

## Notice of Rulemaking Hearing

### Tennessee State Board of Equalization

There will be a hearing before the Tennessee State Board of Equalization to consider the amendment of rules pursuant to Tenn. Code Ann. § 67-1-305. The hearing will be conducted in the manner prescribed by the Uniform Administrative Procedures Act, T.C.A. § 4-5-204 and will take place in the 17th floor conference room, James K. Polk State Office Bldg., 505 Deaderick Street, Nashville, Tennessee, at 10:00 a.m. on the 19th day of March, 2007.

Any individuals with disabilities who wish to participate in these proceedings should contact the Board to discuss any auxiliary aids or services needed to facilitate such participation. Such initial contact should be made no less than ten (10) days prior to the scheduled meeting date, to allow time for the Board to determine how it may reasonably provide such aid or service. Initial contact may be made with the Board's ADA Coordinator, Elaine Driver, at Ste. 1400, 505 Deaderick St., Nashville, TN 37243-0261 and tele. no. 615/401-7738.

For a copy of this notice of rulemaking hearing, contact: Kelsie Jones, Ste. 1700, 505 Deaderick St., Nashville, TN 37243-0280, and tele. no. 615/747-5379.

### Substance of Proposed Amendment

#### Chapter 0600-08 Property Tax Exemptions

Rule 0600-08-.03 Criteria For Exemption Of Medical Clinics is amended by deleting paragraph (2) and substituting instead the following:

- (2) A clinic owned by a charitable institution will be approved for exemption if it is a federally qualified health center as defined under Section 1905 and 1861(aa) of the U.S. Social Security Act, or if it is not a federally qualified health center but nevertheless meets the following criteria:
  - (a) Services are targeted to areas of unmet need rather than to enhance the economic interests or viability of the owner.
  - (b) The clinic does not decline TennCare, Medicare, or the uninsured.

Exempt clinics may not link employee bonuses to revenue goals. The clinic may pay overtime or a bonus for extraordinary work or as compensation for service in an area of unmet need so long as pay is not linked to achievement of revenue goals for the clinic.

Authority: T.C.A. § 67-1-305.

The notice of rulemaking set out herein was properly filed in the Department of State on the 31st day of January, 2007. (FS 01-58-07, DBID 576)