

## Notice of Rulemaking Hearing

Department of Health - 1200  
Board for Licensing Health Care Facilities  
Division of Health Care Facilities

There will be a hearing before the Board for Licensing Health Care Facilities to consider the promulgation of amendments to rules pursuant to T.C.A. §§ 4-5-202, 4-5-204, 68-11-202 and 68-11-209. The hearing will be conducted in the manner prescribed by the Uniform Administrative Procedures Act, Tennessee Code Annotated, Section 4-5-204 and will take place in the Division of Health Care Facilities Conference Room on the fifth floor of the Heritage Place Metrocenter located at 227 French Landing, Suite 501, Nashville, TN at 10:00 a.m. (CDST) on the 16<sup>th</sup> day of April, 2007.

Any individuals with disabilities who wish to participate in these proceedings (review these filings) should contact the Department of Health, Division of Health Care Facilities to discuss any auxiliary aids or services needed to facilitate such participation or review. Such initial contact may be made no less than ten (10) days prior to the scheduled meeting date (the date such party intends to review such filings), to allow time for the Division to determine how it may reasonably provide such aid or service. Initial contact may be made with the ADA Coordinator at the Division of Health Care Facilities, Fifth Floor, Heritage Place Metrocenter, 227 French Landing, Suite 501, Nashville, TN 37243, (615) 741-7598.

For a copy of the entire text of this notice of rulemaking hearing visit the Department of Health's web page on the Internet at [www.state.tn.us/health](http://www.state.tn.us/health) and click on "rulemaking hearings" or contact: Steve Goodwin, Health Facility Survey Manager, Division of Health Care Facilities, 227 French Landing, Suite 501, Heritage Place Metrocenter, Nashville, TN 37243, (615) 741-7598.

### Substance of Proposed Rules

Chapter 1200-08-10  
Standards for Ambulatory Surgical Treatment Centers

#### Amendments

Rule 1200-08-10-.04, Administration, is amended by deleting part (20)(c)3 in its entirety and substituting instead the following language, so that as amended, the new part (20)(c)3 shall read:

- (20) (c) 3. Written procedures governing the use of aseptic techniques and procedures in all areas of the facility to include adoption of a standardized central venous catheter insertion process which shall contain these key components:
- (i) Hand hygiene (as defined in 1200-08-10-.04(20)(g));
  - (ii) Maximal barrier precautions to include the use of sterile gowns, gloves, mask and hat, and large drape on patient;
  - (iii) Chlorhexidine skin antisepsis;
  - (iv) Optimal site selection;
  - (v) Daily review of line necessity; and
  - (vi) Development and utilization of a procedure checklist;

Authority: T.C.A. §§4-5-202, 4-5-204, 68-11-201, 68-11-202, 68-11-204, 68-11-206, 68-11-209, 6-11-216, and 71-6-121.

Rule 1200-08-10-.04, Administration, is amended by deleting subparagraph (20)(f) in its entirety and substituting instead the following language, so that as amended, the new subparagraph (20)(f) shall read:

- (20) (f) The facility and its employees shall adopt and utilize standard precautions (per CDC) for preventing transmission of infections, HIV, and communicable diseases thru adherence to a hand hygiene program which shall include:
1. Use of alcohol-based hand rubs or use of non-antimicrobial or antimicrobial soap and water before and after each patient contact if hands are not visibly soiled;
  2. Use of gloves during each patient contact with blood or other potentially infectious materials, mucous membranes, and non-intact skin could occur and changed before and after each patient contact;
  3. Use of either a non-antimicrobial soap and water or an antimicrobial soap and water for visibly soiled hands; and
  4. Health care worker education programs which may include:
    - (i) Types of patient care activities that can result in hand contamination;
    - (ii) Advantages and disadvantages of various methods use to clean hands;
    - (iii) Potential risks of health care workers colonization or infection caused by organisms acquired from patients; and
    - (iv) Morbidity, mortality, and costs associated with health care associated infections.

Authority: T.C.A. §§4-5-202, 4-5-204, 68-11-201, 68-11-202, 68-11-204, 68-11-206, 68-11-209, 6-11-216, and 71-6-121.

Rule 1200-08-10-.04, Administration, is amended by adding the following language as new subparagraph (20)(f) and re-numbering the remaining subparagraphs appropriately, so that as amended, the new subparagraph (20)(f) shall read:

- (20) (f) The facility shall have an annual influenza vaccination program which shall include at least:
1. The offer of influenza vaccination to all staff and independent practitioners or accept documented evidence of vaccination from another vaccine source or facility;
  2. A signed declination statement on record from all who refuse the influenza vaccination for other than medical contraindications;

3. Education of all direct care personnel about the following:
  - (i) Flu vaccination,
  - (ii) Non-vaccine control measures, and
  - (iii) The diagnosis, transmission, and potential impact of influenza;
4. An annual evaluation of the influenza vaccination program and reasons for non-participation; and
5. The requirements to complete vaccinations or declination statements are suspended by the Medical Director in the event of a vaccine shortage.

Authority: T.C.A. §§4-5-202, 4-5-204, 68-11-201, 68-11-202, 68-11-204, 68-11-206, 68-11-209, 6-11-216, and 71-6-121.

Rule 1200-08-10-.04, Administration, is amended by adding the following language as new subparagraph (21)(f), so that as amended, the new subparagraph (21)(f) shall read:

- (21) (f) The facility shall develop and implement a system for measuring improvements in adherence to the hand hygiene program, central venous catheter insertion process, and influenza vaccination program.

Authority: T.C.A. §§4-5-202, 4-5-204, 68-11-201, 68-11-202, 68-11-204, 68-11-206, 68-11-209, 6-11-216, and 71-6-121.

The notice of rulemaking set out herein was properly filed in the Department of State on the 6th day of February, 2007. (FS 02-14-07, DBID 585)