

**EXECUTIVE ORDER NO. 33
TO ESTABLISH THE ATHLETIC INJURY MANAGEMENT
RULE EFFECTIVE DATE**

WHEREAS, in 1979, the General Assembly enacted Chapter 986, An Act to Provide Sports Medicine and Emergency Paramedical Services, and Emergency Life Saving Skills to Students in the Public Schools; and

WHEREAS, that Act directed the State Board of Education to establish minimum educational standards necessary to enable individuals serving as sports medicine and emergency paramedical staff to provide those services; and

WHEREAS, by Rule currently codified as 16 NCAC 6E .0203, the State Board adopted a rule that provided for “teacher athletic trainers” to provide these services for students who participate in high school interscholastic athletic programs; and

WHEREAS, by Session Law 1997-387, the General Assembly enacted the “Athletic Trainers Licensing Act,” one effect of which was that the State Board of Education needed to review and revise the qualifications and terminology for those persons who provide athletic injury management services to student-athletes but who are not licensed athletic trainers; and

WHEREAS, on December 31, 2001, the State Board adopted a temporary amendment to 16 NCAC 6E .0203; on July 11, 2002, the Board adopted amendments following a public hearing; and on August 15, 2002, the Rules Review Commission approved the permanent rule; and

WHEREAS, the standard effective date of the permanent rule under the Administrative Procedure Act. N.C. Gen. Stat. § 150B-1 et seq., would be March 1, 2003, at the earliest; and

WHEREAS, for high schools to obtain and provide necessary athletic injury management services to student-athletes in a timely and cost-effective manner it is necessary that the permanent rule become effective for the Fall 2002 sports season; and

WHEREAS, the Administrative Procedure Act authorizes the Governor, by Executive Order, to make effective a permanent rule upon finding that it is necessary to protect public health, safety, and welfare.

NOW, THEREFORE, by the power vested in me as Governor by the Constitution and laws of the State of North Carolina, IT IS ORDERED:

Section 1. Findings.

It is necessary that the permanent rule regarding athletic injury management services for student-athletes, 16 NCAC 6E .0203, become effective no later than September 30, 2002, in order to assure that high schools can provide these services in a timely and cost-effective manner within the funds available to them, for the protection of the public health, safety, or welfare.

Section 2. Effective Date of the Rule.

The permanent rule regarding athletic injury management services for student-athletes, 16 NCAC 6E .0203, is hereby made effective September 30, 2002, pursuant to Executive Order Exception authority contained in the Administrative Procedure Act, N.C. Gen. Stat. § 150B-21.3(c).

Section 3. Effective Date.

This Executive Order is effective immediately and shall remain in effect until rescinded.

Done in the Capital City of Raleigh, North Carolina this the 15th day of October, 2002.

Michael F. Easley
Governor

ATTEST:

Elaine F. Marshall
Secretary of State