



Regulation and the Fitness Professional: Examining the Potential Impact

©2012 ACE

Why Are We Talking About Regulation?

- It's already here! -Lead or suffer the consequences
- Why
 - Failure to self-regulate
 - Lack of ability of professionals to differentiate between education/credentialing
 - Health reform
- Interested 3rd parties

©2012 ACE



What Types of Regulation is the Industry Facing?

- Self-regulation-Quality Initiatives
 - Credentialing standards
 - Education standards
 - Facility standards
- Licensure/Registry
- Tax policy
- Other

©2012 ACE



Industry Quality Initiatives



©2012 ACE



Accreditation



Committee on Accreditation for the Exercise Sciences
Academic Leadership for Allied Health Professionals in Fitness and Exercise



©2012 ACE



Credentialing: Certification Requirements



©2012 ACE



Facility Standards



- Staffed, membership based facilities
- Pre-activity screening, orientation, education and supervision of participants
- Risk management/Emergency procedures
- Staffing and Contractors
- Compliance with state/federal laws
- Misc. best practices

©2012 ACE



Proposed Government Regulation



THE OFFICIAL WEB SITE FOR
THE STATE OF NEW JERSEY

©2012 ACE



What is Driving the Push for Regulation?

- Consumer protection
- Health reform
- Revenue
- Maturation of the profession

©2012 ACE



Consumer Protection

- Eliminate un- or under-qualified practitioners



Police: More women recorded by personal trainer

Fitness trainer accused in North Hollywood attack may have other victims

- Enhance consumer and referring professional confidence

Personal Trainer Uses AED to Save Second Life in Two Years

©2012 ACE



Health Reform

Wellness benefits:

- Participatory
- Health contingent
- Obesity counseling

Provisions for programs:

- "Reasonable design"
- "Recognized Health Provider"



Who will deliver the services?

©2012 ACE



Sometimes it's about the money.....

SB 1592 provides that nothing in the Physical Therapy Practice Act is to prevent a physical therapist from performing services that are provided for the purpose of fitness, wellness or prevention that is not related to the treatment of an injury or ailment. The measure modifies the definition of physical therapy to include care and services provided by or under the direction and supervision of a licensed physical therapist.



FRIDAY, JUNE 15, 2012
Position Affirms PTs as Expert Providers for Exercise and Physical Activity

Quoting national and international statistics on coronary heart disease, diabetes, cancer, COPD, high blood pressure, cigarette smoking, and obesity, showing that these diseases are epidemic in their incidence, the House of Delegates adopted Physical Therapists as Expert Providers for Exercise and Physical Activity—recognizing physical therapists as health service delivery providers of choice to prevent or treat these noncommunicable diseases (NCDs) and their related risk factors.

The position holds that APTA seeks participation in the development and/or update of physical activity or exercise guidelines for these NCDs. (JC-27)

Draft language adopted by the 2012 House will be available on the House Community next week. Final language for all actions taken by the June 2012 House will be available by September after the minutes have been approved.

©2012 ACE



Terms to Know

def-i-ni-tion

noun \,de-fə-'ni-shən\

Definition of **DEFINITION**

a statement expressing the essential nature of something

b: a statement of the meaning of a word or word group or a sign or symbol <dictionary *definitions*>

©2012 ACE



Allied Health Profession

As defined by the Association of Schools of Allied Health Professions (ASAHP), "Allied health professionals are health care practitioners with formal education and clinical training who are credentialed through certification, registration, and/or licensure, and are involved with the delivery of health or related services pertaining to the identification, evaluation and prevention of diseases and disorders; dietary and nutrition services; rehabilitation and health systems management, among others" (Donini-Lenhoff, 2008).

©2012 ACE



Qualified Fitness Professional

Authors Kravitz and Rockey (1999) define a qualified fitness professional as "an individual who is responsible for assessing, interpreting, prescribing, and designing health and physical activity programs for people in colleges, universities, community health agencies, club fitness, work sites, medical settings, hotels, country clubs, government institutions and recreational programs."

©2012 ACE



What Can We Learn From Other Professions



©2012 ACE



Two Approaches To Licensure

- Public Interest Theory- supports consumers, and revolves around the concept that minimum standards are a function of the technical expectations of the profession.
- Capture Theory- supports professionals in that it attempts to increase professional salaries by restricting supply (Taylor, 2006).

©2012 ACE



Stakeholder Views to Consider



©2012 ACE



How Would Regulation Impact the Profession?



©2012 ACE



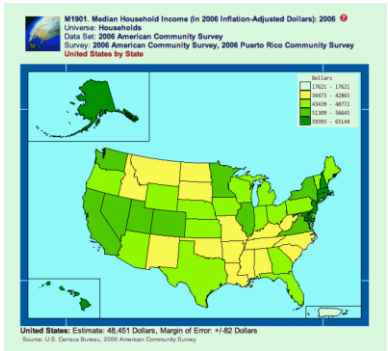
Cost



©2012 ACE



Supply and Distribution of Professionals



Impact on Educational Requirements/CE



©2012 ACE



Wages



©2012 ACE



What Does ACE Believe?

- Fitness professionals need to be active and engaged in shaping their future
- Quality organizations have to work together to prepare for regulation
- We must prepare to be part of the health reform solution
- We are not there yet

©2012 ACE



ACE ADVOCACY STRATEGY

Use the ACE Vision Report as a Guide

- Goals:
 - Position ACE as a Resource
 - Serve as a Collaborator/Connector
 - Influence Legislation/Public Policy
 - Lead Industry Quality Initiatives

©2012 ACE



Influence Public Policy



©2012 ACE



What is Our Strategy?

- Internationally recognized registry
- Proactively engage policymakers
- Influence licensure efforts with a model bill
- Engage and educate the medical and public health communities

©2012 ACE



Key Provisions of Sample Licensure Bill

- Establishes fitness as an autonomous profession under the Board of Allied Health Professions
- Establishes parity with other allied health professions in based on eligibility, credentialing and CE requirements
- Mitigates cost for all stakeholders by using NCCA-accredited certification as foundation for licensure

©2012 ACE



Proposed Candidate Requirements

- 18 years old-legal resident
- Current NCCA-accredited fitness certification
- Application + Fee
- Subject to moral turpitude clause
- Re-issue of license every two years subject to:
 - Maintenance of certification
 - Completion of CE requirement

©2012 ACE



Affordable Care Act

- Provides for Incentives for Wellness Programs in Group Health Plans
 - Discounts on coverage 20-50%
- Two categories of incentives:
 - Participatory Wellness Programs
 - Health Contingent Wellness Programs
 - Reasonable design criteria
 - Non-discriminatory

©2012 ACE



So What Should Fitness Professionals Do?

- Be informed
- Represent the profession
- Educate your communities
- Become an advocate

©2012 ACE



The ACE Advocacy Center

FITNESS CERTIFICATIONS
 CONTINUING EDUCATION
 PROFESSIONAL RESOURCES
 MY ACE ACCOUNT

Home | ACE | About ACE | Legislative Action Center

Legislative Action Center

Lobby for a More Fit America

As ACE works towards our goal of eliminating the obesity epidemic in America, we are encouraging fitness and allied health professionals, government leaders and corporate America to find new ways to build bridges that change lives through fitness.

The American Council on Exercise supports a legislative agenda that encourages consumers to make behavioral and lifestyle changes that will result in increased activity levels and healthier eating habits by making the right choice the easy choice. We believe that by serving as a champion for enhanced community and workplace partnerships and greater public access to healthy lifestyle and fitness education offerings across the country, we can foster collaboration between fitness and community leaders to develop and enhance physical activity programs and rally with industry partners and like-minded organizations to give rise to greater public access to fitness resources at the local level all across the country.

©2012 ACE



What Kind of Advocate Are You?

		Interest	
		High	Low
Activism	High	Transformational Leader	Potential Leader
	Low	Supporting Leader	Indifferent Leader

©2012 ACE





Questions

Contact me:

858-576-6554

graham.melstrand@acefitness.org

[@GMelstrand](#)



©2012 ACE

