

**Department of Health
Rulemaking Hearing Rules
Board for Licensing Health Care Facilities**

**Chapter 1200-8-7
Residential Home for Aged Quality Enabling Program**

Amendments

Rule 1200-8-7-.01, Purpose, is amended by deleting the rule in its entirety and substituting instead the following language, so that as amended, the new rule shall read:

1200-8-7-.01 Purpose. It is the intent of this rule to improve the quality of care and of service in Tennessee's Residential Homes for the Aged through the mechanism of distributing certain designated and limited state funds. This rule is now jointly promulgated by the Tennessee Board for Licensing Health Care Facilities and Tennessee Department of Health to implement the provisions of Chapter 927 of the Public Acts of 1986.

Authority: T.C.A. §§4-5-202, 4-5-204, 53-1310, 68-11-209, and 12-4-320 (Public Acts of 1986, chapter 927).

Rule 1200-8-7-.03, Participation of Providers, is amended by deleting subparagraph (1)(a) in its entirety and substituting instead the following language, so that as amended, the new subparagraph (1)(a) shall read:

(1)(a) Be currently licensed by the Board as a residential home for the aged;

Authority: T.C.A. §§4-5-201 et seq., 4-5-202, 4-5-204, 68-11-209, and 12-4-320 (Public Acts of 1986, chapter 927).

Rule 1200-8-7-.05, Reimbursement, is amended by deleting subparagraphs (1)(a) and (1)(c) in their entirety and substituting instead the following language, so that as amended, the new subparagraphs (1)(a) and (1)(c) shall read:

(1)(a) The Department shall reimburse an approved and participating residential home for the aged for each day of care and services given to an approved and participating resident as permitted by allocated funding.

(1)(c) The Department will reimburse a participating home the current amount as defined in T.C.A. §12-4-320(b) of thirteen dollars (\$13.00) per eligible resident day, not to exceed the maximum allowable percentage rate based on the allotted contract amount for the current fiscal year.

Authority: T.C.A. §§4-5-202, 4-5-204, 68-11-209, and 12-4-320 (Public Acts of 1986, chapter 927).

Rule 1200-8-7-.05, Reimbursement, is amended by deleting subparagraph (1)(b) and renumbering the remaining subparagraphs appropriately.

Authority: T.C.A. §§4-5-202, 4-5-204, 68-11-209, and 12-4-320 (Public Acts of 1986, chapter 927).

Rule 1200-8-7-.06, Termination from Participation, is amended by deleting subparagraph (1)(b) in its entirety and substituting instead the following language, so that as amended, the new subparagraph (1)(b) shall read:

(1)(b) A resident no longer meets the requirements for participation, set forth in 1200-8-7-.02, or a provider no longer meets the requirements for participation, set forth in 1200-8-7-.03;

Authority: T.C.A. §§4-5-202, 4-5-204, 53-1310, 68-11-209, and 12-4-320 (Public Acts of 1986, chapter 927).

The rulemaking hearing rules set out herein were properly filed in the Department of State on the 23rd day of August, 2006 and will become effective on the 6th day of November, 2006.