

# 1889 INSTITUTE

## FOR IMMEDIATE RELEASE

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### **1889 INSTITUTE CALLS FOR END TO ATHLETIC TRAINER LICENSING**

*California and New York do not license athletic trainers*

**OKLAHOMA CITY, OK** (April 16, 2019) – The 1889 Institute, an Oklahoma state policy think tank, has published “Athletic Trainer Licensure in Oklahoma.” It finds no public interest justification for the continued licensure of athletic trainers. California and New York, two of the nation’s most populated states, with many athletes, and usually thought of as highly regulated, take a much less heavy handed approach than Oklahoma. California requires no license at all, and New York allows private certification. What’s more, because of how the law defines an “athletic trainer,” it is possible that it creates a perverse incentive where the advice of physicians is not sought by unlicensed sports personnel so that they will not risk running afoul of the law.

“Half of Oklahoma’s counties don’t even have a licensed athletic trainer,” said Benjamin M. Lepak, Legal Fellow for the 1889 Institute, and author of the report. “Obviously, high school coaches and other personnel are essentially acting in that capacity, but according to Oklahoma law, if they act on the direction of a physician, they could be prosecuted for acting as an unlicensed athletic trainer,” he said.

This latest short study, part of the 1889 Institute’s Licensing Directory for Oklahoma, explains that neither of two conditions that must simultaneously exist to justify occupational licensing are present for athletic trainers. These conditions are, first, that there must be real, significant risk for patrons, and, second, there must be little or no market and legal incentives for service providers to take proper precautions.

The 1889 Institute has repeatedly found that Oklahoma needlessly licenses occupations, and often does so in particularly onerous ways. The only way to become a licensed athletic trainer in Oklahoma, for example, is to obtain a four-year college degree. This is simply unnecessary to perform the work involved.

The 1889 Institute has produced several longer publications regarding occupational licensing, including “The Need to Review and Reform Occupational Licensing in Oklahoma,” “Policy Maker’s Guide to Evaluating Proposed and Existing Occupational Licensing Laws,” and “A Win-Win for Consumers and Professionals Alike: An Alternative to Occupational Licensing.”

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### **About the 1889 Institute**

The 1889 Institute is an Oklahoma think tank committed to independent, principled state policy fostering limited and responsible government, free enterprise and a robust civil society. The publication, “Athletic Licensure in Oklahoma” and other reports on licensing can be found on the nonprofit’s website at <http://www.1889institute.org/licensing>.