical release from a qualified health care professional.

11 (4) A coach may allow a member of a school athletic team to participate  
12 in any athletic event or training at any time after an athletic trainer [*reg-*  
13 *istered*] **licensed** by the Board of Athletic Trainers, or a physician licensed  
14 pursuant to ORS 677.100 to 677.228, determines that the member has not  
15 suffered a concussion. The athletic trainer or physician may, but is not re-  
16 quired to, consult with a qualified health care professional in making the  
17 determination that the member of a school athletic team has not suffered a  
18 concussion.

19 **SECTION 10.** ORS 417.875 is amended to read:

20 417.875. (1) As used in this section:

21 (a) “Coach” means a person who volunteers for, or is paid to instruct or  
22 train members of, a nonschool athletic team.

23 (b) “Health care professional” means a physician licensed under ORS  
24 677.100 to 677.228, psychologist, physician assistant or nurse practitioner li-  
25 censed or certified under the laws of this state.

26 (c) “League governing body” means a governing body that:

27 (A) Oversees an association of nonschool athletic teams that provide in-  
28 struction or training for team members and that may compete with each  
29 other; and

30 (B) Is affiliated with, or otherwise sponsored or organized by, a nonprofit  
31 corporation established as provided by ORS chapter 65.

1 (d) "Nonschool athletic team" means an athletic team that includes  
2 members who are under 18 years of age and that is not affiliated with a  
3 public school in this state.

4 (e) "Referee" means a person who volunteers or is paid to act as a referee,  
5 as an umpire or in a similar supervisory position for events involving non-  
6 school athletic teams.

7 (f) "Referee governing body" means a governing body that:

8 (A) Trains and certifies individuals to serve as referees for nonschool  
9 athletic team events; and

10 (B) Is affiliated with, or otherwise sponsored or organized by, a nonprofit  
11 corporation established as provided by ORS chapter 65.

12 (2)(a) Each league governing body and each referee governing body shall  
13 ensure that the coaches and the referees, respectively, receive annual train-  
14 ing to learn how to recognize the symptoms of a concussion and how to seek  
15 proper medical treatment for a person suspected of having a concussion.

16 (b) Each league governing body and each referee governing body shall  
17 adopt a policy that establishes:

18 (A) The requirements of the training described in paragraph (a) of this  
19 subsection; and

20 (B) Procedures that ensure that every coach and referee receives the  
21 training described in paragraph (a) of this subsection.

22 (3) Except as provided in subsection (4) of this section:

23 (a) A coach may not allow a member of a nonschool athletic team to  
24 participate in any athletic event or training on the same day that the mem-  
25 ber:

26 (A) Exhibits signs, symptoms or behaviors consistent with a concussion  
27 following an observed or suspected blow to the head or body; or

28 (B) Has been diagnosed with a concussion.

29 (b) A coach may allow a member of a nonschool athletic team who is  
30 prohibited from participating in an athletic event or training, as described  
31 in paragraph (a) of this subsection, to participate in an athletic event or

1 training no sooner than the day after the member experienced a blow to the  
2 head or body and only after the member:

3 (A) No longer exhibits signs, symptoms or behaviors consistent with a  
4 concussion; and

5 (B) Receives a medical release form from a health care professional.

6 (4) A coach may allow a member of a nonschool athletic team to partic-  
7 ipate in any athletic event or training at any time after an athletic trainer  
8 [*registered*] **licensed** by the Board of Athletic Trainers determines that the  
9 member has not suffered a concussion. The athletic trainer may, but is not  
10 required to, consult with a health care professional in making the determi-  
11 nation that the member has not suffered a concussion.

12 (5) The league governing body shall develop or use existing guidelines and  
13 other relevant materials, and shall make available those guidelines and ma-  
14 terials, to inform and educate persons under 18 years of age desiring to be  
15 a member on a nonschool athletic team, the parents and legal guardians of  
16 the persons and the coaches about the symptoms and warning signs of a  
17 concussion.

18 (6) For each year of participation, and prior to a person under 18 years  
19 of age participating as a member on a nonschool athletic team, at least one  
20 parent or legal guardian of the person must acknowledge the receipt of the  
21 guidelines and materials described in subsection (5) of this section and the  
22 review of those guidelines and materials by:

23 (a) The parent or legal guardian of the person; and

24 (b) If the person is 12 years of age or older, the person.

25 (7) A league governing body may hold an informational meeting prior to  
26 the start of any season for each nonschool athletic team regarding the  
27 symptoms and warning signs of a concussion.

28 (8)(a) Any person who regularly serves as a coach or as a referee and who  
29 complies with the provisions of this section is immune from civil or criminal  
30 liability related to a head injury unless the person acted or failed to act  
31 because of gross negligence or willful or wanton misconduct.

1 (b) Nothing in this section shall be construed to affect the civil or crim-  
2 inal liability related to a head injury of a person who does not regularly  
3 serve as a coach or a referee.

4 **SECTION 11.** ORS 417.875, as amended by section 2, chapter 121, Oregon  
5 Laws 2018, is amended to read:

6 417.875. (1) As used in this section:

7 (a) “Coach” means a person who volunteers for, or is paid to instruct or  
8 train members of, a nonschool athletic team.

9 (b) “League governing body” means a governing body that:

10 (A) Oversees an association of nonschool athletic teams that provide in-  
11 struction or training for team members and that may compete with each  
12 other; and

13 (B) Is affiliated with, or otherwise sponsored or organized by, a nonprofit  
14 corporation established as provided by ORS chapter 65.

15 (c) “Nonschool athletic team” means an athletic team that includes  
16 members who are under 18 years of age and that is not affiliated with a  
17 public school in this state.

18 (d) “Qualified health care professional” means:

19 (A) A physician licensed pursuant to ORS 677.100 to 677.228; or

20 (B) A health care professional who meets the requirements described in  
21 section 3, chapter 121, Oregon Laws 2018, to provide a medical release for a  
22 member of a nonschool athletic team who is suspected of having a  
23 concussion.

24 (e) “Referee” means a person who volunteers or is paid to act as a referee,  
25 as an umpire or in a similar supervisory position for events involving non-  
26 school athletic teams.

27 (f) “Referee governing body” means a governing body that:

28 (A) Trains and certifies individuals to serve as referees for nonschool  
29 athletic team events; and

30 (B) Is affiliated with, or otherwise sponsored or organized by, a nonprofit  
31 corporation established as provided by ORS chapter 65.

1 (2)(a) Each league governing body and each referee governing body shall  
2 ensure that the coaches and the referees, respectively, receive annual train-  
3 ing to learn how to recognize the symptoms of a concussion and how to seek  
4 proper medical treatment for a person who is suspected of having a  
5 concussion.

6 (b) Each league governing body and each referee governing body shall  
7 adopt a policy that establishes:

8 (A) The requirements of the training described in paragraph (a) of this  
9 subsection; and

10 (B) Procedures that ensure that every coach and referee receives the  
11 training described in paragraph (a) of this subsection.

12 (3) Except as provided in subsection (4) of this section:

13 (a) A coach may not allow a member of a nonschool athletic team to  
14 participate in any athletic event or training on the same day that the mem-  
15 ber:

16 (A) Exhibits signs, symptoms or behaviors consistent with a concussion  
17 following an observed or suspected blow to the head or body; or

18 (B) Has been diagnosed with a concussion.

19 (b) A coach may allow a member of a nonschool athletic team who is  
20 prohibited from participating in an athletic event or training, as described  
21 in paragraph (a) of this subsection, to participate in an athletic event or  
22 training no sooner than the day after the member experienced a blow to the  
23 head or body and only after the member:

24 (A) No longer exhibits signs, symptoms or behaviors consistent with a  
25 concussion; and

26 (B) Receives a medical release from a qualified health care professional.

27 (4) A coach may allow a member of a nonschool athletic team to partic-  
28 ipate in any athletic event or training at any time after an athletic trainer  
29 [*registered*] **licensed** by the Board of Athletic Trainers, or a physician li-  
30 censed pursuant to ORS 677.100 to 677.228, determines that the member of a  
31 nonschool athletic team has not suffered a concussion. The athletic trainer

1 or physician may, but is not required to, consult with a qualified health care  
2 professional in making the determination that the member of a nonschool  
3 athletic team has not suffered a concussion.

4 (5) The league governing body shall develop or use existing guidelines and  
5 other relevant materials, and shall make available those guidelines and ma-  
6 terials, to inform and educate persons under 18 years of age desiring to be  
7 a member of a nonschool athletic team, the parents and legal guardians of  
8 the persons and the coaches about the symptoms and warning signs of a  
9 concussion.

10 (6) For each year of participation, and prior to a person under 18 years  
11 of age participating as a member of a nonschool athletic team, at least one  
12 parent or legal guardian of the person must acknowledge the receipt of the  
13 guidelines and materials described in subsection (5) of this section and the  
14 review of those guidelines and materials by:

- 15 (a) The parent or legal guardian of the person; and
- 16 (b) If the person is 12 years of age or older, the person.

17 (7) A league governing body may hold an informational meeting prior to  
18 the start of any season for each nonschool athletic team regarding the  
19 symptoms and warning signs of a concussion.

20 (8)(a) Any person who regularly serves as a coach or as a referee and who  
21 complies with the provisions of this section is immune from civil or criminal  
22 liability related to a head injury unless the person acted or failed to act  
23 because of gross negligence or willful or wanton misconduct.

24 (b) Nothing in this section shall be construed to affect the civil or crim-  
25 inal liability related to a head injury of a person who does not regularly  
26 serve as a coach or a referee.

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## APPLICABILITY

29

30 **SECTION 12. The amendments to ORS 336.485, 417.875, 688.701,**  
31 **688.709, 688.715, 688.718, 688.720, 688.730 and 688.734 by sections 1 to 11**

1 of this 2019 Act apply to applications received on and after the opera-  
2 tive date of this 2019 Act.

3  
4 **OPERATIVE DATE**

5  
6 **SECTION 13.** (1) The amendments to ORS 336.485, 417.875, 688.701,  
7 688.709, 688.715, 688.718, 688.720, 688.730 and 688.734 by sections 1 to 11  
8 of this 2019 Act become operative on January 1, 2020.

9 (2) The Board of Athletic Trainers and the Health Licensing Office  
10 may take any action before the operative date specified in subsection  
11 (1) of this section that is necessary to enable the board and the office  
12 to exercise, on and after the operative date specified in subsection (1)  
13 of this section, all of the duties, functions and powers conferred on the  
14 board and the office by the amendments to ORS 336.485, 417.875,  
15 688.701, 688.709, 688.715, 688.718, 688.720, 688.730 and 688.734 by sections  
16 1 to 11 of this 2019 Act.

17  
18 **CAPTIONS**

19  
20 **SECTION 14.** The unit and section captions used in this 2019 Act  
21 are provided only for the convenience of the reader and do not become  
22 part of the statutory law of this state or express any legislative intent  
23 in the enactment of this 2019 Act.

24  
25 **EFFECTIVE DATE**

26  
27 **SECTION 15.** This 2019 Act takes effect on the 91st day after the  
28 date on which the 2019 regular session of the Eightieth Legislative  
29 Assembly adjourns sine die.