

**RULES
OF THE
TENNESSEE DEPARTMENT OF HEALTH
DIVISION OF FAMILY HEALTH AND WELLNESS – REPRODUCTIVE AND WOMEN’S HEALTH
SECTION**

**CHAPTER 1200-16-01
FAMILY PLANNING**

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1200-16-01-.01 DEFINITION OF TERMS. For the purposes of these rules and regulations and as used herein:

- (1) “Advanced Practice Registered Nurse” means a licensed registered nurse with a master’s degree or higher in a nursing specialty who has national specialty certification under T.C.A. § 63-7-126.
- (2) “Department” means the Tennessee Department of Health.
- (3) “Commissioner” means the Commissioner of the Tennessee Department of Health.
- (4) “Family Planning Provider” means a physician or physician assistant, an advanced practice registered nurse, a registered nurse, a pharmacist, or a clinic that is approved to provide family planning services to eligible clients according to the most recent clinical guidelines from the Office of Population Affairs (OPA) and Centers for Disease Control and Prevention (CDC).
- (5) “Physician” means any doctor of medicine or doctor of osteopathy duly licensed to practice the profession in Tennessee or the state in which s/he resides and lawfully practices such physician’s profession.
- (6) “Centers for Disease Control and Prevention (CDC)” is a federal agency under the Department of Health and Human Services.
- (7) “Contraceptive Procedures” means any medically approved procedure designed to prevent conception.
- (8) “Contraceptive Supplies” means those FDA approved or exempted items designed to prevent conception through chemical, mechanical or other means.
- (9) “Contraceptive Services” means all medically approved contraceptive procedures, supplies, and information designed to prevent conception.
- (10) “County Health Department” means any county health agency functioning pursuant to T.C.A. § 68-2-603 and providing family planning services.
- (11) “Registered Nurse” means a licensed registered nurse under T.C.A. § 63-7-105.
- (12) “Office of Population Affairs (OPA)” is a part of the United States Department of Health and Human Services, which oversees the Title X program.

(Rule 1200-16-01-.01, continued)

Authority: T.C.A. §§ 63-7-105, 63-7-126, 68-34-102, and 68-34-106. **Administrative History:** Original rule filed January 27, 1975, effective February 26, 1975. Amendments filed January 21, 2020; effective April 20, 2020.

1200-16-01-.02 POLICY.

It shall be the policy of the Department in implementing The Family Planning Act of 1971 T.C.A. §§ 68-34-101 et seq., that:

- (1) All contraceptive services and information thereof, shall be provided by county health department to any eligible patient under the supervision of the Department.
- (2) Family planning providers employed by the Department acting pursuant to the Department's authority, shall from now on provide such services as requested and voluntarily consented to by the patient.
- (3) The Department or any agency acting pursuant to the Department's authority may, subject to the availability of funds, arrange for a patient to undergo a permanent sterilization procedure at a licensed healthcare facility provided such procedure is requested and voluntarily consented to by the patient.
- (4) In accord with the provisions of T.C.A. § 68-34-104(3), nothing shall prohibit a family planning provider from refusing to furnish any contraceptive procedures or supplies where such refusal is for medical reasons.

Authority: T.C.A. §§ 68-34-104 and 68-34-106. **Administrative History:** Original rule filed January 27, 1975, effective February 26, 1975. Amendments filed January 21, 2020; effective April 20, 2020.

1200-16-01-.03 ELIGIBILITY FOR CONTRACEPTIVE SERVICES.

All medically approved contraceptive procedures, supplies and information shall be readily and practicably available to each and every person desirous of the same regardless of religion, race, color, national origin, citizenship, disability, income, age, sex, number of pregnancies, or marital status in accordance with fee schedules which shall be available at each family planning site.

Authority: T.C.A. §§ 68-34-102, 68-34-103, 68-34-104, and 68-34-106. **Administrative History:** Original rule filed January 27, 1975, effective February 26, 1975. Amendments filed January 21, 2020; effective April 20, 2020.

1200-16-01-.04 NOTICE. The general public served by each local health department shall be reasonably notified of the date, time and place contraceptive services will be made available.

Authority: T.C.A. § 68-34-106. **Administrative History:** Original rule filed January 27, 1975, effective February 26, 1975. Rule was previously numbered 1200-16-01-.05 but was renumbered 1200-16-01-.04 with the deletion of original rule 1200-16-01-.04 filed January 21, 2020; effective April 20, 2020.

1200-16-01-.05 PROCEDURES TO BE FOLLOWED IN PROVIDING CONTRACEPTIVE SUPPLIES.

Any eligible patient requesting contraceptive supplies shall be provided such services according to guidance from Title X and OPA.

Authority: T.C.A. §§ 68-34-105 and 68-34-106. **Administrative History:** Original rule filed January 27, 1975, effective February 26, 1975. Amendment filed January 14, 1976, effective February 13, 1976. Amendment filed June 14, 1976, effective July 14, 1976. Rule was previously numbered 1200-16-01-.07 but was renumbered 1200-16-01-.05 with the deletion of original rules 1200-16-01-.04 and 1200-16-01-

(Rule 1200-16-01-.05, continued)

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