

## Chapter AT 5

### STANDARDS OF CONDUCT

AT 5.01 Definition.

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**AT 5.01 Definition.** In this section and for purposes of s. 448.957 (2) (f), Stats., “unprofessional conduct” means any practice or behavior which violates the minimum standards for the profession necessary for the protection of the health, safety or welfare of an athlete or the public, and includes, but is not limited to, the following or aiding or abetting the same:

(1) Knowingly making or presenting or causing to be made or presented any false, fraudulent, or forged statement, writing, certificate, diploma, in connection with any application for a license.

(2) Making a material misstatement in an application for a license or for renewal of a license.

(3) In sitting for any licensure examination, soliciting or knowingly disclosing examination content.

(4) Failing to cooperate with the board in an investigation under this section.

(5) Practicing or attempting to practice under any license when unable to do so with reasonable skill and safety to any person.

(6) Engaging in any athletic trainer practice which constitutes a danger to the health, welfare, or safety of a patient or the public, including but not limited to, practicing in a manner which substantially departs from the standard of care ordinarily exercised by an athletic trainer which harmed or could have harmed a patient.

(7) Subject to ss. 111.321, 111.322 and 111.335, Stats., practicing as an athletic trainer when the person’s ability to engage in the practice was impaired by alcohol or other drugs.

(8) Having been adjudicated mentally incompetent by a court of competent jurisdiction.

(9) Subject to ss. 111.321, 111.322 and 111.335, Stats., having violated federal or state laws, local ordinances or administrative rules the circumstances of which substantially relate to the practice of athletic trainers.

(10) Engaging in conduct which evidences a lack of trustworthiness to transact the business required by the profession.

(11) Misrepresenting professional qualifications such as education, specialized training or experience.

(12) Offering to perform or performing services which the licensee is not qualified to perform by education or experience without retaining the services of another who is qualified.

(13) Using false, fraudulent or deceptive advertising or publicity; or practicing or attempting to practice under another’s name.

(14) Falsely representing that the licensee is engaged in a partnership or association with another unless there exists in fact a partnership or association, or practicing under a firm name that misrepresents the identity of those practicing in the firm or misrepresents the type of services which the firm is authorized and qualified to perform.

(15) Violating the confidences of a patient except as otherwise required by law.

(16) Violating or attempting to violate any provision or term of ch. 448, Stats., or of any valid rule of the board.

(17) Violating or attempting to violate any term, provision or condition of any order of the board.

(18) Falsifying patient records.

(19) Having a license, certificate, permit, registration, or other practice credential granted by another state or by any agency of the federal government to practice as an athletic trainer, which becomes limited, restricted, suspended, or revoked, or having been subject to other adverse action by the state licensing authority or by any agency of the federal government, including but not limited to, the denial or limitation of an original credential, or the surrender of a credential, whether or not accompanied by findings of negligence or unprofessional conduct.

(20) Engaging in inappropriate sexual contact, exposure, gratification or other sexual behavior with or in the presence of a patient.

**History:** Cr. Register, February, 2001, No. 542, eff. 3-1-01.