

PUBLIC CHAPTER NO. 1043

HOUSE BILL NO. 3805

By Representatives Shepard, Mike Turner

Substituted for: Senate Bill No. 3846

By Senators Kyle, Finney

AN ACT to amend Tennessee Code Annotated, Title 63, relative to health related boards.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 63-1-107(a)(1), is amended by deleting the word "chapter" and by substituting instead with the word "title" in the second sentence of the subdivision.

SECTION 2. Tennessee Code Annotated, Section 63-1-112, is amended by deleting subsection (b).

SECTION 3. Tennessee Code Annotated, Section 63-1-114, is amended by deleting the section in its entirety and by substituting instead the following:

The division shall publish a directory listing all persons licensed to practice any branch of the healing arts in Tennessee.

SECTION 4. Tennessee Code Annotated, Section 63-1-120, is amended by deleting subsection (a).

SECTION 5. Tennessee Code Annotated, Section 63-1 -122, is amended by deleting the section in its entirety.

SECTION 6. Tennessee Code Annotated, Section 63-1-131, is amended by deleting the section in its entirety and by substituting instead the following new language:

The commissioner of health shall appoint a director of the division of health related boards provided for in this section and § 63-1-132, 63-1-133, and 68-1-101.

SECTION 7. Tennessee Code Annotated, Section 63-1-132, is amended by deleting the existing language in its entirety and by substituting instead the following new language:

(a) The director of the division of health related boards has the power, duty, and responsibility to:

(1) Employ all staff assigned or performing duties for the agencies attached to the division;

(2) Promulgate rules and regulations for all administrative functions and activities of the agencies attached to the division as well as all matters that affect more than one (1) of the agencies attached to the division with the approval of the agencies affected. In cases where multiple agencies are authorized to promulgate similar rules that apply to each of the agencies, the director is authorized to hold one (1) public rulemaking hearing and promulgate a single rule or a single chapter of rules, but only after receiving prior approval of the agencies affected;

(3) Employ, with the consent of the regulatory board concerned, all executive directors and consultants; the director may employ all other personnel necessary to carry out the function of all of the agencies attached to the division;

(4) Maintain a central filing system for official records and documents of all agencies attached to the division;

(5) Provide office space and necessary quarters for the agencies attached to the division;

(6) Assign personnel to staff such agencies in order to ensure the most efficient use of personnel; and

(7) Perform such other duties as the commissioner may prescribe, or as may be prescribed by law.

(b) Any employment of personnel or consultants by the division shall be in accordance with the rules, regulations, and standards of the departments of human resources and finance and administration.

SECTION 8. Tennessee Code Annotated, Section 63-5-108(d), is amended by deleting the language "administered by the board" from the third sentence in the subsection.

SECTION 9. Tennessee Code Annotated, Section 63-6-210(b)(2) and (c) is amended by deleting the subsection (b)(2) and subsection (c) in their entirety and by substituting instead the following:

(b)

(2) A licensee may renew a license within sixty (60) days following the license expiration date upon payment of the renewal fee in addition to a late penalty established by the board for each month or fraction of a month that payment for renewal is late; provided that the late penalty shall not exceed twice the renewal fee. When any licensee fails to renew a license and pay the biennial renewal fee within sixty (60) days after renewal becomes due, as provided in this section, the license shall

be automatically revoked at the expiration of sixty (60) days after the renewal was required without further notice or hearing.

(c) Any licensee whose license is automatically revoked as provided in subsection (b), may apply in writing to the board for reinstatement of such license, which may be granted by the board upon the payment of all past due fees and reinstatement fees established by the board, and upon further conditions as the board may require.

SECTION 10. Tennessee Code Annotated, Section 63-12-128(a)(1) and (2) is amended by deleting subdivisions (1) and (2) in their entirety and by substituting instead the following:

- (1) Suspend or limit the right to practice veterinary medicine in this state;
- (2) Suspend or limit the right to hold a certificate or premises permit in this state;

SECTION 11. Tennessee Code Annotated, Section 63-12-128(c), is amended by deleting the subsection in its entirety.

SECTION 12. This act shall take effect upon becoming a law, the public welfare requiring it.

PASSED: May 27, 2010


KENT WILLIAMS, SPEAKER
HOUSE OF REPRESENTATIVES


RON RAMSEY
SPEAKER OF THE SENATE

APPROVED this 11th day of June 2010


PHIL BREDESEN, GOVERNOR