



Ohio Occupational Therapy, Physical Therapy, and Athletic Trainers Board
77 South High Street, 16th Floor
Columbus, Ohio 43215-6108

Governor
Ted Strickland
Executive Director
Jeffrey M. Rosa

Before The Ohio
Occupational Therapy, Physical Therapy, and Athletic Trainers Board

Athletic Trainers Section

Julie Sich
1293 Lisa Ann Drive
Akron, OH 44313

IN RE:

The eligibility of Julie Sich,
AT-0001383 to retain her license as an
Athletic Trainer in the State of Ohio

Case No: AT FY10-009

Issue Date: November 9, 2009

Notice of Opportunity for a Hearing

Introduction and Jurisdiction

Section 4755.64(A) of the Ohio Revised Code authorizes the Board to suspend, revoke, or refuse to issue or renew an athletic trainers license, or reprimand, fine or place a licensee on probation, for any of the following:

- (2) Violation of sections 4755.61 to 4755.65 of the Revised Code or any order issued or rule adopted thereunder;
- (5) Violating the standards of ethical conduct in the practice of athletic training as adopted by the athletic trainers section under section 4755.61 of the Revised Code;

In accordance with Chapter 119 and section 4755.64 of the Ohio Revised Code, you are hereby notified that the Athletic Trainers Section of the Ohio Occupational Therapy, Physical Therapy, and Athletic Trainers Board (hereinafter, "Board") intends to determine whether or not to suspend or revoke your athletic trainers license, or reprimand, fine or place you on probation for the following reason:

Count 1

On July 31, 2009, Sich submitted verification of continuing education credits earned for the reporting period of May 16, 2007 through May 15, 2009, as a result of being randomly selected by the Board for an audit of continuing education hours. A review of the information submitted revealed that Sich accounted for 0 of 50 hours of continuing education required for her 2009 license renewal. Said conduct constitutes a violation of Ohio Revised Code section 4755.64(A)(2) & (5) and Ohio Administrative Code rules 4755-41-01(D)(2) & 4755-45-01.

Ohio Administrative Code rule 4755-41-01 states in pertinent part:

- (D) Athletic trainers shall maintain and promote high standards in the provision of services.
- (2) Athletic trainers shall recognize the need for continuing education and participate in various types of educational activities that enhance their skills and knowledge.

Ohio Administrative Code rule 4755-45-01 states:

(A) Pursuant to section 4755.63 of the Revised Code, to renew an athletic trainers license, licensees shall complete:

- (1) Not less than fifty hours of continuing education that meet the requirements of this rule; and
- (2) At least one contact hour of ethics education per renewal cycle. The one hour ethics requirement shall be fulfilled by one of the following:
 - (a) Attendance at a professional workshop, seminar, and/or conference at which at least one hour is spent addressing professional ethics;
 - (b) Presentation at a professional workshop, seminar, and/or conference at which at least one hour is spent presenting professional ethics;
 - (c) Self-study;
 - (d) Attendance at a presentation by the athletic trainers section; or
 - (e) Passage of the Ohio athletic training laws and rules examination in compliance with paragraph (C)(8) of this rule.
- (3) If the license was valid for a period of twelve months or less, the licensee shall complete twenty-five contact hours of continuing education within the renewal cycle, including one contact hour of ethics pursuant to paragraph (A)(2) of this rule.

(B) The athletic trainers section shall determine if a continuing education activity meets the requirements of this rule. Continuing education is defined as participation in an organized continuing education experience under responsible sponsorship, capable direction, and qualified instruction. One contact hour equals sixty minutes pursuant to section 4755.63 of the Revised Code, six units equals fifty contact hours.

- (1) Applications for prior approval of workshop or conference content by the athletic trainers section may be obtained by the workshop or conference sponsor from the board office. For prior approval, completed applications must be received by the section no later than ninety days prior to the date of the workshop or conference.
- (2) If no other form of verification is used, licensees shall obtain from the board office verification of participation form, which are to be signed by each presenter at the conclusion of each presentation. If a presentation is made by a panel of individuals, only one signature is required. Original continuing education certificates or other original documents indicating credits awarded may also be used as verification of participation.

(3) Continuing education hours shall exclude refreshment breaks, receptions and other social gatherings, and meals.

(C) Acceptable continuing education activities may include:

(1) Participation in professional workshops, seminars, and/or conferences.

(a) Credit is obtained by participating in presentations that have either been approved by the athletic trainers section, sponsored by the national athletic trainers association, the national athletic trainers association board of certification, the great lakes athletic trainers association, the Ohio athletic trainers association, or offered by a national athletic trainers association board of certification approved provider, or which otherwise meets all of the following criteria:

(i) Contributes directly to professional competency;

(ii) Relates directly to the clinical practice, management, or education of athletic training; and

(iii) Conducted by individuals who demonstrate expertise in the subject matter of the program.

(b) Proof of content shall be demonstrated by the original workshop or conference brochure, agenda, and/or other materials given to participants during the presentation and/or, if applicable, information documented on prior approval applications made with the board.

(c) A minimum of ten hours shall be earned under this category per renewal cycle. There is no limit on the number of continuing education hours that may be earned in this category.

(2) Presentations. To be eligible to receive continuing education credit for making a presentation, the presentation shall be:

(a) To health or education professionals and/or students; and

(b) Directly related to the clinical practice, management, or education of athletic training professionals.

Five hours will be awarded per presentation, with a maximum of ten hours per renewal cycle. Proof of having conducted the presentation is the workshop, conference, or seminar contract, the brochure, agenda or other printed materials describing the content and audience.

Continuing education credit will not be awarded for subsequent presentations of the same material.

(3) Publication of original work. Ten hours will be awarded per original publication in a state or national scientific journal or publication of a related professional organization. A maximum of twenty hours may be earned in this category per renewal cycle.

(4) Postgraduate courses. Any course completed after receiving a bachelors degree may be submitted for consideration by the athletic trainers section provided the course is directly related to management, practice, or education of athletic training. Proof of completion is an official transcript and a copy of the course description. Five contact hours will be awarded for each semester hour or equivalent accepted, with a maximum of forty hours per renewal cycle.

(5) Self-study. Formal self-study packages related to the practice of

athletic training are acceptable. Proof of completion is the certificate from the self-study sponsors. A maximum of thirty hours may be earned in this category per renewal cycle.

(6) Certification in first aid shall be awarded five hours per renewal cycle.

(7) Certification in CPR.

(a) Continuing education credit shall only be awarded for certification in CPR for the professional rescuer (CPRPR) or CPR for the healthcare provider (CPRHCP).

(b) A maximum of five contact hours may be earned in this category per renewal cycle.

(8) Laws and rules examination. One contact hour may be earned for completing and passing the Ohio athletic training laws and rules examination. This contact hour may be utilized only once per renewal cycle for continuing education credit. Proof of completion will be supplied by the section. This contact hour may be used to fulfill the ethics requirement established in paragraph (A)(2) of this rule.

(D) An athletic training license shall not be renewed unless the licensee signed the renewal application certifying that the individual completed the required number of continuing education hours specified in paragraph (A) of this rule.

A licensee who falsifies a renewal application may be disciplined by the athletic trainers section for violating division (A)(3) of section 4755.64 of the Revised Code.

(E) Records and documentation of continuing education activities, such as verification of participation forms, conference brochures, certificates, college or university transcripts or grade reports, articles, books, and/or apprenticeship evaluations shall be maintained by the licensee.

(F) The athletic trainers section shall conduct an audit of the continuing education records of not less than five per cent of the licensees each renewal year.

(1) Licensees chosen for the audit shall submit documentation to support the continuing education activities within the timeframe specified by the athletic training section. After review of the records and documentation, if requested, the materials shall be returned to the licensee.

(2) Failure to provide proof of the required number of continuing education hours in the appropriate categories, for the specified time period will result in the commencement of disciplinary action.

(3) Failure to respond to or acknowledge receipt of an audit notice will result in the commencement of disciplinary action.

Hearing Procedures

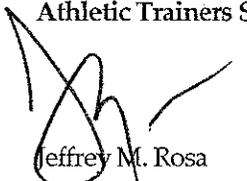
Pursuant to section 119.07 of the Ohio Revised Code, you have the right to request a hearing on these charges, if your written request for a hearing is received by the Board office, located at 77 South High Street, 16th Floor, Columbus, OH 43215, within thirty (30) days of the mailing of this Notice. Further, you are advised that you are entitled to appear at such hearing in person, or by an attorney, or by such other representative who is permitted to practice before the agency. At the hearing, you may present evidence and examine witnesses appearing for or against you. Also, in lieu of personally appearing, you may present your positions, arguments or contentions in writing.

If you do not timely request such a hearing, the Board, upon consideration of the charges cited, may, in your absence, take such disciplinary action it deems appropriate. This action may include, but is not limited to, suspension or revocation of your license.

Please be advised that under section 4755.031 of the Ohio Revised Code, a person sanctioned under section 4755.11, 4755.47, 4755.482, or 4755.64 of the Revised code shall pay a fee in the amount of the actual cost of the administrative hearing including the cost of the court reporter, the hearing officer, transcripts, and any witness fees for lodging and travel, as determined by the appropriate section of the board. The fee shall be collected by the appropriate section.

By Order of the Ohio Occupational Therapy, Physical Therapy, and Athletic Trainers Board:

Athletic Trainers Section



Jeffrey M. Rosa
Executive Director

cc: Yvonne Tertel, Principal Assistant Attorney General

Certified Mail: 7004 1160 0000 5922 0285

Return Receipt Requested

**Before the Ohio
Occupational Therapy, Physical Therapy, and Athletic Trainers Board**

Athletic Trainers Section

In Re: The eligibility of Julie Sich AT.001383 to
retain her license as an Athletic Trainer in the
state of Ohio.

Case Number: AT FY2010-
009

Adjudication Order

This matter came for hearing before the Athletic Trainers Section of the Ohio Occupational Therapy, Physical Therapy, and Athletic Trainers Board (hereinafter "Board") on the 13th day of January, 2010.

The State was represented by Principal Assistant Attorney General Yvonne Tertel.

Julie Sich (hereinafter "Sich") was not present.

The State presented an affidavit from H. Jeffery Barker and the following exhibits:

- Exhibit 1:** Verification of Sich's licensure status from the Board's website dated January 6, 2010.
- Exhibit 2:** A copy of the audit notice letter sent to Sich on June 8, 2009 via regular mail, indicating that she had been randomly selected to be audited for continuing education compliance. The mailing was not returned to the Board office by postal authorities.
- Exhibit 3:** A copy of the reporting form that Sich submitted on July 31, 2009, indicating that she had completed sixty three and one fourth (63.25) continuing education credits. Ms. Sich did not submit proof of completion for any of the continuing education she reported.
- Exhibit 4:** A copy of the Audit Notice sent to Sich August 26, 2009 via regular mail, indicating that her audit was incomplete and requesting that she submit certificates of completion by September 10, 2009. The mailing was not returned to the Board office by postal authorities.
- Exhibit 5:** A copy of the Final Audit Notice sent to Sich on October 23, 2009 via regular mail, indicating that her audit was incomplete and requesting that she submit certificates of completion by November 2, 2009. The mailing was not returned to the Board office by postal authorities.

- Exhibit 6:** A copy of the Notice of Opportunity for Hearing sent by the Board to Sich via certified mail on November 9, 2009.
- Exhibit 6a:** A copy of the certified mail receipt for the Notice of Opportunity for Hearing, signed for by Adam Sich on November 12, 2009 and returned to the Board office on November 16, 2009.
- Exhibit 7:** A duplicate copy of the reporting form previously submitted by Sich on July 31, 2009, and copies of her certificates of completion for Fat Cells & Disease, Women & Heart Disease- Are We At Risk?, (2) two 3rd Annual Sports Health Symposiums, The Myth of Alzheimers, Hypertensive Disorders During Pregnancy, First Aid, and CPR. Sich only accounted for thirty-three and one-fourth (33.25) hours of continuing education credits, a deficiency of sixteen and three fourths (16.75).
- Exhibit 8:** A copy of an email sent to Sich on December 8, 2009 indicating that her audit was still incomplete and requesting that she submit certificates of completion for the Power Eating, High Powered Plyometrics, and Strength Ball Training continuing education courses. The email was not returned, and Sich failed to submit proof of course completion to the Board office.

After review of the evidence and testimony, the Board makes the following findings of fact:

- 1) Sich received the audit notice, via regular mail.
- 2) Sich failed to provide proof of completion of sixteen and three fourths (16.75) hours of continuing education for the 2009 reporting period.
- 3) Sich received a Notice of Opportunity for a Hearing (hereinafter "Notice"), via certified mail on November 12, 2009.
- 4) The Notice informed Sich of the Board's intent to take disciplinary action against her license as an athletic trainer in the state of Ohio for the following violations:
 - a. Violation of Ohio Revised Code section 4755.64(A) (2) & (5)
 - b. Violation of Ohio Administrative Code rule 4755-41-01 (D) (2)
 - c. Violation of Ohio Administrative Code rule 4755-45-01
- 5) Sich did not request a hearing on the aforementioned charge.

After review of the evidence and testimony, the Board makes the following conclusions of law:

1. Sich was properly served with the notice of opportunity for hearing pursuant to Revised Code 119.07.

2. Sich violated Ohio Revised Code section 4755.64(A)(2) & (5) and Ohio Administrative Code rules 4755-41-01 (D)(2) and 4755-45-01.

Wherefore, based on the evidence and the above findings, it is the conclusion of the Ohio Occupational Therapy, Physical Therapy, and Athletic Trainers Board, Athletic Trainers Section, that Julie Sich violated Ohio Revised Code section 4755.64(A)(2) & (5) and Ohio Administrative Code rules 4755-41-01 (D) (2) and 4755-45-01.

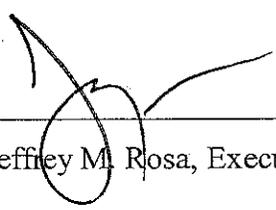
At the January 13, 2010 hearing, a vote was taken which resulted in the adoption of the following order:

Therefore, it is the order of the Ohio Occupational Therapy, Physical Therapy, and Athletic Trainers Board, Athletic Trainers Section, that the license of Julie Sich as an Athletic Trainer in the state of Ohio is REVOKED.

Upon receipt of this order, you shall immediately surrender to the Board office all evidence of your license, including your wall certificate and current pocket identification card. These documents shall be sent to the attention of the Enforcement Division of the Board within ten days of your receipt of this order.

Pursuant to section 119.12 of the Ohio Revised Code, you may have the right to appeal this Order. Such Notice of Appeal must set forth the Adjudication Order appealed from and the grounds of the appeal. It must be commenced by filing a Notice of Appeal with the Ohio Occupational Therapy, Physical Therapy, and Athletic Trainers Board, Athletic Trainers Section. A copy of the Notice of Appeal must also be filed with the Court of Common Pleas in the county in which your place of business or residence is located. If you are not an Ohio resident and do not have a place of business in Ohio, you may appeal to the Court of Common Pleas in Franklin County, Ohio. Both filings must be received within fifteen (15) days of the mailing of this Adjudication Order, and in accordance with the requirements of section 119.12 of the Ohio Revised Code.

By order of the Ohio Occupational Therapy, Physical Therapy, and Athletic Trainers Board, Athletic Trainers Section.



Jeffrey M. Rosa, Executive Director

1-25-10

Date