

Rulemaking Hearing Rules

Department of Health
Board for Licensing Health Care Facilities

Chapter 1200-8-29
Standards for Homecare Organizations Providing Home Medical Equipment

Amendments

Rule 1200-8-29-.01, Definitions, is amended by deleting paragraph (32) in its entirety and substituting instead the following language, so that as amended, the new paragraph (32) shall read:

(32) Medical Record. Information that pertains to confinement or services rendered to patients, including one or more of the following:

- (a) medical histories;
- (b) records;
- (c) reports;
- (d) clinical notes;
- (e) summaries; or
- (f) orders.

If the patient does not require any clinical services from the home medical equipment company, the medical record will consist of the physician order only.

Authority: T.C.A. §§4-5-202, 4-5-204, 68-11-201, 68-11-202, 68-11-204, 68-11-207, 68-11-209, 68-11-210, 68-11-211, 68-11-213, 68-11-226, and 68-11-303.

Rule 1200-8-29-.04, Administration, 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) Accreditation. Any home medical equipment provider accredited by the Joint Commission on Accreditation of Health Care Organizations, Community Health Accreditation Program or other approved accrediting bodies may submit documents evidencing current accreditation and shall be presumed to comply with the requirements of the Board. Licensing of a home medical equipment provider which has been accredited by the Joint Commission on Accreditation of Health Care Organizations, Community Health Accreditation Program or other approved accrediting bodies shall become effective upon written notification from the Board's staff that the accreditation meets the standards set out in the rules and regulations promulgated pursuant to T.C.A. §§ 68-11-201, et seq.

Authority: T.C.A. §§4-5-202, 4-5-204, 68-11-201, 68-11-202, 68-11-204, 68-11-206, 68-11-209, 68-11-222, and 71-6-121.

Rule 1200-8-29-.04, Administration, is amended by deleting part (5)(b)10. in its entirety.

Authority: T.C.A. §§4-5-202, 4-5-204, 68-11-201, 68-11-202, 68-11-204, 68-11-206, 68-11-209, 68-11-222, 68-11-226, and 71-6-121.

Rule 1200-8-29-.04, Administration, is amended by adding the following language as new subparagraphs (5)(c), (5)(d), and (5)(e), so that as amended, the new subparagraphs (5)(c), (5)(d), and (5)(e) shall read:

- (5)(c) Medical equipment delivery technicians who deliver and install respiratory equipment shall be determined to be competent by their employer prior to independently delivering and setting up the respiratory equipment in a patient's home. The home medical equipment supplier must maintain documentation to demonstrate that competency requirements are met. Standard competencies will include at a minimum the following:
1. Role responsibilities;
 2. Cylinders;
 3. Pressure regulators/Flow controllers;
 4. Home liquid oxygen systems;
 5. Oxygen concentrators;
 6. Oxygen analyzers;
 7. Humidifiers;
 8. Low flow nasal cannula; and
 9. Small volume medication nebulizers with air compressors.
- (5)(d) Medical equipment delivery technicians shall be determined by their employer to be competent in their understanding of which acts they may and may not perform.
- (5)(e) The Board may in its discretion, after consultation with the Tennessee Association for Home Care and the Tennessee Society for Respiratory Care, encourage the use of certain competency documents developed by these two organizations to ensure compliance with the provisions of (c) and (d).

Authority: T.C.A. §§4-5-202, 4-5-204, 68-11-201, 68-11-202, 68-11-204, 68-11-206, 68-11-209, 68-11-222, 68-11-226, and 71-6-121.

Rule 1200-8-29-.05, Admissions, Discharge and Transfers, is amended by deleting paragraph (3) in its entirety and re-numbering the remaining paragraph accordingly.

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

The rulemaking hearing rules set out herein were properly filed in the Department of State on the 25th day of June, 2007, and will become effective on the 8th day of September, 2007. (FS 06-23-07, DBID 2572)