

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

There will be a hearing before the Tennessee Board of Medical Examiners to consider the promulgation of amendments to rules pursuant to T.C.A. §§ 4-5-202, 4-5-204, 63-6-101, 63-6-204, 63-6-214, 63-6-215, 63-6-235, and Public Chapters 250 and 467 of the Public Acts of 2005. The hearing will be conducted in the manner prescribed by the Uniform Administrative Procedures Act, Tennessee Code Annotated, Section 4-5-204 and will take place in the Magnolia Room of the Cordell Hull Building located at 425 Fifth Avenue North, Nashville, TN at 8:45 a.m. (CDT) on the 20th day of September, 2005.

Any individuals with disabilities who wish to participate in these proceedings (review these filings) should contact the Department of Health, Division of Health Related Boards to discuss any auxiliary aids or services needed to facilitate such participation or review. Such initial contact may be made no less than ten (10) days prior to the scheduled meeting date (the date such party intends to review such filings), to allow time for the Division to determine how it may reasonably provide such aid or service. Initial contact may be made with the ADA Coordinator at the Division of Health Related Boards, First Floor, Cordell Hull Building, 425 Fifth Avenue North, Nashville, TN 37247-1010, (615) 532-4397.

For a copy of the entire text of this notice of rulemaking hearing contact:

Jerry Kosten, Regulations Manager, Division of Health Related Boards, 425 Fifth Avenue North, First Floor, Cordell Hull Building, Nashville, TN 37247-1010, (615) 532-4397.

Substance of Proposed Rules

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, 63-6-101, 63-6-204, 63-6-214, 63-6-215, and Public Chapter 467 of the Public Acts of 2005.

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, 63-6-235, and Public Chapter 250 of the Public Acts of 2005.

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Contact who can answer questions concerning this notice of rulemaking hearing, technical contact for disk acquisition, and person 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.

I certify that this is an accurate and complete representation of the intent and scope of rulemaking proposed by the Tennessee Board of Medical Examiners.

Robbie H. Bell, Director
Health Related Boards

Subscribed and sworn to before me this the 19th day of July, 2005.

Notary Public

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

The notice of rulemaking set out herein was properly filed in the Department of State on the 20 day of July, 2005.

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SECRETARY OF STATE
PUBLICATIONS

Riley C. Darnell
Secretary of State

By: