

**Texas Department of Licensing and Regulation
Compliance Division Staff Report
Advisory Board of Athletic Trainers Meeting
July 19, 2017**

Public Outreach

- Staff will have a booth at Southwest Athletic Trainers Association 63rd Annual Clinical Symposium in San Marcos to distribute information and answer licensing questions from participants.

Health Professions Section Update

- The Health Professions Section remains focused on maintaining and improving the operation of the seven Phase I programs transferred from DSHS, including the Athletic Trainers Licensing Program.
- Compliance staff continue to be represented on the Versa Improvement Team to recommend improvements to the licensing database system.
- Section staff are continuing to prepare for the SB 202, Phase II program transition, scheduled for November 1, 2017. In Phase II, 6 additional programs from DSHS will transfer to TDLR (massage therapy, sanitarians, code enforcement officers, offender education providers, mold assessors/remediators, and laser hair removal facilities/personnel). The Commission will be voting to adopt proposed rules at the July 28, 2017 Commission meeting.

**ADVISORY BOARD OF ATHLETIC TRAINERS
JULY 19, 2017**

CURRENT PROJECTS

Relocation Update

We have settled into our new space at the North Campus, Suite 105W.

Phase II – Transfer of the Health Services Programs

The following programs will come to TDLR from the Department of State Health Services (DSHS) as authorized by **Senate Bill 202**, 84th Regular Session, on November 1, 2017

- Code Enforcement Officers
- Laser Hair Removal
- Massage Therapy
- Mold Assessors and Remediators
- Offender Education Providers
- Sanitarians

Our staff is diligently working to become familiar with each new program.

Education and School Services Section

Examination

The Athletic Trainer Exam Review Committee met April 6-7, 2017. The purpose of this meeting was to go over poorly performing items and to discuss the future administrations of the practical exams.

The Education Support Staff will attend the Southwest Athletic Trainers' Association (SWATA) 63rd Annual Clinical Symposium in San Marcos Texas on July 20-21, 2017. The Support Staff will be at the TDLR information booth.

Continuing Education Course Completion Record Fees

CE Completion Fees Totals Invoiced for fiscal year	\$1,178,910.00
Total Payments Received for fiscal year	\$1,049,545.00
Current Balance Due (as of May 31, 2017)	\$ 129,365.00

Total E-Mail Answered by Staff
(as of May 31, 2017)

MONTH	FY2017	FY 2016	FY 2015
September	1,158	1,389	
October	1,263	1,060	
November	744	996	
December	653	760	
January	955	1,060	
February	974	1,047	
March	1,463	994	
April	981	966	
May	1,140	1,061	
TOTAL	9,331	9,333	0

EDUCATION AND EXAMINATION STATISTICS AND TRENDS

ATHLETIC TRAINERS EXAMINATION STATISTICS

(AS OF MAY 31, 2017)

FY 2017	SEP	OCT	NOV	Q1	DEC	JAN	FEB	Q2	MAR	APR	MAY	Q3	JUN	JUL	AUG	Q4	TOT
PASS	0	0	7	7	42	0	2	44	3	38	2	43	0	0	0	0	94
FAIL	0	0	18	18	46	5	3	54	13	48	14	75	0	0	0	0	147
TOTAL	0	0	25	25	88	5	5	98	16	86	16	118	0	0	0	0	241
RATE	0.0%	0.0%	28.0%	28.0%	47.7%	0.0%	40.0%	44.9%	18.8%	44.2%	12.5%	36.4%	0.0%	0.0%	0.0%	0.0%	39.0%

ATHLETIC TRAINERS EXAMINATION BY EXAMINATION TYPE

SEPTEMBER - - OCTOBER - NOVEMBER *1ST QUARTER				
EXAMINATION TYPE	PASS	FAIL	TOTAL	RATE
WRITTEN	7	18	25	28.00%
PRACTICAL	0	0	0	0.00%
TOTAL	7	18	25	28.00%
DECEMBER - - JANUARY - - FEBRUARY 2ND QUARTER				
EXAMINATION TYPE	PASS	FAIL	TOTAL	RATE
WRITTEN	15	32	47	31.91%
PRACTICAL	29	22	51	56.86%
TOTAL	44	54	98	44.90%
MARCH - - APRIL - - MAY 3RD QUARTER				
EXAMINATION TYPE	PASS	FAIL	TOTAL	RATE
WRITTEN	19	64	83	22.89%
PRACTICAL	24	11	35	68.57%
TOTAL	43	75	118	36.44%
JUNE - - JULY - - AUGUST 4TH QUARTER				
EXAMINATION TYPE	PASS	FAIL	TOTAL	RATE
WRITTEN	0	0	0	0.00%
PRACTICAL	0	0	0	0.00%
TOTAL	0	0	0	0.00%

*1st Quarter November only.

Athletic Trainer Advisory Board
Enforcement Division Staff Report
July 19, 2017

Recent Accomplishments and Current Projects

- On March 27, the penalty matrix for the Athletic Trainers program was published on the Department's website. The penalty matrix was approved by the Commission on January 27, and was published in the Texas Register shortly thereafter.

Case Highlights

- Jace M. Coons, case number ATH20170006238 (Origin: complaint to Board in 2014)
 - In 2015 this licensee was placed on deferred adjudication community supervision after he pled guilty to the felony offenses of compelling or inducing the sexual performance of a child and possession of child pornography. Those charges arose out of a relationship he had developed with a student at the high school where he was employed as an Athletic Trainer.
 - In December 2016, the court revoked his community supervision, found him guilty, and sentenced him to prison. The Texas Occupations Code provides that an occupational license is automatically revoked when a licensee is imprisoned for a felony. The Department notified the licensee of the revocation.
- Raul de la Cruz, 20170006200 (Origin: complaint to Board in 2015)
 - This licensee had held a license since 2012. It expired in June 2015. During the fall semester of 2014, the licensee engaged in sexual conduct or sexually exploitative behavior while performing athletic training service, which behavior included touching the breast of a 14-year-old female student for whom the licensee provided athletic training services. He also discussed with students, for whom he provided athletic training services, pornographic videos, sexually arousing noises, and the creation or exchange of nude photographs of himself and students.
 - In 2016, he pled guilty to the charge of Improper Relationship Between Educator/Student. The court deferred adjudicating him and instead placed him on community supervision for 5 years. The Enforcement Division notified him of the violations and of the Department's intent to revoke his license. Mr. de la Cruz did not respond to the notification, so his license was revoked by default in an order signed by the Executive Director in April, 2017.
- Cassie Dawn Sorrell, 20170006124 (Origin: letter from Brazoria County Criminal District Attorney)
 - In March 2017, this licensee agreed to the revocation of her AT license based on her plea of guilty to, and the resulting deferred adjudication for, the offense of Improper Relationship Between Educator/Student. The court placed her on community supervision for 5 years. That offense occurred in 2014 when she had sexual intercourse with a student member of the Alvin High School football team, for whom the licensee provided athletic training services.

Key Statistics – Fiscal Year 2017

Shown below are key statistics for the Athletic Trainer program and for all TDLR programs combined through May of Fiscal Year 2017.

<u>Statistic</u>	<u>ATH</u>	<u>TDLR</u>
• Number of cases opened:	15	9,549
• Number of cases resolved:	12	9,197
• Number of Agreed Orders:	1	1,803
• Total amount of penalties assessed:	\$0	\$4,150,354
• Total amount of penalties collected:	\$0	\$1,947,552

**ADVISORY BOARD OF ATHLETIC TRAINERS
LICENSING REPORT
JULY 19, 2017**

ATHLETIC TRAINERS

	1ST Quarter FY 2017	2ND Quarter FY 2017	3RD Quarter FY 2017
New Licenses Issued	47	61	58
Renewed Licenses Issued	290	504	248
Online Renewals	269	467	225
% Renewed Online	93%	93%	91%
Total Population	3,570	3,573	3,651

TEMPOARY ATHLETIC TRAINER

	1ST Quarter FY 2017	2ND Quarter FY 2017	3RD Quarter FY 2017
New Licenses Issued	11	0	2