

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

Chapter 1155-2
General Rules and Regulations Governing the Practice of Podiatry

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.

Legal Contact: Nicole Armstrong, Assistant General Counsel, Office of General Counsel, 26th 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 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.

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

Aaron Perkins, D.P.M., Chair
Board of Podiatric Medical Examiners

The roll call vote by the Board of Registration in Podiatry on these rulemaking hearing rules was as follows:

Board Members	Aye	No	Abstain	Absent
David Long, D.P.M.	<u>X</u>	_____	_____	_____
Berkeley Nicholls, D.P.M.	_____	_____	_____	<u>X</u>
Aaron Perkins, D.P.M.	<u>X</u>	_____	_____	_____
Kathryn A. Riffe, D.P.M.	<u>X</u>	_____	_____	_____
Vacant	_____	_____	_____	_____
Shannon Bottoms	<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 Podiatric Medical Examiners on the 15th day of July, 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 24th day of February, 2005, and such notice of rulemaking hearing has been published in the March 15, 2005, issue of the Tennessee Administrative Register, and such rulemaking hearing having been conducted pursuant thereto on the 7th day of July, 2005.

Robbie H. Bell, Director
Division of Health Related Boards

Subscribed and sworn to before me this the 15th day of July, 2005.

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.

Paul G. Summers
Attorney General and Reporter

The rulemaking hearing rules set out herein were properly filed in the Department of State on the 5th day of May, 2006, and will become effective on the 19th day of July, 2006.

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

Chapter 1155-3
General Rules Governing Podiatry X-Ray Operators

Amendments

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.

Legal Contact: Nicole Armstrong, Assistant General Counsel, Office of General Counsel, 26th 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 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.

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Aaron Perkins, D.P.M., Chair
Board of Podiatric Medical Examiners

The roll call vote by the Board of Registration in Podiatry on these rulemaking hearing rules was as follows:

Board Members	Aye	No	Abstain	Absent
David Long, D.P.M.	<u> X </u>	_____	_____	_____
Berkeley Nicholls, D.P.M.	_____	_____	_____	<u> X </u>
Aaron Perkins, D.P.M.	<u> X </u>	_____	_____	_____
Kathryn A. Riffe, D.P.M.	<u> X </u>	_____	_____	_____
Vacant	_____	_____	_____	_____
Shannon Bottoms	<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 Podiatric Medical Examiners on the 15th day of July, 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 24th day of February, 2005, and such notice of rulemaking hearing has been published in the March 15, 2005, issue of the Tennessee Administrative Register, and such rulemaking hearing having been conducted pursuant thereto on the 7th day of July, 2005.

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