

Department of Health  
Rulemaking Hearing Rules  
Board of Medical Examiners  
Division of Health Related Boards

Chapter 0880-2  
General Rules and Regulations Governing the Practice of Medicine

Amendments

Rule 0880-2-.14 Specially Regulated Areas and Aspects of Medical Practice, is amended by adding the following language as new paragraph (11):

- (11) Use of Titles - Any person who possesses a valid, unsuspended and unrevoked license issued by the Board has the right to use the title “Medical Doctor” or “M.D.” and to practice medicine, as defined in T.C.A. §§ 63-6-204. Violation of this rule regarding use of titles shall constitute unprofessional conduct and subject the licensee to disciplinary action.

Authority: T.C.A. §§ 4-5-202, 4-5-204, 63-1-102, 63-1-145, 63-6-101, 63-6-204, 63-6-214, and 63-6-215.

Rule 0880-2-.22 Free Health Clinic, Inactive Pro Bono and Volunteer Practice Requirements, is amended by adding the following language as new paragraph (2) and renumbering the remaining paragraphs accordingly:

- (2) Special Volunteer License for Out-of-State Practice.
- (a) Any physician whose license to practice medicine in Tennessee is in retired or inactive status and who has not been disciplined by any medical licensure board may receive a “Special Volunteer License for Out-of-State Practice,” which will entitle the licensee to practice without remuneration at benevolent or humanitarian service projects locations outside of the state by doing the following:
1. Comply with the provisions of parts (1) (a) 1., (1) (a) 2. and (1) (a) 3. of this rule; and
  2. Submit to the Board’s administrative office the location and details of the benevolent or humanitarian service projects at which the licensee intends to practice.
- (b) The provisions of subparagraphs (1) (b) and (1) (d) of this rule are applicable to Special Volunteer Licenses for Out-of-State Practice.

- (c) Unless appropriately licensed elsewhere, a physician holding a Special Volunteer License for Out-of-State Practice may not practice medicine anywhere other than at the benevolent or humanitarian service projects specified in the application.

Authority: T.C.A. §§ 4-5-202, 4-5-204, 63-6-101, and 63-6-235

Legal Contact: Robert J. Kraemer, Jr., Associate General Counsel, Office of General Counsel, 26<sup>th</sup> Floor, William R. Snodgrass Tennessee Tower, 312 Eighth Avenue North, Nashville, TN 37247-0120, (615) 741-1611.

Contact for disk acquisition and/or party who will approve final copy: 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.

Signature of the agency officer directly responsible for proposing and/or drafting these rules:

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David L. Cunningham, M.D., President  
Board of Medical Examiners

The roll call vote by the Board of Medical Examiners on these rulemaking hearing rules was as follows:

| Board Members               | Aye      | No    | Abstain | Absent |
|-----------------------------|----------|-------|---------|--------|
| Subhi D. Ali, M.D.          | <u>X</u> | _____ | _____   | _____  |
| Sam T. Barnes, M.D.         | <u>X</u> | _____ | _____   | _____  |
| David L. Cunningham, M.D.   | <u>X</u> | _____ | _____   | _____  |
| Gary Keith Lovelady, M.D.   | <u>X</u> | _____ | _____   | _____  |
| Allen S. Edmonson, M.D.     | <u>X</u> | _____ | _____   | _____  |
| Barbara Engelhardt, M.D.    | <u>X</u> | _____ | _____   | _____  |
| Mitchell L. Mutter, M.D.    | <u>X</u> | _____ | _____   | _____  |
| Charles W. White, Sr., M.D. | <u>X</u> | _____ | _____   | _____  |
| Michael D. Zanolli, M.D.    | <u>X</u> | _____ | _____   | _____  |
| Mark A. Brown               | <u>X</u> | _____ | _____   | _____  |
| Mary Johnson                | <u>X</u> | _____ | _____   | _____  |
| Nina Yeiser                 | <u>X</u> | _____ | _____   | _____  |

I certify that this is an accurate and complete copy of rulemaking hearing rules, lawfully promulgated and adopted by the Board of Medical Examiners on the 20th day of September, 2005.

Further, I certify that the provisions of T.C.A. § 4-5-222 have been fully complied with, that these rules are properly presented for filing, a notice of rulemaking hearing has been filed in the Department of State on the 20th day of July, 2005, and such notice of rulemaking hearing having been published in the August 15th, 2005 issue of the Tennessee Administrative Register, and such rulemaking hearing having been conducted pursuant thereto on the 20th day of September, 2005.

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Robbie H. Bell, Director  
Division of Health Related Boards

Subscribed and sworn to before me this the 20th day of September, 2005.

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Notary Public

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

All rulemaking hearing rules provided for herein have been examined by the Attorney General and Reporter of the State of Tennessee and are approved as to legality pursuant to the provisions of the Administrative Procedures Act, Tennessee Code Annotated, Title 4, Chapter 5.

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Paul G. Summers  
Attorney General and Reporter

The rulemaking hearing rules set out herein were properly filed in the Department of State on the 17th day of April, 2006, and will become effective on the 1st day of July, 2006.