



April 9, 2024

Jose R Ruiz

[REDACTED]  
San Antonio, TX [REDACTED]

Hello Jose:

Please be advised that the Board of Certification, Inc. (BOC) Professional Practice and Discipline Committee (Committee) has rendered the following decision with respect to the charge that you violated Codes 2.2 and 3.8 of the Code of Professional Responsibility (COPR) section of the BOC Standards of Professional Practice.

In a Charge letter dated March 6, 2024, the BOC informed you that the Committee had determined that good cause existed to believe that you have violated Codes 2.2 and 3.8 of the COPR section of the *BOC Standards of Professional Practice* based on the fact that your 2020-2021 audit was to be completed by October 31, 2023. Via Eversign records, March 6, 2023, you viewed the Charge letter, but did not respond to the BOC. To date, you still have not yet complied with the 2020-2021 CE Audit.

#### Factual Findings

1. On January 12, 2022, you submitted your 2020-2021 CEUs and attested to the following relevant statements:
  - The information contained in this report is a true and accurate statement of my continuing education activities.
  - I am submitting no less than 50 CEUs required for the current reporting period including 10 CEUs in Category EBP on this form.
  - I am in possession of and prepared to present all original documentation confirming participation in reported activities. I am aware I must keep these records for at least 2 years after the reporting period has ended.
  - I am aware that I am required to maintain ongoing certification in Emergency Cardiac Care (ECC) throughout the reporting period and I must keep these records for at least 2 years after the reporting period has ended.
  - I am aware that the BOC reserves the right to audit me at any time and that failure to comply with BOC audit policies may result in the suspension of my BOC certification.
  - I am aware that falsification of this report may result in the suspension of my BOC certification.
2. On December 13, 2022 and January 10, 18, 25, 2023, the BOC emailed you audit reminders.
3. On December 17, 2022, the BOC mailed you an audit notice for the 2020-2021 CEU reporting period.

4. On February 2, 2023, the BOC sent you an Investigation Notice electronically via Eversign as you had not complied with the CE audit.
5. On February 28, 2023, the BOC emailed you that your disciplinary case was dismissed as they had submitted audit documentation, and the audit was awaiting evaluation by the BOC.
6. On May 24, 2023, the BOC emailed you stating documentation could not be viewed for Category C activities and a current Emergency Cardiac Care card needed to be uploaded as the ECC card submitted did not meet the requirements. The BOC did not receive a response.
7. On October 16, 2023, the BOC sent you an Investigation Notice electronically via Eversign as you had not complied with the CE audit. You viewed the Investigation Notice the same day. The BOC did not receive a response.
8. On November 9, 2023, the BOC sent you a Consent Agreement via Eversign for Suspension of their certification for non-compliance with the 2020-2021 CE audit. The BOC did not receive a response.
9. On December 7, 2023, the BOC left you a voicemail reminder and sent a reminder via Eversign. The BOC did not receive a response.
10. On December 19, 2023, the BOC mailed you the Consent Agreement via Certified mail.
11. On January 1, 2024, your certification expired due to failure to complete all 2022-2023 recertification requirements.
12. On February 1, 2024, the BOC received the Consent Agreement back from USPS marked as Unclaimed.
13. On February 29, 2024, your certification was reactivated to Certified as you submitted your 2022-2023 recertification requirements.
14. On March 6, 2024, the BOC sent you a Charge Letter via Eversign for non-compliance with the 2020-2021 CE audit. Per Eversign records, you viewed the Charge Letter the same day. The BOC did not receive a response.
15. To date, you have not complied with the 2020-2021 CE audit.

## Conclusions

Based on the lack of response to BOC notifications, the Committee determined that the facts above are valid and that such actions violate Codes 2.2 and 3.8 of the COPR section of the BOC Standards of Professional Practice:

Code 2.2: The BOC certified athletic trainer complies with the most current BOC recertification policies and requirements.

Code 3.8: The BOC certified athletic trainer ensures that any information provided to the BOC in connection with exam eligibility, certification recertification or reinstatement including but not limited to, exam applications, reinstatement applications or continuing education forms, is accurate and truthful.

As a result, the Committee has issued the following sanctions regarding your certification:

Your certification status is considered Suspended. Suspension of a BOC certification is considered public information and may be published or otherwise disclosed by the BOC. Further, while your certification is Suspended, you are not authorized to do the following:

1. Represent yourself to the public as a practicing Certified Athletic Trainer or use the certification mark "ATC" following your name; or
2. Serve as an item writer for the BOC certification exam; or
3. Serve as a supervisor of students who are satisfying the athletic training requirements for certification eligibility.

You may petition for reinstatement in accordance with Section 12 of the BOC Discipline Procedures. Such petition may be filed upon your ability to provide proof of compliance with the 2020-2021 CE audit or you are prepared to take the BOC Certification Exam for reinstatement. Such petitions may be subject to a background check and panel review. Contact the BOC office for reinstatement fees and procedures.

Jose, this matter will remain a part of your BOC certification file and may be used for the purpose of determining sanctions in any future matters that come before the BOC Professional Practice and Discipline Committee or other Disciplinary Panels. You have the right to appeal a decision made by the Committee. An appeal must be received by the BOC within thirty (30) days of receipt of this decision. The appeal must be written and addressed to the BOC Chief Executive Officer. For details regarding the appeal process, please see the enclosed procedures.

Sincerely,



Shannon Fleming, MA, AT Ret.  
Vice President of Credentialing

cc: BOC Professional Practice and Discipline Committee  
BOC Counsel  
Texas Department of Licensing and Regulation

Enclosures: [BOC Standards of Professional Practice](#)  
[Professional Practice and Discipline Guidelines and Procedures](#)