

Rulemaking Hearing Rules

Department of Health  
Board for Licensing Health Care Facilities

Chapter 1200-08-01  
Standards for Hospitals

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Standards for Prescribed Child Care Centers

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Standards for Nursing Homes

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Standards for Ambulatory Surgical Treatment Centers

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Chapter 1200-08-35  
Standards for Outpatient Diagnostic Centers

Amendments

Rule 1200-08-01-.02, Licensing Procedures, is amended by deleting paragraph (4) in its entirety and substituting instead the following language, so that as amended, the new paragraph (4) shall read:

(4) Each hospital, except those operated by the U.S. Government or the State of Tennessee, making application for license under this chapter shall pay annually to the department a fee based on the number of hospital beds, as follows:

(a)	Less than 25 beds	\$ 800.00
(b)	25 to 49 beds, inclusive	\$ 1,000.00
(c)	50 to 74 beds, inclusive	\$ 1,200.00
(d)	75 to 99 beds, inclusive	\$ 1,400.00
(e)	100 to 124 beds, inclusive	\$ 1,600.00
(f)	125 to 149 beds, inclusive	\$ 1,800.00
(g)	150 to 174 beds, inclusive	\$ 2,000.00
(h)	175 to 199 beds, inclusive	\$ 2,200.00

For hospitals of two hundred (200) beds or more the fee shall be two thousand four hundred dollars (\$2,400.00) plus two hundred dollars (\$200.00) for each twenty-five (25) beds or fraction thereof in excess of one hundred ninety-nine (199) beds. The fee shall be submitted with the application or renewal and is not refundable.

Authority: T.C.A. §§4-5-201, 4-5-202, 4-5-204, 68-11-201, 68-11-202, 68-11-204, 68-11-206, 68-11-209, and 68-11-216.

Rule 1200-08-02-.02, Licensing Procedures, is amended by deleting subparagraph (2)(b) in its entirety and substituting instead the following language, so that as amended, the new subparagraph (2)(b) shall read:

(2) (b) Each applicant for a license, with the exception of the U.S. Government, the State of Tennessee or local government, shall pay an annual license fee in the amount of one thousand eighty dollars (\$1,080.00). The fee must be submitted with the application and is not refundable.

Authority: T.C.A. §§4-5-202, 4-5-204, 68-11-202, 68-11-204, 68-11-206, 68-11-207, 68-11-209, and 68-11-216.

Rule 1200-08-06-.02, Licensing Procedures, is amended by deleting paragraph (4) in its entirety and substituting instead the following language, so that as amended, the new paragraph (4) shall read:

(4) Each nursing home, except those operated by the U.S. Government or the State of Tennessee, making application for license under this chapter shall pay annually to the department a fee based on the number of nursing home beds, as follows:

(a)	Less than 25 beds	\$ 800.00
(b)	25 to 49 beds, inclusive	\$ 1,000.00
(c)	50 to 74 beds, inclusive	\$ 1,200.00
(d)	75 to 99 beds, inclusive	\$ 1,400.00

(e)	100 to 124 beds, inclusive	\$ 1,600.00
(f)	125 to 149 beds, inclusive	\$ 1,800.00
(g)	150 to 174 beds, inclusive	\$ 2,000.00
(h)	175 to 199 beds, inclusive	\$ 2,200.00

For nursing homes of two hundred (200) beds or more the fee shall be two thousand four hundred dollars (\$2,400.00) plus two hundred dollars (\$200.00) for each twenty-five (25) beds or fraction thereof in excess of one hundred ninety-nine (199) beds. The fee shall be submitted with the application or renewal and is not refundable. When additional beds are licensed, the licensing procedures for new facilities must be followed and the difference between the fee previously paid and the fee for the new bed capacity, if any, must be paid.

Authority: T.C.A. §§4-5-202, 4-5-204, 68-11-202, 68-11-204, 68-11-206, 68-11-209, and 68-11-216.

Rule 1200-08-10-.02, Licensing Procedures, is amended by deleting subparagraph (2)(b) in its entirety and substituting instead the following language, so that as amended, the new subparagraph (2)(b) shall read:

- (2) (b) Each applicant for a license shall pay an annual license fee in the amount of one thousand eighty dollars (\$1,080.00). The fee must be submitted with the application and is not refundable.

Authority: T.C.A. §§4-5-202, 4-5-204, 68-11-202, 68-11-204, 68-11-206, 68-11-209, and 68-11-216.

Rule 1200-08-11-.02, Licensing Procedures, is amended by deleting subparagraph (2)(b) in its entirety and substituting instead the following language, so that as amended, the new subparagraph (2)(b) shall read:

- (2) (b) Each applicant for a license shall pay an annual license fee based on the number of beds as follows:
- |    |                            |             |
|----|----------------------------|-------------|
| 1. | Less than 6 beds           | \$ 300.00   |
| 2. | 6 to 24 beds, inclusive    | \$ 800.00   |
| 3. | 25 to 49 beds, inclusive   | \$ 1,000.00 |
| 4. | 50 to 74 beds, inclusive   | \$ 1,200.00 |
| 5. | 75 to 99 beds, inclusive   | \$ 1,400.00 |
| 6. | 100 to 124 beds, inclusive | \$ 1,600.00 |
| 7. | 125 to 149 beds, inclusive | \$ 1,800.00 |
| 8. | 150 to 174 beds, inclusive | \$ 2,000.00 |
| 9. | 175 to 199 beds, inclusive | \$ 2,200.00 |

For homes for the aged of two hundred (200) beds or more the fee shall be two thousand four hundred dollars (\$2,400.00) plus two hundred dollars (\$200.00) for each twenty-five (25) beds or fraction thereof in excess of one hundred ninety-nine (199) beds. The fee shall be submitted with the application or renewal and is not refundable.

Authority: T.C.A. §§4-5-202, 4-5-204, 68-11-202, 68-11-204, 68-11-206, 68-11-209, 68-11-210, and 68-11-216.

Rule 1200-08-15-.02, Licensing Procedures, is amended by deleting subparagraph (2)(b) in its entirety and substituting instead the following language, so that as amended, the new subparagraph (2)(b) shall read:

- (2) (b) Each applicant for a license shall pay an annual license fee based on the number of beds as follows:
- |    |                            |             |
|----|----------------------------|-------------|
| 1. | Less than 25 beds          | \$ 800.00   |
| 2. | 25 to 49 beds, inclusive   | \$ 1,025.00 |
| 3. | 50 to 74 beds, inclusive   | \$1,225.00  |
| 4. | 75 to 99 beds, inclusive   | \$1,425.00  |
| 5. | 100 to 124 beds, inclusive | \$ 1,625.00 |
| 6. | 125 to 149 beds, inclusive | \$ 1,825.00 |
| 7. | 150 to 174 beds, inclusive | \$ 2,025.00 |
| 8. | 175 to 199 beds, inclusive | \$ 2,225.00 |

For residential hospice of two hundred (200) beds or more the fee shall be two thousand four hundred twenty-five dollars (\$2,425.00) plus two hundred dollars (\$200.00) for each twenty-five (25) beds or fraction thereof in excess of one hundred ninety-nine (199) beds. The fee shall be submitted with the application or renewal and is not refundable.

Authority: T.C.A. §§4-5-202, 4-5-204, 68-11-202, 68-11-204, 68-11-206, 68-11-209, and 68-11-216.

Rule 1200-08-24-.02, Licensing Procedures, is amended by deleting subparagraph (2)(b) in its entirety and substituting instead the following language, so that as amended, the new subparagraph (2)(b) shall read:

- (2) (b) Each applicant for a license shall pay an annual license fee in the amount of one thousand eighty dollars (\$1,080.00). The fee must be submitted with the application and is not refundable.

Authority: T.C.A. §§4-5-202, 4-5-204, 68-11-202, 68-11-204, 68-11-206, 68-11-209, 68-11-210, and 68-11-216.

Rule 1200-08-25-.02, Licensing Procedures, is amended by deleting paragraph (4) in its entirety and substituting instead the following language, so that as amended, the new paragraph (4) shall read:

- (4) Each ACLF, except those operated by the U.S. Government or the State of Tennessee, making application for license under this chapter shall pay annually to the department a fee based on the number of ACLF beds, as follows:
- |     |                          |             |
|-----|--------------------------|-------------|
| (a) | Less than 25 beds        | \$ 800.00   |
| (b) | 25 to 49 beds, inclusive | \$ 1,000.00 |
| (c) | 50 to 74 beds, inclusive | \$ 1,200.00 |

(d)	75 to 99 beds, inclusive	\$ 1,400.00
(e)	100 to 124 beds, inclusive	\$ 1,600.00
(f)	125 to 149 beds, inclusive	\$ 1,800.00
(g)	150 to 174 beds, inclusive	\$ 2,000.00
(h)	175 to 199 beds, inclusive	\$ 2,200.00

For ACLF's of two hundred (200) beds or more the fee shall be two thousand four hundred dollars (\$2,400.00) plus two hundred dollars (\$200.00) for each twenty-five (25) beds or fraction thereof in excess of one hundred ninety-nine (199) beds. The fee shall be submitted with the application or renewal and is not refundable.

Authority: T.C.A. §§4-5-202, 4-5-204, 68-11-202, 68-11-204, 68-11-206, 68-11-209, 68-11-210, and 68-11-216.

Rule 1200-08-26-.02, Licensing Procedures, is amended by deleting subparagraph (2)(b) in its entirety and substituting instead the following language, so that as amended, the new subparagraph (2)(b) shall read:

- (2) (b) Each applicant for a license shall pay an annual license fee in the amount of one thousand eighty dollars (\$1,080.00). The fee must be submitted with the application and is not refundable.

Authority: T.C.A. §§4-5-202, 4-5-204, 68-11-202, 68-11-204, 68-11-206, 68-11-209, and 68-11-216.

Rule 1200-08-27-.02, Licensing Procedures, is amended by deleting subparagraph (2)(b) in its entirety and substituting instead the following language, so that as amended, the new subparagraph (2)(b) shall read:

- (2) (b) Each applicant for a license shall pay an annual license fee in the amount of one thousand eighty dollars (\$1,080.00). The fee must be submitted with the application and is not refundable.

Authority: T.C.A. §§4-5-202, 4-5-204, 68-11-202, 68-11-204, 68-11-206, 68-11-209, and 68-11-216.

Rule 1200-08-28-.02, Licensing Procedures, is amended by deleting subparagraph (2)(b) in its entirety and substituting instead the following language, so that as amended, the new subparagraph (2)(b) shall read:

- (2) (b) Each applicant for a license shall pay an annual license fee based on the number of beds as follows:
- |    |                            |             |
|----|----------------------------|-------------|
| 1. | Less than 25 beds          | \$ 800.00   |
| 2. | 25 to 49 beds, inclusive   | \$ 1,000.00 |
| 3. | 50 to 74 beds, inclusive   | \$1,200.00  |
| 4. | 75 to 99 beds, inclusive   | \$1,400.00  |
| 5. | 100 to 124 beds, inclusive | \$ 1,600.00 |
| 6. | 125 to 149 beds, inclusive | \$ 1,800.00 |

- 7. 150 to 174 beds, inclusive \$ 2,000.00
- 8. 175 to 199 beds, inclusive \$ 2,200.00

For HIV supportive living facilities of two hundred (200) beds or more the fee shall be two thousand four hundred dollars (\$2,400.00) plus two hundred dollars (\$200.00) for each twenty-five (25) beds or fraction thereof in excess of one hundred ninety-nine (199) beds. The fee shall be submitted with the application or renewal and is not refundable.

Authority: T.C.A. §§4-5-202, 4-5-204, 68-11-202, 68-11-204, 68-11-206, 68-11-209, and 68-11-216.

Rule 1200-08-29-.02, Licensing Procedures, is amended by deleting subparagraph (2)(b) in its entirety and substituting instead the following language, so that as amended, the new subparagraph (2)(b) shall read:

- (2) (b) Each applicant for a license shall pay an annual license fee in the amount of one thousand eighty dollars (\$1,080.00). The fee must be submitted with the application and is not refundable.

Authority: T.C.A. §§4-5-202, 4-5-204, 68-11-202, 68-11-204, 68-11-206, 68-11-209, and 68-11-216.

Rule 1200-08-32-.02, Licensing Procedures, is amended by deleting subparagraph (2)(b) in its entirety and substituting instead the following language, so that as amended, the new subparagraph (2)(b) shall read:

- (2) (b) Each initial and renewal application for licensure shall be submitted with the fee of one thousand eighty dollars (\$1,080.00). All fees submitted are nonrefundable. Any applicant who files an application during the fiscal year must pay the full license fee. A fee must be submitted for each facility at each site for which licensure is being sought.

Authority: T.C.A. §§4-5-202, 4-5-204, 68-11-202, 68-11-204, 68-11-206, 68-11-209, 68-11-210, and 68-11-216.

Rule 1200-08-34-.02, Licensing Procedures, is amended by deleting subparagraph (2)(b) in its entirety and substituting instead the following language, so that as amended, the new subparagraph (2)(b) shall read:

- (2) (b) Home care organizations authorized to provide only professional support services shall pay an annual fee of one thousand eighty dollars (\$1,080.00), except that this annual fee shall be two hundred seventy dollars (\$270.00) for (i) home care organizations that also pay a fee to be licensed by the Department of Mental Health and Developmental Disabilities; (ii) home care organizations owned and operated by therapists who pay a fee to be licensed under Title 63, Chapter 13 or 17; or (iii) home care organizations that are owned and controlled by another home care organization that pay an annual license fee of at least one thousand eighty dollars (\$1,080.00). The fee must be submitted with the application and is not refundable.

Authority: T.C.A. §§4-5-202, 4-5-204, 68-11-202, 68-11-204, 68-11-206, 68-11-209, and 68-11-216.

Rule 1200-08-35-.02, Licensing Procedures, is amended by deleting subparagraph (2)(b) in its entirety and substituting instead the following language, so that as amended, the new subparagraph (2)(b) shall read:

- (2) (b) Each applicant for a license shall pay an annual license fee in the amount of one thousand eighty dollars (\$1,080.00). The fee must be submitted with the application and is not refundable.

Authority: T.C.A. §§4-5-202, 4-5-204, 68-11-202, 68-11-204, 68-11-206, 68-11-209, and 68-11-216.

The rulemaking hearing rules set out herein were properly filed in the Department of State on the 19th day of January, 2007 and will become effective on the 4th day of April, 2007. (SEQ 01-26-07, DBID 2306 through 2320)