

Rulemaking Hearing Rules

Board of Medical Examiners - 0880

Chapter 0880-2

General Rules and Regulations Governing the Practice of Medicine

Amendments

Rule 0880-2-.13 Advertising, is amended by adding the following language as new subparagraph (3) (f):

- (3) (f) Remote Services. Any physician who, pursuant to T.C.A. § 63-6-204 (b), is required to have control over and responsibility for medical services being provided at any location other than the primary location or office at which he or she practices medicine a majority of the time must have the following included in any advertisement for that location and on the most conspicuous sign at that location:
 - 1. The physician's name; and
 - 2. An indication of what, if any, specialty or board certification is held by the physician; and
 - 3. An indication of whether the physician is available on-site or remotely.

Authority T.C.A. §§ 4-5-202, 4-5-204, 63-6-101, 63-6-204, 63-6-214 and 63-6-215.

Rule 0880-2-.14 Specifically Regulated Areas and Aspects of Medical Practice, is amended by adding the following language as new paragraphs (12) and (13):

- (12) Any physician who, pursuant to T.C.A. § 63-6-204 (b), is required to have control over and responsibility for medical services being provided by any allied health professional regardless of where those services are being provided must have an unencumbered license just as is currently required for physicians who supervise physician assistants pursuant to rule 0880-2-.18 (1) and certified nurse practitioner prescription writers pursuant to rule 0880-6-.02 (1).
- (13) Medical certification on death certificates - Any physician who is required to and refuses to or consistently fails to comply with the provisions of T.C.A. § 68-3-502 regarding medical certification on death certificates shall be subject to disciplinary action pursuant to T.C.A. § 63-6-214(b)(1).

Authority T.C.A. §§ 4-5-202, 4-5-204, 63-6-101, 63-6-204, 63-6-214, and 68-3-502.

Rule 0880-2-.21 Office Based Surgery is amended by adding the following language as new subparagraph (2) (c):

- (2) (c) Any operating room established to perform Level II and/or Level III surgeries pursuant to this rule may be utilized only by the physician who established it or the group of physicians in whose practice the room is established. The room may not be used by any other physicians except in the case of unanticipated emergency consultation and/or assistance.

Authority T.C.A. §§ 4-5-202, 4-5-204, 63-6-101, and 63-6-204.

The rulemaking hearing rules set out herein were properly filed in the Department of State on the 29th day of December, 2006, and will become effective on the 14th day of March, 2007. (12-32-06)