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Sequence Number: 02-21-12
 Notice ID(s): 1737-1739
 File Date: 02/28/2012

Notice of Rulemaking Hearing

Hearings will be conducted in the manner prescribed by the Uniform Administrative Procedures Act, Tennessee Code Annotated, Section 4-5-204. For questions and copies of the notice, contact the person listed below.

Agency/Board/Commission:	Tennessee Board of Chiropractic Examiners
Division:	
Contact Person:	Christopher M. Smith
Address:	Department of Health Office of General Counsel 220 Athens Way, Suite 210 Nashville, Tennessee 37243
Phone:	(615)741-1611
Email:	Christopher.M.Smith@tn.gov

Any Individuals with disabilities who wish to participate in these proceedings (to review these filings) and may require aid to facilitate such participation should contact the following at least 10 days prior to the hearing:

ADA Contact:	ADA Coordinator at the Division of Health Related Boards
Address:	227 French Landing Drive, Heritage Place, Nashville, Tennessee 37243
Phone:	(615) 532-3202 or (Toll Free) 1-800-778-4123
Email:	

Hearing Location(s) (for additional locations, copy and paste table)

Address 1:	227 French Landing Drive, Heritage Place MetroCenter		
Address 2:	Health Related Boards Conference Rooms, Poplar Room		
City:	Nashville, Tennessee		
Zip:	37243		
Hearing Date :	05/24/2012		
Hearing Time:	9:00 a.m.	<input checked="" type="checkbox"/> CDT_EST	

Additional Hearing Information:

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Revision Type (check all that apply):

- Amendment
 New
 Repeal

Rule(s) (ALL chapters and rules contained in filing must be listed. If needed, copy and paste additional tables to accommodate more than one chapter. Please enter only **ONE** Rule Number/Rule Title per row.)

Chapter Number	Chapter Title
0260-02	General Rules Governing Chiropractic Examiners
Rule Number	Rule Title

0260-02-.06	Fees
0260-02-.24	Chiropractic Professional Corporations and Chiropractic Professional Limited Liability Companies

Chapter Number	Chapter Title
0260-03	General Rules Governing Chiropractic X-Ray Technologists
Rule Number	Rule Title
0260-03-.06	Fees

Chapter Number	Chapter Title
0260-05	General Rules Governing Chiropractic Therapy Assistants
Rule Number	Rule Title
0260-05-.06	Fees

(Place substance of rules and other info here. Statutory authority must be given for each rule change. For information on formatting rules go to <http://state.tn.us/sos/rules/1360/1360.htm>)

Amendments

Chapter 0260-02 General Rules Governing Chiropractic Examiners

Rule 0260-02-.06(4)(c) Fees is amended by deleting the language of the subparagraph in its entirety and substituting instead the following language, so that as amended, the new rule 0260-02-.06(4)(c) shall read:

(c) Renewal (biennial) 250.00

(needs authority)

Rule 0260-02-.24 Chiropractic Professional Corporations and Chiropractic Professional Limited Liability Companies is amended by deleting the language of subparagraph (1)(b) in its entirety and substituting instead the following language, and by deleting the language of subparagraph (2)(b) in its entirety and substituting instead the following language, so that as amended, the new subparagraphs (1)(b) and (2)(b) shall read:

- (1)(b) Ownership of Stock – With the exception of the health care professional combinations specifically enumerated in T.C.A. § 48-101-610, only the following may form and own shares of stock in a foreign or domestic CPC doing business in Tennessee:
1. Chiropractic physicians licensed pursuant to Tennessee Code Annotated Title 63, Chapter 4 or licensed in another state; and/or
 2. A foreign or domestic general partnership, CPC or CPLLC in which all partners, shareholders, members or holders of financial rights are either:
 - (i) Chiropractic physicians licensed pursuant to Tennessee Code Annotated Title 63, Chapter 4 to practice chiropractic in Tennessee or chiropractic physicians licensed by other states, or composed of entities which are directly or indirectly owned by such licensed chiropractic physicians; and/or
 - (ii) Professionals authorized by T.C.A. §§ 48-101-610 or 48-248-401 or 48-249-1109 to either own shares of stock in a CPC or be a member or holder of financial rights in a CPLLC; and/or
 - (iii) A combination of professionals authorized by subparts (i) and (ii).
- (2)(b) Membership – With the exception of the health care professional combinations specifically enumerated in T.C.A. §§ 48-248-401 and 48-249-1109, only the following may form and own shares of stock in a foreign or domestic CPLLC doing business in Tennessee:
1. Chiropractic physicians licensed pursuant to Tennessee Code Annotated Title 63, Chapter 4 or licensed in another state; and/or
 2. A foreign or domestic general partnership, CPC or CPLLC in which all partners, shareholders, members or holders of financial rights are either:

- (i) Chiropractic physicians licensed pursuant to Tennessee Code Annotated Title 63, Chapter 4 to practice chiropractic in Tennessee or chiropractic physicians licensed by other states, or composed of entities which are directly or indirectly owned by such licensed chiropractic physicians; and/or
- (ii) Professionals authorized by T.C.A. §§ 48-101-610 or 48-248-401 or 48-249-1109 to either own shares of stock in a CPC or be a member or holder of financial rights in a CPLLC; and/or
- (iii) A combination of professionals authorized by subparts (i) and (ii).

Authority: T.C.A. §§ 63-4-103, 48-101-610, 48-248-401 and 48-249-1109.

Chapter 0260-04
General Rules Governing Chiropractic X-Ray Technologists

Rule 0260-03-.06 Fees is amended by deleting the language of subparagraphs (1)(a) and (1)(c) in their entirety and substituting the following language, so that as amended the new subparagraphs (1)(a) and (1)(c) shall read:

(a)	Application	\$150.00
(c)	Renewal	\$100.00

(needs authority)

Chapter 0260-05
General Rules Governing Chiropractic Therapy Assistants

Rule 0260-05-.06 Fees is amended by deleting the language of subparagraphs (4)(a) and (4)(c) in their entirety and substituting the following language, so that as amended shall read:

(a)	Application	\$150.00
(c)	Renewal	\$100.00

(needs authority)

I certify that the information included in this filing is an accurate and complete representation of the intent and scope of rulemaking proposed by the agency.

Date: 2-28-2012

Signature: *[Handwritten Signature]*

Name of Officer: Christopher M. Smith

Assistant General Counsel

Title of Officer: Department of Health

Subscribed and sworn to before me on: 2/28/12

Notary Public Signature: *Theodora P. Wilkins*

My commission expires on: 11/3/2015



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Filed with the Department of State on: 02/28/2012

[Handwritten Signature]

Tre Hargett
Secretary of State

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