

Department of Health
Rulemaking Hearing Rules
Board of Medical Examiners
Committee on Physician Assistants
Division of Health Related Boards

Chapter 0880-3
General Rules and Regulations Governing the Practice of a Physician Assistant

Amendments

Rule 0880-3-.02 Scope of Practice, is amended by adding the following language as new paragraph (2):

- (2) Determinations and pronouncements of death shall be governed by T.C.A. § 68-3-512.

Authority: T.C.A. §§ 4-5-202, 4-5-204, 63-6-101, 63-19-104, 63-19-106, and 68-3-512.

Rule 0880-3-.15 Disciplinary Grounds, Actions, and Civil Penalties, is amended by adding the following language as new subparagraph (1) (v):

- (1) (v) Violation of the use of title statute, T.C.A. § 63-19-114.

Authority: T.C.A. §§ 4-5-202, 4-5-204, 63-1-102, 63-6-101, 63-19-104, 63-19-111, and 63-19-114.

Rule 0880-3-.19 Committee Members, Officers, Consultants, Records and Declaratory Orders, is amended by deleting the catchline in its entirety and substituting instead the following language, and is further amended by adding the following language as new paragraph (10), so that as amended, the new catchline and the new paragraph (10) shall read:

0880-3-.19 Committee Members, Officers, Consultants, Records, Declaratory Orders and Screening Panels

- (10) Screening Panels - The Committee adopts, as if fully set out herein, rule 1200-10-1-13, of the Division of Health Related Boards and as it may from time to time be amended, as its rule governing the screening panel process.

Authority: T.C.A. §§ 4-5-202, 4-5-204, 63-1-138, 63-6-101, and 63-19-104.

Rule 0880-3-.21 Prescription Writing, is amended by deleting paragraph (1) in its entirety and substituting instead the following language, so that as amended, the new paragraph (1) shall read:

- (1) Prescription writing shall be governed by Tennessee Code Annotated, Section 63-19-107 and Title 53, Chapter 10, Part 2.

Authority: T.C.A. §§ 4-5-202, 4-5-204, 53-10-201, et seq., 63-6-101, 63-19-104, and 63-19-107.

Legal Contact: Robert J. Kraemer, Jr., Associate 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: 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.

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

 Glen Alexander, P.A., Chair
 Committee on Physician Assistants

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

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

Committee Members	Aye	No	Abstain	Absent
Glen Alexander, P.A.	<u> x </u>	_____	_____	_____
William Blalock, P.A.	<u> x </u>	_____	_____	_____
Rory O'More, P.A.	_____	_____	_____	<u> x </u>
Johnny W. Presley, P.A.	<u> x </u>	_____	_____	_____
Jonathan S. White, P.A.	<u> x </u>	_____	_____	_____
Janet L. Johnson, O.P.A.	<u> x </u>	_____	_____	_____
Anne Arney	<u> x </u>	_____	_____	_____

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>	<u> </u>	<u> </u>	<u> </u>
Gary Keith Lovelady, M.D.	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
David L. Cunningham, M.D.	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
George L. Eckles, Jr., M.D.	<u> </u>	<u> </u>	<u> </u>	<u> x </u>
Allen S. Edmonson, M.D.	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
Barbara Engelhardt, M.D.	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
Mitchell L. Mutter, M.D.	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
Charles W. White, Sr., M.D.	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
Michael D. Zanolli, M.D.	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
Mark A. Brown	<u> </u>	<u> x </u>	<u> </u>	<u> </u>
Mary Johnson	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
Nina Yeiser	<u> x </u>	<u> </u>	<u> </u>	<u> </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' Committee on Physician Assistants on the 7th day of October, 2005, and the Board of Medical Examiners on the 15th day of November, 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 8th day of July, 2005, and such notice of rulemaking hearing having been published in the August 15, 2005 issue of the Tennessee Administrative Register, and such rulemaking hearing having been conducted pursuant thereto on the 22nd day of September, 2005.

 Robbie H. Bell, Director
 Division of Health Related Boards

Subscribed and sworn to before me this the 15th day of November, 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 23rd day of June, 2006, and will become effective on the 6th day of September, 2006.

Department of Health
Rulemaking Hearing Rules
Board of Medical Examiners
Committee on Physician Assistants
Division of Health Related Boards

Chapter 0880-10
General Rules and Regulations Governing
the Practice of an Orthopedic Physician Assistant

Amendments

Rule 0880-10-.15 Disciplinary Grounds, Actions, and Civil Penalties, is amended by adding the following language as new subparagraph (1) (v):

(1) (v) Violation of the correct title statute, T.C.A. § 63-19-210.

Authority: T.C.A. §§ 4-5-202, 4-5-204, 63-1-102, 63-1-146, 63-6-101, 63-19-104, 63-19-111, 63-19-201, and 63-19-210.

Rule 0880-10-.19 Committee Members, Officers, Consultants, Records and Declaratory Orders, is amended by deleting the catchline in its entirety and substituting instead the following language, and is further amended by adding the following language as new paragraph (10), so that as amended, the new catchline and the new paragraph (10) shall read:

0880-10-.19 Committee Members, Officers, Consultants, Records, Declaratory Orders and Screening Panels

(10) Screening Panels - The Committee adopts, as if fully set out herein, rule 1200-10-1-.13, of the Division of Health Related Boards and as it may from time to time be amended, as its rule governing the screening panel process.

Authority: T.C.A. §§ 4-5-202, 4-5-204, 63-1-138, 63-6-101, 63-19-104, and 63-19-201.

Legal Contact: Robert J. Kraemer, Jr., Associate 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: 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.

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

Glen Alexander, P.A., Chair
Committee on Physician Assistants

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

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

Committee Members	Aye	No	Abstain	Absent
Glen Alexander, P.A.	<u>x</u>	_____	_____	_____
William Blalock, P.A.	<u>x</u>	_____	_____	_____
Rory O'More, P.A.	_____	_____	_____	<u>x</u>
Johnny W. Presley, P.A.	<u>x</u>	_____	_____	_____
Jonathan S. White, P.A.	<u>x</u>	_____	_____	_____
Janet L. Johnson, O.P.A.	<u>x</u>	_____	_____	_____
Anne Arney	<u>x</u>	_____	_____	_____

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Board Members	Aye	No	Abstain	Absent
Subhi D. Ali, M.D.	<u>x</u>	_____	_____	_____
Gary Keith Lovelady, M.D.	<u>x</u>	_____	_____	_____
David L. Cunningham, M.D.	<u>x</u>	_____	_____	_____
George L. Eckles, Jr., 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' Committee on Physician Assistants on the 7th day of October, 2005, and the Board of Medical Examiners on the 15th day of November, 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 8th day of July, 2005, and such notice of rulemaking hearing having been published in the August 15, 2005 issue of the Tennessee Administrative Register, and such rulemaking hearing having been conducted pursuant thereto on the 22nd day of September, 2005.

Robbie H. Bell, Director
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Subscribed and sworn to before me this the 15th day of November, 2005.

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Paul G. Summers
Attorney General and Reporter

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