



February 20, 2009

Director
Legislative Counsel Bureau
401 South Carson
Carson City, Nevada 89701

Dear Director,

Pursuant to SB47; Chapter 80, attached is a summary of our progress and recommendations concerning the regulation of Personal Trainers and other Fitness Instructors in Nevada. The Subcommittee for Fitness Professionals has spent the last two years conducting research in regards to the regulation of Personal Training nationwide. When the Subcommittee was initially established, two Personal Trainers were appointed to the committee whose participation was limited to one or two meetings. Due to personal reasons, these individuals were not able to complete their appointment with the Advisory Committee. In the last two years we have made several attempts to recruit Personal Trainers for the Subcommittee and have been unable to fill the voids. As of today, the Subcommittee still consists of two Physical Therapists, two Athletic Trainers, and one UNLV faculty member.

The lack of representation of Personal Trainers on this Committee, and the overall lack of interest from the Personal Training community leads this Subcommittee to believe that the ability to regulate this profession under the current status would be very difficult. At this time, the Subcommittee also feels that the writing of a scope of practice without the input of any professionals within the Personal Training industry makes for a scope of practice that may look biased to the Personal Training community.

With this being said, the mammoth task at hand for the Subcommittee for Fitness Professionals would be the ability to oversee and enforce a scope of practice for the Fitness Professional industry. The Nevada State Board of Athletic Trainers is a relatively small organization that is in its infancy, and therefore lacks the manpower and financial means to regulate a group of professionals that is potentially 10 times larger than the number of Athletic Trainers currently practicing in Nevada.

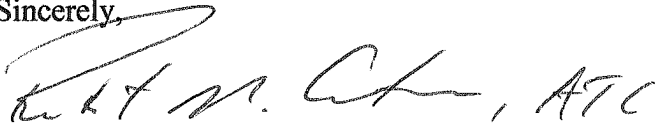
In closing, the Subcommittee for Fitness Professionals would like to summarize the overall results of our findings:

*In the past two years, the Subcommittee for Fitness Professionals has been unable to sustain two Personal Trainers to serve on the Advisory Committee.

- *An inadequate number of responses were received from the survey of Personal Trainers in relation to the number of surveys that were sent out (see attached report dated 1/17/08).
- *A lack of demonstrable interest or participation on behalf of the Personal Trainer arena.
- *The difficulties in trying to ascertain an appropriate jurisdiction for this industry.
- *The inability of the Athletic Training Board or a potential Personal Training Committee to oversee, police, and enforce a scope of practice for this industry not only in time, cost, but also in interest.

Please accept this letter as a final report of our findings and recommendations regarding any legislation that may be necessary concerning the regulation of Fitness Professionals in this State. For reference, a detailed list of meeting agendas and minutes is available on our website at www.nevadaathletictrainers.nv.gov. If you feel that there is additional information or research needed from the Advisory Committee, please feel free to contact our office at 787-2636.

Sincerely,

A handwritten signature in black ink, appearing to read "Rob Conatser, ATC". The signature is fluid and cursive, with a large initial "R" and "C".

Rob Conatser, LAT, ATC, CSCS
Chairman, Subcommittee for Fitness Professionals
Nevada State Board of Athletic Trainers



January 17, 2008

Director
Legislative Counsel Bureau
401 South Carson
Carson City, Nevada 89701

Dear Director,

The Subcommittee on Fitness Professionals spent the last year conducting research in regards to the regulation of Personal Training nation wide. We found that as far as we can tell, no other state regulates Personal Trainers, and there is no indication that any state is working towards it.

As a committee, we then decided to choose what we thought were the top four or five certifying agencies for Personal Trainers. The committee did so individually, but for the most part came up with the following agencies:

1. NATIONAL STRENGTH & CONDITIONING ASSOCIATION - NSCA
2. NATIONAL ACADEMY OF SPORTS MEDICINE - NASM
3. AMERICAN COLLEGE OF SPORTS MEDICINE - ACSM
4. AMERICAN COUNCIL ON EXERCISE - ACE

The first three organizations on this list all have similar educational requirements. They are also accredited by a third party certification agency called the NCCA National Commission for Certifying Agencies. The fourth agency (ACE) differs in the fact that they have a much lower standard both in education and testing, however they have huge popularity in terms of total members.

Our next step was to try and survey the individuals who would be affected most by this regulation. The Nevada State Board of Athletic Trainers had previously conducted a similar survey prior to the formation of the subcommittee, which resulted in a very poor response. Therefore, the subcommittee felt that developing a new survey was a critical first step worthy of a second attempt. We found that the "NBF" National Board of Fitness Examiners already had a survey in place that they permitted us to use with a couple of minor adjustments made for the state of Nevada.

We utilized the distribution list from the first survey conducted by the Nevada State Board of Athletic Trainers, but were confronted with several obstacles. Many of the fitness facilities listed were no longer in business, new facilities had not been added to the list, and many facilities were not included in the original survey. The subcommittee then

turned to yellowpages.com to develop a thorough list of facilities. These fitness facilities were listed within the following categories:

1. Fitness & exercise
2. Gyms
3. Health & fitness
4. Health clubs

From there we compiled a list of over 180 facilities to be surveyed. From this list, the subcommittee received approximately 30 surveys returned to sender (probably facilities no longer in business). The geographical distribution for the surveys was as follows: 100 for southern Nevada, and 80 for northern Nevada. Metropolitan and rural areas were not separated but approximately 90% of the facilities surveyed were in Las Vegas, Henderson, and Reno. Personally speaking, I feel that of these 150 facilities surveyed, we had the potential of hitting 1,000 Fitness Professionals - if the survey got into the right hands.

The Subcommittee received 25 completed surveys in response. This was despite our personal efforts to contact facilities in which the Subcommittee members had contacts.

The Subcommittee's next step was to investigate the total number of certified members at each of the top four agencies in the State of Nevada. The results were:

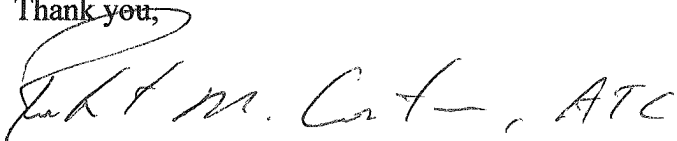
1. NSCA: 2 certifications; one requires a bachelor's degree. They have a total of 134 certified members within the state.
2. NASM: They do not keep numbers for individual states.
3. ACE: Certified professionals in Nevada:
Personal training = 249
Group fitness = 145
Lifestyle weight management = 13
Clinical exercise specialist = 6
Peer fitness trainer = 3
4. ACSM: Certified professionals in Nevada:
Certified Personal Trainer = 29
Health Fitness Instructor = 63
Exercise Specialist = 11
Registered Clinical Exercise Physiologist = 1

Certifications that are no longer offered, but professionals are still able to maintain:

- Health Fitness Director = 2
- Program Director = 2
- Exercise Test Technologist = 4
- Group Exercise Leader = 1

The next phase for the Subcommittee is to begin the process of writing language for the regulation of Fitness Professionals. Our goal is to have language complete by November, 2008 and we will continue to update you as to our progress.

Thank you,

A handwritten signature in black ink that reads "Rob Conatser, ATC". The signature is written in a cursive style with a large, looping initial "R".

Rob Conatser, LAT, ATC, CSCS
Chairman, Subcommittee for Fitness Professionals
Nevada State Board of Athletic Trainers