

**RULES
OF
TENNESSEE DEPARTMENT OF HUMAN SERVICES
ADULT AND FAMILY SERVICES DIVISION**

**CHAPTER 1240-04-03
REPEALED**

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1240-04-03-.01 REPEALED.

Authority: T.C.A. §§ 4-5-201, et seq.; 4-5-202; 71-1-105(5); 71-3-501, et seq.; and 71-3-502(a)(2).
Administrative History: Original rule certified June 10, 1974. Amendment filed April 3, 1980; effective May 18, 1980. Repeal and new rule filed October 6, 1986; effective November 20, 1986. Amendment filed April 22, 1992; effective June 6, 1992. Repeal and new rule filed May 26, 1998; effective August 9, 1998. Stay of effective date of repeal and new rule filed July 21, 1998; new effective date August 31, 1998. Stay of effective date filed by the Government Operations Committee of the Tennessee General Assembly on August 28, 1998; new effective date October 31, 1998. Repeal and new rule filed June 20, 2006; effective September 3, 2006. Repeal filed May 1, 2018; effective July 30, 2018.

1240-04-03-.02 REPEALED.

Authority: T.C.A. §§ 4-5-201, et seq.; 4-5-202; 71-1-105(5); 71-3-501, et seq.; and 71-3-502(a)(2).
Administrative History: Original rule certified June 10, 1974. Amendment filed April 3, 1980; effective May 18, 1980. Repeal and new rule filed October 6, 1986; effective November 20, 1986. Amendment filed January 7, 1987; effective April 29, 1987. Amendment filed April 22, 1992; effective June 6, 1992. Amendment filed July 1, 1993; effective September 14, 1993. Repeal and new rule filed May 26, 1998; effective August 9, 1998. Stay of effective date of repeal and new rule filed July 21, 1998; new effective date August 31, 1998. Stay of effective date filed by the Government Operations Committee of the Tennessee General Assembly on August 28, 1998; new effective date October 31, 1998. Amendment filed September 29, 2000; effective December 13, 2000. Amendment filed October 17, 2001; effective December 31, 2001. Repeal and new rule filed June 20, 2006; effective September 3, 2006. Repeal filed May 1, 2018; effective July 30, 2018.

1240-04-03-.03 REPEALED.

Authority: T.C.A. §§ 4-5-201, et seq.; 4-5-202; 71-1-105(5); 71-3-501, et seq.; 71-3-502(a)(2) and (3); and 71-3-503(a)(6), (8), and (9).
Administrative History: Original rule certified June 10, 1974. Amendment filed April 3, 1980; effective May 18, 1980. Repeal and new rule filed October 6, 1986; effective November 20, 1986. Amendment filed January 7, 1987; effective April 29, 1987. Amendment filed April 22, 1992; effective June 6, 1992. Amendment filed July 1, 1993; effective September 14, 1993. Repeal and new rule filed May 26, 1998; effective August 9, 1998. Stay of effective date of repeal and new rule filed July 21, 1998; new effective date August 31, 1998. Stay of effective date filed by the Government Operations Committee of the Tennessee General Assembly on August 28, 1998; new effective date October 31, 1998. Withdrawal of repeal of 1240-04-03-.03(4)(f) and (1) filed August 31, 1998. Amendment filed September 29, 2000; effective December 13, 2000. Repeal and new rule filed June 20, 2006; effective September 3, 2006. Repeal filed May 1, 2018; effective July 30, 2018.

1240-04-03-.04 REPEALED.

Authority: T.C.A. §§ 4-5-201, et seq.; 4-5-202; 71-1-105(5); 71-3-501, et seq.; 71-3-502(a)(2); and 71-3-508(c). **Administrative History:** Original rule certified June 10, 1974. Amendment filed April 3, 1980; effective May 18, 1980. Repeal and new rule filed October 6, 1986; effective November 20, 1986. Amendment filed April 22, 1992; effective June 6, 1992. Repeal and new rule filed May 26, 1998; effective August 9, 1998. Stay of effective date of repeal and new rule filed July 21, 1998; new effective date August 31, 1998. Stay of effective date filed by the Government Operations Committee of the Tennessee General Assembly on August 28, 1998; new effective date October 31, 1998. Repeal and new rule filed June 20, 2006; effective September 3, 2006. Repeal filed May 1, 2018; effective July 30, 2018.

1240-04-03-.05 REPEALED.

Authority: T.C.A. §§ 4-5-201, et seq.; 4-5-202; 71-1-105(5); 71-3-501, et seq.; 71-3-502(a)(2), and Acts 2016, ch. 839. **Administrative History:** Original rule certified June 10, 1974. Amendment filed April 3, 1980; effective May 18, 1980. Repeal and new rule filed October 6, 1986; effective November 20, 1986. Amendment filed April 22, 1992; effective June 6, 1992. Repeal and new rule filed May 26, 1998; effective August 9, 1998. Stay of effective date of repeal and new rule filed July 21, 1998; new effective date August 31, 1998. Stay of effective date filed by the Government Operations Committee of the Tennessee General Assembly on August 28, 1998; new effective date October 31, 1998. Repeal and new rule filed June 20, 2006; effective September 3, 2006. Emergency rules filed July 1, 2016; effective through December 28, 2016. Amendments filed September 28, 2016; effective December 27, 2016. Repeal filed May 1, 2018; effective July 30, 2018.

1240-04-03-.06 REPEALED.

Authority: T.C.A. §§ 4-5-201, et seq.; 4-5-202; 71-1-105(5); 71-3-501, et seq.; and 71-3-502(a)(2). **Administrative History:** Original rule certified June 10, 1974. Amendment filed April 3, 1980; effective May 18, 1980. Amendment filed June 7, 1982; effective September 30, 1982. Amendment filed June 27, 1985; effective September 13, 1985. Repeal and new rule filed October 6, 1986; effective November 20, 1986. Amendment filed January 7, 1987; effective April 29, 1987. Amendment filed April 22, 1992; effective June 6, 1992. Repeal and new rule filed May 26, 1998; effective August 9, 1998. Stay of effective date of repeal and new rule filed July 21, 1998; new effective date August 31, 1998. Stay of effective date filed by the Government Operations Committee of the Tennessee General Assembly on August 28, 1998; new effective date October 31, 1998. Amendment filed November 18, 1999; effective January 31, 2000. Amendment filed September 29, 2000; effective December 13, 2000. Amendment filed August 27, 2001; effective November 10, 2001. Amendment filed November 21, 2002; effective February 4, 2003. Repeal and new rule filed June 20, 2006; effective September 3, 2006. Repeal filed May 1, 2018; effective July 30, 2018.

1240-04-03-.07 REPEALED.

Authority: T.C.A. §§ 4-5-201, et seq.; 4-5-202; 71-1-105(5); 71-3-501, et seq.; 71-3-502(a)(2); 71-3-507; and Acts 2016, ch. 839. **Administrative History:** Original rule certified June 10, 1974. Amendment filed April 3, 1980; effective May 18, 1980. Repeal and new rule filed October 6, 1986; effective November 20, 1986. Amendment filed April 22, 1992; effective June 6, 1992. Repeal and new rule filed May 26, 1998; effective August 9, 1998. Stay of effective date of repeal and new rule filed July 21, 1998; new effective date August 31, 1998. Stay of effective date filed by the Government Operations Committee of the Tennessee General Assembly on August 28, 1998; new effective date October 31, 1998. Withdrawal of new rule 1240-04-03-.07(4)(e) and (m)1. filed August 31, 1998. Amendment filed September 29, 2000; effective December 13, 2000. Stay of effective date filed December 8, 2000 by The House Government Operations Committee for subparts 3, 4, 11, 12, 13, and 14 of subparagraph (e) of paragraph (4). The new effective date for these subparts is February 13, 2001. Amendment filed August 27, 2001; effective November 10, 2001. Amendment filed October 17, 2001; effective December 31, 2001. Amendment filed September 29, 2003; effective December 13, 2003. Repeal and new rule filed June 20, 2006; effective September 3, 2006. Emergency rules filed July 1, 2016; effective through December 28, 2016.

(Rule 1240-04-03-.07, continued)

Amendments filed September 28, 2016; effective December 27, 2016. Repeal filed May 1, 2018; effective July 30, 2018.

1240-04-03-.08 REPEALED.

Authority: T.C.A. §§ 4-5-201, et seq.; 71-1-105(5); 71-3-501, et seq.; and 71-3-502(a)(2). **Administrative History:** Original rule certified June 10, 1974. Amendment filed April 3, 1980; effective May 18, 1980. Repeal and new rule filed October 6, 1986; effective November 20, 1986. Amendment filed April 22, 1992; effective June 6, 1992. Repeal and new rule filed May 26, 1998; effective August 9, 1998. Stay of effective date of repeal and new rule filed July 21, 1998; new effective date August 31, 1998. Stay of effective date filed by the Government Operations Committee of the Tennessee General Assembly on August 28, 1998; new effective date October 31, 1998. Repeal and new rule filed June 20, 2006; effective September 3, 2006. Repeal filed May 1, 2018; effective July 30, 2018.

1240-04-03-.09 REPEALED.

Authority: T.C.A. §§ 4-5-201, et seq.; 4-5-202; 4-5-209; 71-1-105(5); 71-3-501, et seq.; 71-3-502; 71-3-502(a)(2); 71-3-502(l); and 2008 Acts, ch. 1032. **Administrative History:** Original rule certified June 10, 1974. Amendment filed April 3, 1980; effective May 18, 1980. Repeal and new rule filed October 6, 1986; effective November 20, 1986. Repeal and new rule filed May 26, 1998; effective August 9, 1998. Stay of effective date of repeal and new rule filed July 21, 1998; new effective date August 31, 1998. Stay of effective date filed by the Government Operations Committee of the Tennessee General Assembly on August 28, 1998, new effective date October 31, 1998. Repeal and new rule filed June 20, 2006; effective September 3, 2006. Public necessity rule filed October 1, 2008; effective through March 15, 2009. Amendment filed December 29, 2008; effective March 14, 2009. Repeal filed May 1, 2018; effective July 30, 2018.

1240-04-03-.10 REPEALED.

Authority: T.C.A. §§ 4-5-201, et seq.; 37-1-113; 37-1-401, et seq.; 37-1-403; 37-1-601, et seq.; 37-1-605; 39-17-1601, et seq.; 71-1-105(5); 71-3-501, et seq.; 71-3-502(a)(2); 71-3-508; and 20 U.S.C. §§ 6081, et seq. **Administrative History:** Original rule certified June 10, 1974. Amendment filed April 3, 1980; effective May 18, 1980. Repeal and new rule filed October 6, 1986; effective November 20, 1986. Amendment filed April 22, 1992; effective June 6, 1992. Repeal and new rule filed May 26, 1998; effective August 9, 1998. Stay of effective date of repeal and new rule filed July 21, 1998; new effective date August 31, 1998. Stay of effective date filed by the Government Operations Committee of the Tennessee General Assembly on August 28, 1998; new effective date October 31, 1998. Amendment filed November 21, 2002; effective February 4, 2003. Amendment by Acts of 2003, Public Chapter 412, §§ 1(c) and 3 filed June 25, 2003; effective July 1, 2003. Amendment filed September 29, 2003; effective December 13, 2003. Amendment filed October 18, 2004; effective January 1, 2005. Amendment filed August 3, 2005; effective October 17, 2005. Repeal and new rule filed June 20, 2006; effective September 3, 2006. Repeal filed May 1, 2018; effective July 30, 2018.

1240-04-03-.11 REPEALED.

Authority: T.C.A. §§ 4-5-201, et seq.; 71-1-105(5); 71-3-501, et seq.; and 71-3-502(a)(2). **Administrative History:** Original rule filed May 26, 1998; effective August 9, 1998. Stay of effective date of repeal and new rule filed July 21, 1998; new effective date August 31, 1998. Stay of effective date filed by the Government Operations Committee of the Tennessee General Assembly on August 28, 1998; new effective date October 31, 1998. Amendment filed November 21, 2002; effective February 4, 2003 (Formerly 1240-04-03-.10). Repeal and new rule filed June 20, 2006; effective September 3, 2006. Repeal filed May 1, 2018; effective July 30, 2018.

1240-04-03-.12 REPEALED.

Authority: T.C.A. §§ 4-5-201, et seq.; 71-1-105(5); 71-3-501, et seq.; and 71-3-502(a)(2).
Administrative History: Original rule filed May 26, 1998; effective August 9, 1998. Stay of effective date of repeal and new rule filed July 21, 1998; new effective date August 31, 1998. Stay of effective date filed by the Government Operations Committee of the Tennessee General Assembly on August 28, 1998; new effective date October 31, 1998. Amendment filed November 21, 2002; effective February 4, 2003 (Formerly 1240-04-01-.11). Repeal and new rule filed June 20, 2006; effective September 3, 2006. Repeal filed May 1, 2018; effective July 30, 2018.

1240-04-03-.13 REPEALED.

Authority: T.C.A. §§ 4-5-201, et seq.; 55-9-601 through 55-9-603; 71-1-105(5); 71-3-501, et seq.; 71-3-502(a)(2); 71-3-502(d)(7)(C)(iii); 49 C.F.R. §§ 571, et seq.; and 49 C.F.R. § 571.208. **Administrative History:** Original rule filed May 26, 1998; effective August 9, 1998. Stay of effective date of repeal and new rule filed July 21, 1998; new effective date August 31, 1998. Stay of effective date filed by the Government Operations Committee of the Tennessee General Assembly on August 28, 1998; new effective date October 31, 1998. Amendment filed November 21, 2002; effective February 4, 2003 (Formerly 1240-04-01-.12). Repeal and new rule filed June 20, 2006; effective September 3, 2006. Repeal filed May 1, 2018; effective July 30, 2018.

1240-04-03-.14 REPEALED.

Authority: T.C.A. §§ 4-5-201, et seq.; 71-1-105(5); 71-3-501, et seq.; and 71-3-502(a)(2).
Administrative History: Original rule filed May 26, 1998; effective August 9, 1998. Stay of effective date of repeal and new rule filed July 21, 1998; new effective date August 31, 1998. Stay of effective date filed by the Government Operations Committee of the Tennessee General Assembly on August 28, 1998; new effective date October 31, 1998. Amendment filed October 17, 2001; effective December 31, 2001. Amendment filed November 21, 2002; effective February 4, 2003 (Formerly 1240-04-01-.13). Repeal and new rule filed June 20, 2006; effective September 3, 2006. Repeal filed May 1, 2018; effective July 30, 2018.

1240-04-03-.15 REPEALED.

Authority: T.C.A. §§ 4-5-201, et seq.; 71-1-105(5); 71-3-501, et seq.; and 71-3-502(a)(2).
Administrative History: Original rule filed November 21, 2002; effective February 4, 2003 (Formerly 1240-04-01-.14). Repeal and new rule filed June 20, 2006; effective September 3, 2006. Repeal filed May 1, 2018; effective July 30, 2018.

1240-04-03-.16 REPEALED.

Authority: T.C.A. §§ 4-5-201, et seq.; 71-1-105(5); 71-3-501, et seq.; and 71-3-502(a)(2).
Administrative History: Original rule filed June 20, 2006; effective September 3, 2006. Repeal filed May 1, 2018; effective July 30, 2018.