

GOVERNMENT OPERATIONS COMMITTEES

ANNOUNCEMENT OF PUBLIC HEARINGS

For the date, time, and location of this hearing of the Joint Operations committees, call 615-741-3642. The following rules were filed in the Secretary of State's office during the previous month. All persons who wish to testify at the hearings or who wish to submit written statements on information for inclusion in the staff report on the rules should promptly notify Fred Standbrook, Suite G-3, War Memorial Building, Nashville TN 37243-0059, (615) 741-3072.

Filing Log 06-2009

Seq ID	File Date	Agency Name	Filing Type	Description	Revisions	Contact	Comments	RFA	GOC	Effective or Hearing Date
06-01-09	06-01-2009	Environment and Conservation	Rulemaking Hearing Rule	Amendment	1200-03-09 Construction and Operating Permits 1200-03-09-.04 Exemptions	Jeff Cales (931) 432-7621 Jeff.Cales@tn.gov	0	0	-1	08-15-2009
06-02-09	06-02-2009	University of Tennessee	Proposed Rule	Amendment	1720-05-06 Traffic & Parking Regulations 1720-05-06-.01 Registration of Vehicles 1720-05-06-.02 Parking 1720-05-06-.04 Violations 1720-05-06-.05 Penalties	Matthew Scoggins 1-865-974-2356 scoggins@tennessee.edu	-1	-1	-1	10-28-2009
06-09-09	06-11-2009	Finance and Administration	Rulemaking Hearing Rule	Amendment	1200-13-13 TennCare Medicaid 1200-13-13-.04 Covered Services 1200-13-14-.04 Covered Services	George Woods 615-741-0145 George.Woods@tn.gov	0	0	-1	08-25-2009
06-13-09	06-12-2009	Labor and Workforce Development	Rulemaking Hearing Rule	Amendment	0800-02-18 Medical Fee Schedule 0800-02-18-.11 Orthotics and Prosthetics Guidelines 0800-02-18-.12 Pharmacy Schedule Guidelines	Landon Lackey 615-532-0370 landon.lackey@tn.gov	-1	-1	-1	08-26-2009

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					0800-02-18-.15 Penalties for Violations of Fee Schedules					
					0800-02-19-.02 Definitions					
					0800-02-19-.03 Special Ground Rules – Inpatient Hospital Services					
					0800-02-19-.04 Pre-admission Utilization Review					
					0800-02-19-.05 Other Services					
					0800-02-19-.06 Penalties for Violations of Fee Schedules					
					0800-02-17-.01 Purpose and Scope					
					0800-02-17-.03 Definitions					
					0800-02-17-.05 Procedure Codes/Adoption of the CMS' Medicare Procedures, Guidelines and Amounts					
					0800-02-17-.07 Modifier Codes					
					0800-02-17-.10 Payment					
					0800-02-17-.13 Penalties for Violations of Fee Schedule Rules					
					0800-02-17-.14 Missed Appointment					
					0800-02-17-.19 Preauthorization					
					0800-02-17-.20 Utilization Review					
					0800-02-17-.21 Process for Resolving Differences Between Carriers and Providers Regarding Bills					
					0800-02-17-.25 Impairment Ratings-Evaluations and in Medical Records					

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					0800-02-18-.02 General Information and Instructions for Use					
					0800-02-18-.07 Ambulatory Surgical Centers and Outpatient Hospital Care (Including Emergency Room Facility Charges)					
					0800-02-18-.08 Chiropractic Services Guidelines					
					0800-02-18-.09 Physical and Occupational Therapy Guidelines					
					0800-02-18-.10 Durable Medical Equipment and Implant Guidelines					
06-14-09	06-15-2009	Commerce and Insurance	Rulemaking Hearing Rule	Amendment	0780-02-13 Modular Building Units	Patrick Merkel 615-741-3072 patrick.merkel@tn.gov	-1	-1	-1	08-29-2009
					0780-02-13-.01 Definitions					
					0780-02-13-.02 Standards					
					0780-02-13-.03 Licenses					
					0780-02-13-.04 Approval of Design Review Agencies					
					0780-02-13-.06 Approval of Construction Inspection Agencies					
					0780-02-13-.07 Responsibilities of Approved Construction Inspection Agencies					
					0780-02-13-.09 Building Systems and Compliance Assurance Programs					
					0780-02-13-.11 Labels					
					0780-02-13-.16 Department Functions					
					0780-02-13-.17 Disciplinary Proceedings					

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06-19-09	06-25-2009	Optometry	Public Necessity Rule	New Rule	1045-02 General Rules Governing the Practice of Optometry	Alison Cleaves 615-741-1611 alison.cleaves@tn.gov	0	0	0	06-25-2009
					1045-02-.16 Tamper-Resistant Prescriptions					
06-20-09	06-25-2009	Podiatric Medical Examiners	Public Necessity Rule	New Rule	1155-02 General Rules and Regulations Governing the Practice of Podiatry	Alison Cleaves 615-741-1611 alison.cleaves@tn.gov	0	0	0	06-25-2009
					1155-02-.23 Tamper-Resistant Prescriptions					
06-21-09	06-25-2009	Dentistry, Board of	Public Necessity Rule	New Rule	0460-02 General Rules Governing the Practice of Dentistry	Alison Cleaves 615-741-1611 alison.cleaves@tn.gov	0	0	0	06-25-2009
					0460-02-.14 Tamper-Resistant Prescriptions					
06-22-09	06-25-2009	Nursing, Board of	Public Necessity Rule	New Rule	1000-04 Advanced Practice Nurses and Certificates of Fitness to Prescribe	Alison Cleaves 615-741-1611 alison.cleaves@tn.gov	0	0	0	06-25-2009
					1000-04-.10 Tamper-Resistant Prescriptions					
06-23-09	06-25-2009	Medical Examiners, Board of	Public Necessity Rule	New Rule	0880-02 General Rules and Regulations Governing the Practice of Medicine	Alison Cleaves 615-741-1611 alison.cleaves@tn.gov	0	0	0	06-25-2009
					0880-02-.23 Tamper-Resistant Prescriptions					

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06-24-09	06-25-2009	Osteopathic Examination	Public Necessity Rule	New Rule	1050-02 General Rules and Regulations Governing the Practice of Osteopathy 1050-02-.22 Tamper-Resistant Prescriptions	Alison Cleaves 615-741-1611 alison.cleaves@tn.gov	0	0	0	06-25-2009
06-28-09	06-29-2009	Environment and Conservation	Rulemaking Hearing Rule	Amendment	1200-01-11 Hazardous Waste Management 1200-01-11-.01 Hazardous Waste Management System: General 1200-01-11-.02 Identification and Listing of Hazardous Waste 1200-01-11-.06 Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities	Robert Nakamoto 615-532-0868 robert.nakamoto@tn.gov	0	0	0	08-12-2009
06-30-09	06-29-2009	Environment and Conservation	Public Necessity Rule	Amendment	1200-01-06 Regulations to Govern Subsurface Sewage Disposal Systems 1200-01-06-.21 Fees for Services	Alan Schwendimann (615) 532-0761 alan.schwendimann@tn.gov	0	0	0	06-29-2009
06-32-09	06-30-2009	Agriculture	Emergency Rule	Amendment	0080-02-01 Health Requirements for Admission and Transportation of Livestock and Poultry 0080-02-01-.05 Cattle	Keith Hodges 615-837-5331 keith.hodges@tn.gov	0	0	0	06-30-2009

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06-39-09	06-30-2009	Human Services	Rulemaking Hearing Rule	Amendment	<p>0080-02-01-.17 Reserved</p> <p>1240-08-02 General Rules</p> <p>1240-08-02-.01 Purpose</p> <p>1240-08-02-.02 Definitions</p> <p>1240-08-02-.03 Scope of Services</p> <p>1240-08-02-.04 Procedures</p> <p>1240-08-02-.05 Legal Basis</p> <p>1240-08-03-.01 State and Local Organization and Administration</p> <p>1240-08-03-.02 Economic Needs Tests</p> <p>1240-08-03-.03 Staff Development and Training</p> <p>1240-08-03-.04 Medical and Psychological Consultation in the Vocational Rehabilitation Process</p> <p>1240-08-04-.01 Intake: Referrals and Applications</p> <p>1240-08-04-.02 Evaluation or Assessment for Determining Eligibility, and Priority for Services</p> <p>1240-08-04-.03 Eligibility, Ineligibility, and Certification</p> <p>1240-08-04-.04 Annual Reviews of Ineligibility Decisions</p> <p>1240-08-04-.05 Individualized Plan for Employment</p> <p>1240-08-04-.06 Counseling, Guidance, and Referral Services</p>	Whitney Frazier 615-313-4731 whitney.frazier@tn.gov	0	0	0	09-13-2009

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					1240-08-04-.07 Physical and Mental Restoration Services					
					1240-08-04-.08 Physicians' Services and Medical Diagnosis					
					1240-08-04-.09 Hospital and Clinic Services					
					1240-08-04-.10 Dental Diagnosis and Services					
					1240-08-04-.11 Eyeglasses and Visual Services					
					1240-08-04-.12 Medical Care for Acute Conditions					
					1240-08-04-.13 Training Services					
					1240-08-04-.14 Maintenance					
					1240-08-04-.15 Transportation					
					1240-08-04-.16 Interpreter Services for the Deaf					
					1240-08-04-.17 Reader, Teaching, Orientation and Mobility Services					
					1240-08-04-.18 Telecommunications, Sensory and Other Technological Aids and Devices					
					1240-08-04-.19 Services to Family Members					
					1240-08-04-.20 Placement in Suitable Employment					
					1240-08-04-.21 Post-Employment Services					
					1240-08-04-.22 Licenses, Tools, Equipment, Initial Stocks and Supplies					
					1240-08-04-.23 Other Goods and Services					
					1240-08-04-.24 Standards for Closing Cases					

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					1240-08-05-.01 Order of Selection and Priority Categories					
					1240-08-05-.02 Participation in Costs					
					1240-08-05-.03 Consideration of Comparable Services or Benefits and Subrogation					
					1240-08-05-.04 Confidentiality					
					1240-08-05-.05 Review of Extended Employment in Rehabilitation Facilities					
					1240-08-05-.06 Tennessee Rehabilitation Center					
					1240-08-05-.07 Tennessee Vocational Training Center Program					
					1240-08-06-.01 Facilities and Services for Groups of Individuals with Disabilities					
					1240-08-06-.02 Construction of Rehabilitation Facilities					
					1240-08-06-.03 Establishment of Rehabilitation Facilities					
					1240-08-09-.01 Scope					
					1240-08-09-.02 Misconduct Subject to Disciplinary Sanction					
					1240-08-09-.03 When Disciplinary Action May Be Taken					
					1240-08-09-.04 Personnel Responsibilities for Disciplinary Action					
					1240-08-09-.05 Disciplinary Sanctions					
					1240-08-09-.06 Right to Administrative Review or Fair Hearing					

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					1240-08-09-.07 Search and Inspection Policy					
					1240-08-10-.01 Legal Basis					
					1240-08-10-.02 Definitions					
					1240-08-10-.03 Purpose and Scope					
					1240-08-10-.04 General Eligibility Requirements					
					1240-08-10-.05 Application; Eligibility Determination					
					1240-08-10-.06 Personal Care Assistance Re-Evaluations					
					1240-08-10-.07 Determination of Financial Need					
					1240-08-10-.08 Authorization and Billing Procedure					
					1240-08-10-.09 Rate of payment for PCA Services					
					1240-08-10-.10 Responsibilities of Individuals Receiving PCA Services					
					1240-08-10-.11 Annual Financial Review					
					1240-08-10-.12 Comparable Benefits					
					1240-08-10-.13 Termination of Services					
					1240-08-10-.14 Appeals Process					
					1240-08-11-.01 Purpose					
					1240-08-11-.02 Definitions					
					1240-08-11-.03 Eligibility Criteria					
					1240-08-11-.04 Provision of Services					
					1240-08-11-.05 Case Closure					

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06-40-09	06-30-2009	Environment and Conservation	Public Necessity Rule	Amendment	1200-04-11 Environmental Protection Fund Fees 1200-04-11-.02 Fees	Garland Wiggins 615-532-0633 garland.wiggins@tn.gov	0	0	-1	06-30-2009
06-41-09	06-30-2009	Environment and Conservation	Public Necessity Rule	Amendment	1200-05-03 Rules Governing Water and Waste Water Operator Certification 1200-05-03-.01 Application for Certification 1200-05-03-.03 Fees	Lori Munkebo 615-532-0705 lori.munkebo@tn.gov	0	0	-1	06-30-2009
06-42-09	06-30-2009	Commerce and Insurance	Public Necessity Rule	Amendment and New Rule	0780-01-58 Medicare Supplement Insurance Minimum Standards 0780-01-58-.01 Purpose 0780-01-58-.02 Authority 0780-01-58-.03 Applicability and Scope 0780-01-58-.04 Definitions 0780-01-58-.05 Policy Definitions and Terms 0780-01-58-.06 Policy Provisions 0780-01-58-.07 Minimum Benefit Standards for Pre- Standardized Medicare Supplement Benefit Plan Policies or Certificates Issued for Delivery Prior to July 1, 2009 0780-01-58-.01 Purpose	LaCosta Wix 615-741-2199	0	0	-1	06-30-2009

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					0780-01-58-.02 Authority					
					0780-01-58-.03 Applicability and Scope					
					0780-01-58-.04 Definitions					
					0780-01-58-.05 Policy Definitions and Terms					
					0780-01-58-.06 Policy Provisions					
					0780-01-58-.07 Minimum Benefit Standards for Pre- Standardized Medicare Supplement Benefit Plan Policies or Certificates Issued for Delivery Prior to July 1, 2009					
					0780-01-58-.08 Benefit Standards for 1990 Standardized Medicare Supplement Benefit Plan					
					0780-01-58-.09 Benefit Standards for 2010 Standardized Medicare Supplement Benefit Plan Policies or Certificates Issued for Delivery on or After June 1, 2010					
					0780-01-58-.10 Standard Medicare Supplement Benefit Plans for 1990 Standardized Medicare Supplement Benefit Plan Policies or Certificates Issued for Delivery After July 1, 1992 and Prior to June 1, 2010					
					0780-01-58-.11 Standard Medicare Supplement Benefit Plans for 2010 Standardized Medicare Supplement Benefit Plan Policies or Certificates Issued for Delivery on or After June 1, 2010					
					0780-01-58-.12 Medicare Select Policies and Certificates					
					0780-01-58-.13 Open Enrollment					

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					0780-01-58-.14 Guaranteed Issue for Eligible Persons					
					0780-01-58-.15 Standards for Claims Payment					
					0780-01-58-.16 Loss Ratio Standards and Refund or Credit of Premium					
					0780-01-58-.17 Filing and Approval of Policies and Certificates and Premium Rates					
					0780-01-58-.18 Permitted Compensation Arrangements					
					0780-01-58-.19 Required Disclosure Provisions					
					0780-01-58-.20 Requirements for Application Forms and Replacement Coverage					
					0780-01-58-.21 Filing Requirements for Advertising					
					0780-01-58-.22 Standards for Marketing					
					0780-01-58-.23 Appropriateness of Recommended Purchase and Excessive Insurance					
					0780-01-58-.24 Reporting of Multiple Policies					
					0780-01-58-.25 Prohibition Against Preexisting Conditions, Waiting Periods, Elimination Periods and Probationary Periods in Replacement Policies or Certificates					
					0780-01-58-.26 Prohibition Against Use of Genetic Information and Requests for Genetic Testing					

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					0780-01-58-.27 Severability 0780-01-58-.28 Effective Date Appendix A Reporting Form for Calculation of Loss Ratios Appendix B Form for Reporting Duplicate Policies Appendix C Disclosure Statements					
06-43-09	06-30-2009	Medical Examiners, Board of	Public Necessity Rule	New Rule	0880-03 General Rules and Regulations Governing the Practice of a Physician Assistant 0880-03-.24 Tamper- Resistant Prescriptions	Alison Cleaves 615-741-1611 alison.cleaves@tn.gov	0	0	-1	06-30-2009