

Department of Health
Notice of Rulemaking Hearing
Board of Registration in Podiatry
Division of Health Related Boards

There will be a hearing before the Tennessee Board of Registration in Podiatry to consider the promulgation of amendments to rules pursuant to T.C.A. §§ 4-5-202, 4-5-204, and 63-3-106. The hearing will be conducted in the manner prescribed by the Uniform Administrative Procedures Act, Tennessee Code Annotated, Section 4-5-204 and will take place in the Cumberland Room of the Cordell Hull Building located at 425 Fifth Avenue North, Nashville, TN at 2:30 p.m. (CDT) on the 7th day of July, 2005.

Any individuals with disabilities who wish to participate in these proceedings (review these filings) should contact the Department of Health, Division of Health Related Boards to discuss any auxiliary aids or services needed to facilitate such participation or review. Such initial contact may be made no less than ten (10) days prior to the scheduled meeting date (the date such party intends to review such filings), to allow time for the Division to determine how it may reasonably provide such aid or service. Initial contact may be made with the ADA Coordinator at the Division of Health Related Boards, First Floor, Cordell Hull Building, 425 Fifth Avenue North, Nashville, TN 37247-1010, (615) 532-4397.

For a copy of the entire text of this notice of rulemaking hearing contact:

Jerry Kosten, Regulations Manager, Division of Health Related Boards, 425 Fifth Avenue North, First Floor, Cordell Hull Building, Nashville, TN 37247-1010, (615) 532-4397.

Substance of Proposed Rules

Amendments

Rule 1155-2-.04, Qualification for Licensure, is amended by deleting subparagraph (1) (d) in its entirety and substituting instead the following language, and is further amended by deleting subparagraphs (1) (e) and (1) (f) in their entirety and renumbering subparagraph (1) (g) as subparagraph (1) (e), and is further amended by deleting paragraph (2) in its entirety and substituting instead the following language, so that as amended, the new subparagraph (1) (d) and the new paragraph (2) shall read:

- (1) (d) Examination. Successfully complete all examinations required by rule 1155-2-.08.
- (2) Licensure by Reciprocity. All reciprocity applicants must complete the requirements for licensure in paragraph (1) of this rule.

Authority: T.C.A. §§ 4-5-202, 4-5-204, 63-3-106, 63-3-111, and 63-3-114.

Rule 1155-2-.05, Procedures for Licensure, is amended by deleting subparagraphs (1) (i) and (1) (j) in their entirety and substituting instead the following language, and is further amended by adding the following language as new subparagraph (1) (l) and renumbering the remaining subparagraphs accordingly, and is further amended by deleting paragraph (2) in its entirety and substituting instead the following language, so that as amended, the new subparagraphs (1) (i), (1) (j) and (1) (l), and the new paragraph (2) shall read:

- (1) (i) An applicant shall request that his/her scores from Parts I and II of the National Board of Podiatric Medical Examiners (NBPME) examinations be sent directly to the Board's administrative office from the testing agency.
- (1) (j) An applicant shall request that his/her scores, if taken in another state, from Part III of the NBPME examinations (formerly known as the Podiatric Medical Licensing Examination for States [PMLexis]) be sent directly to the Board's administrative office from the Federation of Podiatric Medical Boards.
- (1) (l) An applicant shall cause to be submitted to the Board's administrative office directly from the vendor identified in the Board's licensure application materials, the result of a criminal background check.
- (2) Licensure by Reciprocity. All reciprocity applicants must complete the procedures for licensure in paragraph (1) of this rule.

Authority: T.C.A. §§ 4-5-202, 4-5-204, 63-3-106, 63-3-111, 63-3-114, and 63-3-119.

Rule 1155-2-.08, Examinations, is amended by adding the following introductory language and is further amended by deleting paragraphs (1) and (2) in their entirety and substituting instead the following language, and is further amended by deleting paragraph (3) but not its subparagraphs and substituting instead the following language, and is further amended by deleting subparagraph (5) (a) in its entirety and substituting instead the following language, so that as amended, the new introductory language, the new paragraphs (1) and (2), the new paragraph (3) but not its subparagraphs, and the new subparagraph (5) (a) shall read:

1155-2-.08 Examinations. All applicants for licensure by examination and reciprocity must successfully complete the examinations described in paragraphs (1), (2) and (3) of this rule.

- (1) Parts I and II of the National Board of Podiatric Medical Examiners (NBPME) examinations.
 - (a) The Board adopts as its passing scores for Parts I and II the NBPME's recommended passing score as determined by the criterion-referenced method approved by the NBPME.

- (b) The passing scores for Parts I and II are to be achieved independently of each other and shall not be combined together for an average passing score.
 - (c) The examinations shall be administered by the NBPME's authorized testing agency.
- (2) Part III of the NBPME examinations (formerly known as the Podiatric Medical Licensing Examination for States [PMLexis]).
- (a) The Board adopts as its passing score for Part III the NBPME's recommended passing score as determined by the criterion-referenced method approved by the NBPME.
 - (b) An applicant for licensure shall successfully complete Parts I and II before applying to the Board to take Part III.
 - (c) The examination shall be administered by the NBPME's authorized testing agency.
- (3) Jurisprudence examination.
- (5) (a) Applicants who fail Part III of the NBPME examinations shall be entitled to retake the next regularly scheduled examination upon sending a written request to the Board's administrative office at least sixty (60) days prior to the examination.

Authority: T.C.A. §§ 4-5-202, 4-5-204, 63-3-106, 63-3-109, 63-3-111, 63-3-112, and 63-3-114.

Rule 1155-2-.14, Academic License, is amended by deleting paragraph (1) and subparagraph (4) (j) in their entirety and substituting instead the following language, and is further amended by adding the following language as new subparagraph (4) (l) and renumbering the remaining subparagraphs accordingly, and is further amended by deleting paragraph (8) in its entirety and substituting instead the following language, and is further amended by deleting paragraph (9) in its entirety, so that as amended, the new paragraph (1), the new subparagraphs (4) (j) and (4) (l), and the new paragraph (8) shall read:

- (1) An application for an academic license will be considered only after an individual has completed all the requirements for full and unrestricted licensure except postgraduate education and the examination requirements of paragraphs (2) and (3) of rule 1155-2-.08.

- (4) (j) An applicant shall request that his/her scores from Parts I and II of the National Board of Podiatric Medical Examiners (NBPME) examinations be sent directly to the Board's administrative office from the testing agency.
- (4) (l) An applicant shall cause to be submitted to the Board's administrative office directly from the vendor identified in the Board's licensure application materials, the result of a criminal background check.
- (8) An academic license holder may be approved for a permanent license when he/she successfully completes the post-graduate educational program and the examination requirements of paragraphs (2) and (3) of rule 1155-2-.08.

Authority: T.C.A. §§ 4-5-202, 4-5-204, 63-3-106, 63-3-109, 63-3-113, and 63-3-119.

Rule 1155-3-.01, Scope of Practice and Certification, is amended by adding the following language as new subparagraph (2) (d):

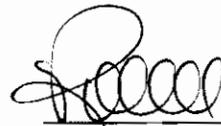
- (2) (d) An applicant shall cause to be submitted to the Board's administrative office directly from the vendor identified in the Board's certification application materials, the result of a criminal background check.

Authority: T.C.A. §§ 4-5-202, 4-5-204, 63-3-106, and 63-3-119, and 63-3-125.

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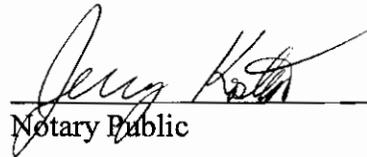
Contact who can answer questions concerning this notice of rulemaking hearing, technical contact for disk acquisition, and person who will approve final copy for publication: Jerry Kosten, Regulations Manager, Division of Health Related Boards, First Floor, Cordell Hull Building, 425 Fifth Avenue North, Nashville, TN 37247-1010 615-532-4397.

I certify that this is an accurate and complete representation of the intent and scope of rulemaking proposed by the Tennessee Board of Registration in Podiatry.



Robbie H. Bell, Director
Health Related Boards

Subscribed and sworn to before me this the 24th day of February, 2005.


Notary Public

My commission expires on the 25th day of March, 2006.

The notice of rulemaking set out herein was properly filed in the Department of State on the 24 day of Feb, 2005.


Riley C. Darnell
Secretary of State

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PUBLICATIONS

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