

AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 921
OFFERED BY M . _____

Strike all after the enactment clause and insert the following:

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the “Sports Medicine Licen-
3 sure Clarity Act of 2016”.

4 SEC. 2. PROTECTIONS FOR COVERED SPORTS MEDICINE
5 PROFESSIONALS.

6 (a) IN GENERAL.—If a covered sports medicine pro-
7 fessional provides covered medical services to an athlete,
8 an athletic team, or a staff member of an athlete or ath-
9 letic team in a secondary State, such services shall be
10 deemed to have been provided in the primary State for
11 the purpose of determining the liability insurance of that
12 professional.

13 (b) DEFINITIONS.—In this Act the following defini-
14 tions apply:

15 (1) ATHLETE.—The term “athlete” means an
16 individual—

1 (A) competing in a sporting event spon-
2 sored or sanctioned by a national governing
3 body; or

4 (B) for whom a high school or an institu-
5 tion of higher education provides a covered
6 sports medicine professional.

7 (2) **ATHLETIC TEAM.**—The term “athletic
8 team” means a sports team—

9 (A) composed of individuals who are paid
10 to participate on the team;

11 (B) composed of individuals who are com-
12 peting in a sporting event sponsored or sanc-
13 tioned by a national governing body; or

14 (C) for which a high school or an institu-
15 tion of higher education provides a covered
16 sports medicine professional.

17 (3) **COVERED MEDICAL SERVICES.**—The term
18 “covered medical services” means general medical
19 care, emergency medical care, athletic training, or
20 physical therapy services. Such term does not in-
21 clude care provided by a covered sports medicine
22 professional—

23 (A) at a health care facility; or

24 (B) while a health care provider legally au-
25 thorized to practice in the secondary State is

1 transporting the injured individual to a health
2 care facility.

3 (4) COVERED SPORTS MEDICINE PROFES-
4 SIONAL.—The term “covered sports medicine profes-
5 sional” means a physician, athletic trainer, or other
6 licensed health care professional who—

7 (A) is legally authorized to practice in the
8 primary State;

9 (B) provides covered medical services, pur-
10 suant to a written agreement with an athletic
11 team, national governing body, high school, or
12 institution of higher education, to an individual
13 who is a member or staff of the athletic team;
14 and

15 (C) prior to providing the covered medical
16 services described in subparagraph (B), has dis-
17 closed the nature and extent of such services to
18 the entity that provides the professional with li-
19 ability insurance in the primary State.

20 (5) HEALTH CARE FACILITY.—The term
21 “health care facility” means a facility in which med-
22 ical care, diagnosis, or treatment is provided on an
23 inpatient or outpatient basis. Such term does not in-
24 clude facilities at an arena or stadium or temporary

1 facilities existing for events where athletic teams are
2 competing.

3 (6) INSTITUTION OF HIGHER EDUCATION.—The
4 term “institution of higher education” has the
5 meaning given such term in section 101 of the High-
6 er Education Act of 1965 (20 U.S.C. 1001).

7 (7) NATIONAL GOVERNING BODY.—The term
8 “national governing body” has the meaning given
9 such term in section 220501 of title 36, United
10 States Code.

11 (8) PRIMARY STATE.—The term “primary
12 State” means the State in which the covered sports
13 medicine professional is legally authorized to prac-
14 tice pursuant to a written agreement with an ath-
15 letic team, national governing body, high school, or
16 institution of higher education.

17 (9) SECONDARY STATE.—The term “secondary
18 State” means any State in which the covered sports
19 medicine professional is not legally authorized to
20 practice.

21 (10) STATE.—The term “State” means each of
22 the several States, the District of Columbia, and
23 each commonwealth, territory, or possession of the
24 United States.

