

**RULES
OF
TENNESSEE DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT
WORKERS' COMPENSATION DIVISION**

**CHAPTER 0800-02-23
MEDICAL ADVISORY COMMITTEE**

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0800-02-23-.01 PURPOSE AND SCOPE.

The administrator's medical advisory committee serves to provide guidance to the administrator on issues related to the effective and efficient treatment of injured workers as well as the proper source of reference for determining permanent impairment ratings so that the administrator can provide leadership to the division and its various programs in advancing the goal of ensuring that all injured workers' receive the best and most cost effective treatment possible to facilitate a meaningful recovery from injury and swift return to the workforce.

Authority: Public Chapter 289 (2013); Sections 24, 106. **Administrative History:** Original rule filed July 2, 2014; effective September 30, 2014.

0800-02-23-.02 APPOINTING OF MEMBERS AND COMPOSITION OF COMMITTEE.

- (1) The administrator will make appointments to the committee of persons meeting the requirements of Tennessee Workers' Compensation law and will establish a maximum number of committee members.
- (2) In addition to representatives of employees, employers and the insurance industry, the membership of the committee may include professionals who practice in the following specialties:
 - (a) Orthopedics;
 - (b) Physical medicine;
 - (c) Neurosurgery;
 - (d) Psychiatry;
 - (e) Occupational Medicine;
 - (f) General Surgery;
 - (g) Chiropractic; and
 - (h) Pharmacy.
- (3) The commissioner of the department of health, or the commissioner's designee, shall be a member of the committee.

(Rule 0800-02-23-.02, continued)

- (4) The medical director and any assistant medical director(s) shall also serve as ex-officio, non-voting member(s) of the committee.

Authority: *Public Chapter 289 (2013); Sections 24, 106.* **Administrative History:** *Original rule filed July 2, 2014; effective September 30, 2014.*

0800-02-23-.03 TERMS.

- (1) Except as provided in subsection (4), the terms of all committee members shall officially begin on January 1 of the year of appointment and expire, four (4) years later, on December 31.
- (2) Committee members may be reappointed by the administrator upon expiration of a term and are not term limited.
- (3) A committee member appointed shall begin service of their term immediately.
- (4) The medical director and any assistant medical director(s) shall begin service immediately upon acceptance of the position of medical director or assistant medical director and shall continue until employment as the medical director or assistant medical director(s) ends.

Authority: *Public Chapter 289 (2013); Sections 24, 106.* **Administrative History:** *Original rule filed July 2, 2014; effective September 30, 2014.*

0800-02-23-.04 MEETINGS.

- (1) The medical advisory committee shall meet at the discretion of the administrator.
- (2) Meetings shall be held in a central location but members shall be allowed to participate by phone or by videoconference with approval of the administrator.
- (3) Members who participate by phone or by videoconference shall be counted as physically present for the purpose of establishing a quorum of members for the transaction of business. A quorum shall be established at any time where one-third (1/3) of all committee members are present. Participation by proxy of a voting member shall be allowed for establishing a quorum but only with the express permission of the administrator.
- (4) The committee shall keep minutes of its meetings which the Division shall post on its website.

Authority: *Public Chapter 289 (2013); Sections 24, 106.* **Administrative History:** *Original rule filed July 2, 2014; effective September 30, 2014.*

0800-02-23-.05 COMMITTEE LEADERSHIP AND SUBCOMMITTEES.

- (1) The committee shall have authority to select leadership including a chairperson, co-chairperson, secretary and any other leadership position the committee deems necessary for the transaction of business.
- (2) The committee shall consult with the administrator in selecting leaders.
- (3) The administrator may establish subcommittees as necessary to advance committee goals.
- (4) There shall be no requirement that any subcommittee established by the administrator keep minutes of subcommittee meetings.

(Rule 0800-02-23-.05, continued)

Authority: *Public Chapter 289 (2013); Sections 24, 106. Administrative History:* *Original rule filed July 2, 2014; effective September 30, 2014.*