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Notice of Rulemaking Hearing

Hearings will be conducted in the manner prescribed by the Uniform Administrative Procedures Act, Tennessee Code Annotated, Section 4-5-204. For questions and copies of the notice, contact the person listed below.

Agency/Board/Commission: Department of Health
Division: Board for Licensing Health Care Facilities
Contact Person: Leah Erin Begley
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Any Individuals with disabilities who wish to participate in these proceedings (to review these filings) and may require aid to facilitate such participation should contact the following at least 10 days prior to the hearing:

ADA Contact: ADA Coordinator at the Division of Health Related Boards
Address: 227 French Landing, Heritage Place, Nashville TN 37243
Phone: (615) 532-4397
Email:

Hearing Location(s) (for additional locations, copy and paste table)

Address 1:	Iris Conference Room
Address 2:	227 French Landing, Heritage Place - MetroCenter
City:	Nashville TN
Zip:	37243
Hearing Date:	May 12, 2009
Hearing Time:	9:00 am <input checked="" type="checkbox"/> CST <input type="checkbox"/> EST

Additional Hearing Information:

Revision Type (check all that apply):

Amendment
 New
 Repeal

Rule(s) (ALL chapters and rules contained in filing must be listed here. If needed, copy and paste additional tables. Please enter only ONE Rule Number/Rule Title per row.)

Chapter Number	Chapter Title
1200-08-01	Standards for Hospitals
Rule Number	Rule Title
1200-08-01-.02	Licensing Procedures

Chapter Number	Chapter Title
12000-8-02	Standards for Prescribed Child Care Centers
Rule Number	Rule Title
1200-08-02-.02	Licensing Procedures
Chapter Number	Chapter Title
1200-08-06	Standards for Nursing Homes
Rule Number	Rule Title
1200-08-06-.02	Licensing Procedures
Chapter Number	Chapter Title
1200-08-08	Regulations for Home Care Organizations
Rule Number	Rule Title
1200-08-08-.02	Application for a License
Chapter Number	Chapter Title
1200-08-10	Standards for Ambulatory Surgical Treatment Centers
Rule Number	Rule Title
1200-08-10-.02	Licensing Procedures
Chapter Number	Chapter Title
1200-08-11	Standards for Homes for the Aged
Rule Number	Rule Title
1200-08-11-.02	Application for a License
Chapter Number	Chapter Title
1200-08-15	Standards for Residential Hospices
Rule Number	Rule Title
1200-08-15-.02	Licensing Procedures
Chapter Number	Chapter Title
1200-08-24	Standards for Birthing Centers
Rule Number	Rule Title
1200-08-24-.02	Licensing Procedures
Chapter Number	Chapter Title
1200-08-26	Standards for Homecare Organizations Providing Home Health Services
Rule Number	Rule Title
1200-08-26-.02	Licensing Procedures
Chapter Number	Chapter Title
1200-08-27	Standards for Homecare Organizations Providing Hospice Services
Rule Number	Rule Title
1200-08-27-.02	Licensing Procedures
Chapter Number	Chapter Title
1200-08-28	Standards for HIV Supportive Living Facilities
Rule Number	Rule Title
1200-08-28-.02	Licensing Procedures
Chapter Number	Chapter Title
1200-08-29	Standards for Homecare Organizations Providing Home Medical Equipment
Rule Number	Rule Title
1200-08-29-.02	Licensing Procedures
Chapter Number	Chapter Title
1200-8-32	Standards for End Stage Renal Dialysis Clinics
Rule Number	Rule Title
1200-08-32-.02	Licensing Procedures

Chapter Number	Chapter Title
1200-08-34	Standards for Home Care Organizations Providing Professional Support Services
Rule Number	Rule Title
1200-08-34-.02	Licensing Procedures

Chapter Number	Chapter Title
1200-08-35	Standards for Outpatient Diagnostic Centers
Rule Number	Rule Title
1200-08-35-.02	Licensing Procedures

Chapter 1200-08

Amendments

Rule 1200-08-01-.02 Licensing Procedures is amended by adding subparagraph (f) to paragraph (2) as follows:

- (f) The applicant shall allow the hospital to be inspected by a Department surveyor. In the event that deficiencies are noted, the applicant shall submit a plan of corrective action to the Board that must be accepted by the Board. Once the deficiencies have been corrected, then the Board shall consider the application for licensure.

Authority: T.C.A. § 68-11-209(a)(1), Chapter 846 of the Public Acts of 2008, §1 T.C.A. §68-11-206(a)(5) [effective January 1, 2009].

Rule 1200-08-01-.02 Licensing Procedures is amended by deleting paragraph (5) in its entirety and substituting it instead with the following:

- (5) Renewal.
 - (a) In order to renew a license, each hospital shall submit to periodic inspections by Department surveyors for compliance with these rules. If deficiencies are noted, the licensee shall submit an acceptable plan of corrective action and shall remedy the deficiencies. In addition, each licensee shall submit a renewal form approved by the board and applicable renewal fee prior to the expiration date of the license.
 - (b) If a licensee fails to renew its license prior to the date of its expiration but submits the renewal form and fee within sixty (60) days thereafter, the licensee may renew late by paying, in addition to the renewal fee, a late penalty of one hundred dollars (\$100) per month for each month or fraction of a month that renewal is late.
 - (c) In the event that a licensee fails to renew its license within the sixty (60) day grace period following the license expiration date, then the licensee shall reapply for a license by submitting the following to the Board office:
 - 1. a completed application for licensure;
 - 2. the license fee provided in rule 1200-08-01-.02(4); and
 - 3. any other information required by the Health Services and Development Agency.
 - (d) Upon reapplication, the licensee shall submit to an inspection of the hospital by Department of Health surveyors.

Authority: T.C.A. § 68-11-209(a)(1), Chapter 846 of the Public Acts of 2008, §1 T.C.A. §68-11-206(a)(5) [effective January 1, 2009].

Rule 1200-08-02-.02 Licensing Procedures is amended by adding subparagraph (f) to paragraph (2) as follows:

- (f) The applicant shall allow the prescribed child care center to be inspected by a Department surveyor. In the event that deficiencies are noted, the applicant shall submit a plan of corrective action to the Board that must be accepted by the Board. Once the deficiencies have been corrected, then the Board shall consider the application for licensure.

Authority: T.C.A. § 68-11-209(a)(1), Chapter 846 of the Public Acts of 2008, §1 T.C.A. §68-11-206(a)(5) [effective January 1, 2009].

Rule 1200-08-02-.02 Licensing Procedures is amended by deleting subparagraphs (4) in its entirety and substituting it instead with the following:

(4) Renewal.

- (a) In order to renew a license, each prescribed child care center shall submit to periodic inspections by Department surveyors for compliance with these rules. If deficiencies are noted, the licensee shall submit an acceptable plan of corrective action and shall remedy the deficiencies. In addition, each licensee shall submit a renewal form approved by the board and applicable renewal fee prior to the expiration date of the license.
- (b) If a licensee fails to renew its license prior to the date of its expiration but submits the renewal form and fee within sixty (60) days thereafter, the licensee may renew late by paying, in addition to the renewal fee, a late penalty of one hundred dollars (\$100) per month for each month or fraction of a month that renewal is late.
- (c) In the event that a licensee fails to renew its license within the sixty (60) day grace period following the license expiration date, then the licensee shall reapply for a license by submitting the following to the Board office:
 - 1. a completed application for licensure; and
 - 2. the license fee provided in rule 1200-08-02-.02 (2)(b).
- (d) Upon reapplication, the licensee shall submit to an inspection of the facility by Department of Health surveyors.

Authority: T.C.A. § 68-11-209(a)(1), Chapter 846 of the Public Acts of 2008, §1 T.C.A. §68-11-206(a)(5) [effective January 1, 2009].

Rule 1200-08-06-.02 Licensing Procedures is amended by adding subparagraph (e) to paragraph (2) as follows:

- (e) The applicant shall allow the nursing home to be inspected by a Department surveyor. In the event that deficiencies are noted, the applicant shall submit a plan of corrective action to the Board that must be accepted by the Board. Once the deficiencies have been corrected, then the Board shall consider the application for licensure.

Authority: T.C.A. § 68-11-209(a)(1), Chapter 846 of the Public Acts of 2008, §1 T.C.A. §68-11-206(a)(5) [effective January 1, 2009].

Rule 1200-08-06-.02 Licensing Procedures is amended by deleting paragraph (5) in its entirety and substituting it instead with the following:

(5) Renewal.

- (a) In order to renew a license, each nursing home shall submit to periodic inspections by Department surveyors for compliance with these rules. If deficiencies are noted, the licensee shall submit an acceptable plan of corrective action and shall remedy the deficiencies. In addition, each licensee shall submit a renewal form approved by the board and applicable renewal fee prior to the expiration date of the license.
- (b) If a licensee fails to renew its license prior to the date of its expiration but submits the renewal form and fee within sixty (60) days thereafter, the licensee may renew late by paying, in addition to the renewal fee, a late penalty of one hundred dollars (\$100) per month for each month or fraction of a month that renewal is late.
- (c) In the event that a licensee fails to renew its license within the sixty (60) day grace period following the license expiration date, then the licensee shall reapply for a license by submitting the following to the Board office:
 - 1. a completed application for licensure;
 - 2. the license fee provided in rule 1200-08-06-.02(4); and
 - 3. any other information required by the Health Services and Development Agency.
- (d) Upon reapplication, the licensee shall submit to an inspection of the facility by Department of Health surveyors.

Authority: T.C.A. § 68-11-209(a)(1), Chapter 846 of the Public Acts of 2008, §1 T.C.A. §68-11-206(a)(5) [effective January 1, 2009].

Paragraph (5) of Rule 1200-08-08-.02 Application for a License is amended by adding new subparagraphs (d), (e), and (f) as follows and renumbering the current subparagraphs (d) and (e) as (g) and (h) respectively:

- (d) Should the licensee fail to renew its license prior to the expiration date, yet within sixty (60) days after the expiration date, then the licensee shall pay a late renewal penalty fee of one hundred dollars (\$100.00) per month for each month or fraction of a month that renewal is late.
- (e) In the event that a licensee fails to renew a license within the sixty (60) day grace period following the license expiration date, then the licensee shall reapply for a license by submitting the following to the Board office:
 - 1. a completed application for licensure;
 - 2. the license fee provided in rule 1200-08-08-.02(4); and
 - 3. any other information required by the Health Services and Development Agency.

- (f) Upon reapplication, the licensee shall submit to an inspection of the facility by Department of Health surveyors.

Authority: T.C.A. § 68-11-209(a)(1), Chapter 846 of the Public Acts of 2008, §1, T.C.A. §68-11-206(a)(5) [effective January 1, 2009].

Rule 1200-08-10-.02 Licensing Procedures is amended by adding subparagraph (f) to paragraph (2) as follows:

- (f) The applicant shall allow the ambulatory surgical treatment center to be inspected by a Department surveyor. In the event that deficiencies are noted, the applicant shall submit a plan of corrective action to the Board that must be accepted by the Board. Once the deficiencies have been corrected, then the Board shall consider the application for licensure.

Authority: T.C.A. § 68-11-209(a)(1), Chapter 846 of the Public Acts of 2008, §1 T.C.A. §68-11-206(a)(5) [effective January 1, 2009].

Rule 1200-08-10-.02 Licensing Procedures is amended by deleting paragraph (5) in its entirety and substituting it instead with the following:

(5) Renewal.

- (a) In order to renew a license, each ambulatory surgical treatment center shall submit to periodic inspections by Department surveyors for compliance with these rules. If deficiencies are noted, the licensee shall submit an acceptable plan of corrective action and shall remedy the deficiencies. In addition, each licensee shall submit a renewal form approved by the board and applicable renewal fee prior to the expiration date of the license.
- (b) If a licensee fails to renew its license prior to the date of its expiration but submits the renewal form and fee within sixty (60) days thereafter, the licensee may renew late by paying, in addition to the renewal fee, a late penalty of one hundred dollars (\$100) per month for each month or fraction of a month that renewal is late.
- (c) In the event that a licensee fails to renew its license within the sixty (60) day grace period following the license expiration date, then the licensee shall reapply for a license by submitting the following to the Board office:
 - 1. a completed application for licensure;
 - 2. the license fee provided in rule 1200-08-10-.02(2)(b); and
 - 3. any other information required by the Health Services and Development Agency.
- (d) Upon reapplication, the licensee shall submit to an inspection of the facility by Department of Health surveyors.

Authority: T.C.A. § 68-11-209(a)(1), Chapter 846 of the Public Acts of 2008, §1 T.C.A. §68-11-206(a)(5) [effective January 1, 2009].

Rule 1200-08-11-.02 Application for a License is amended by adding subparagraph (f) to paragraph (2) as follows:

- (f) The applicant shall allow the residential home for the aged to be inspected by a Department surveyor. In the event that deficiencies are noted, the applicant shall submit a plan of corrective action to the Board that must be accepted by the Board. Once the deficiencies have been corrected, then the Board shall consider the application for licensure.

Authority: T.C.A. § 68-11-209(a)(1), Chapter 846 of the Public Acts of 2008, §1 T.C.A. §68-11-206(a)(5) [effective January 1, 2009].

Rule 1200-08-11-.02 Application for a License is amended by deleting paragraph (4) in its entirety and substituting instead with the following:

(4) Renewal.

- (a) In order to renew a license, each residential home for the aged shall submit to periodic inspections by Department surveyors for compliance with these rules. If deficiencies are noted, the licensee shall submit an acceptable plan of corrective action and shall remedy the deficiencies. In addition, each licensee shall submit a renewal form approved by the board and applicable renewal fee prior to the expiration date of the license.
- (b) If a licensee fails to renew its license prior to the date of its expiration but submits the renewal form and fee within sixty (60) days thereafter, the licensee may renew late by paying, in addition to the renewal fee, a late penalty of one hundred dollars (\$100) per month for each month or fraction of a month that renewal is late.
- (c) In the event that a licensee fails to renew its license within the sixty (60) day grace period following the license expiration date, then the licensee shall reapply for a license by submitting the following to the Board office:
 - 1. a completed application for licensure; and
 - 2. the license fee provided in rule 1200-08-11-.02(2)(b).
- (d) Upon reapplication, the licensee shall submit to an inspection of the facility by Department of Health surveyors.

Authority: T.C.A. § 68-11-209(a)(1), Chapter 846 of the Public Acts of 2008, §1 T.C.A. §68-11-206(a)(5) [effective January 1, 2009].

Rule 1200-08-15-.02 Licensing Procedures is amended by adding subparagraph (f) to paragraph (2) as follows:

- (f) The applicant shall allow the residential hospice to be inspected by a Department surveyor. In the event that deficiencies are noted, the applicant shall submit a plan of corrective action to the Board that must be accepted by the Board. Once the deficiencies have been corrected, then the Board shall consider the application for licensure.

Authority: T.C.A. § 68-11-209(a)(1), Chapter 846 of the Public Acts of 2008, §1 T.C.A. §68-11-206(a)(5) [effective January 1, 2009].

Rule 1200-08-15-.02 Licensing Procedures is amended by deleting paragraph (4) in its entirety and substituting it instead with the following:

- (4) Renewal.
 - (a) In order to renew a license, each residential hospice shall submit to periodic inspections by Department surveyors for compliance with these rules. If deficiencies are noted, the licensee shall submit an acceptable plan of corrective action and shall remedy the deficiencies. In addition, each licensee shall submit a renewal form approved by the board and applicable renewal fee prior to the expiration date of the license.
 - (b) If a licensee fails to renew its license prior to the date of its expiration but submits the renewal form and fee within sixty (60) days thereafter, the licensee may renew late by paying, in addition to the renewal fee, a late penalty of one hundred dollars (\$100) per month for each month or fraction of a month that renewal is late.
 - (c) In the event that a licensee fails to renew its license within the sixty (60) day grace period following the license expiration date, then the licensee shall reapply for a license by submitting the following to the Board office:
 - 1. a completed application for licensure;
 - 2. the license fee provided in rule 1200-08-15-.02(2)(b); and
 - 3. any other information required by the Health Services and Development Agency.
 - (d) Upon reapplication, the licensee shall submit to an inspection of the facility by Department of Health surveyors.

Authority: T.C.A. § 68-11-209(a)(1), Chapter 846 of the Public Acts of 2008, §1 T.C.A. §68-11-206(a)(5) [effective January 1, 2009].

Rule 1200-08-24-.02 Licensing Procedures is amended by adding subparagraph (f) to paragraph (2) as follows:

- (f) The applicant shall allow the birthing center to be inspected by a Department surveyor. In the event that deficiencies are noted, the applicant shall submit a plan of corrective action to the Board that must be accepted by the Board. Once the deficiencies have been corrected, then the Board shall consider the application for licensure.

Authority: T.C.A. § 68-11-209(a)(1), Chapter 846 of the Public Acts of 2008, §1 T.C.A. §68-11-206(a)(5) [effective January 1, 2009].

Rule 1200-08-24-.02 Licensing Procedures is amended by deleting paragraph (4) in its entirety and substituting it instead with the following:

(4) Renewal.

- (a) In order to renew a license, each birthing center shall submit to periodic inspections by Department surveyors for compliance with these rules. If deficiencies are noted, the licensee shall submit an acceptable plan of corrective action and shall remedy the deficiencies. In addition, each licensee shall submit a renewal form approved by the board and applicable renewal fee prior to the expiration date of the license.
- (b) If a licensee fails to renew its license prior to the date of its expiration but submits the renewal form and fee within sixty (60) days thereafter, the licensee may renew late by paying, in addition to the renewal fee, a late penalty of one hundred dollars (\$100) per month for each month or fraction of a month that renewal is late.
- (c) In the event that a licensee fails to renew its license within the sixty (60) day grace period following the license expiration date, then the licensee shall reapply for a license by submitting the following to the Board office:
 - 1. a completed application for licensure;
 - 2. the license fee provided in rule 1200-08-24-.02(2)(b); and
 - 3. any other information required by the Health Services and Development Agency.
- (d) Upon reapplication, the licensee shall submit to an inspection of the facility by Department of Health surveyors.

Authority: T.C.A. § 68-11-209(a)(1), Chapter 846 of the Public Acts of 2008, §1 T.C.A. §68-11-206(a)(5) [effective January 1, 2009].

Rule 1200-08-26-.02 Licensing Procedures is amended by adding subparagraph (f) to paragraph (2) as follows:

- (f) The applicant shall allow the home care agency providing home health services to be inspected by a Department surveyor. In the event that deficiencies are noted, the applicant shall submit a plan of corrective action to the Board that must be accepted by the Board. Once the deficiencies have been corrected, then the Board shall consider the application for licensure.

Authority: T.C.A. § 68-11-209(a)(1), Chapter 846 of the Public Acts of 2008, §1 T.C.A. §68-11-206(a)(5) [effective January 1, 2009].

Rule 1200-08-26-.02 Licensing Procedures is amended by deleting paragraph (4) in its entirety and substituting it instead with the following:

(4) Renewal.

- (a) In order to renew a license, each home care agency providing home health services shall submit to periodic inspections by Department surveyors for compliance with these rules. If deficiencies are noted, the licensee shall submit an acceptable plan of corrective action and shall remedy the deficiencies. In addition, each licensee shall submit a renewal form approved by the board and applicable renewal fee prior to the expiration date of the license.
- (b) If a licensee fails to renew its license prior to the date of its expiration but submits the renewal form and fee within sixty (60) days thereafter, the licensee may renew late by paying, in addition to the renewal fee, a late penalty of one hundred dollars (\$100) per month for each month or fraction of a month that renewal is late.
- (c) In the event that a licensee fails to renew its license within the sixty (60) day grace period following the license expiration date, then the licensee shall reapply for a license by submitting the following to the Board office:
 - 1. a completed application for licensure;
 - 2. the license fee provided in rule 1200-08-26-.02(2)(b); and
 - 3. any other information required by the Health Services and Development Agency.
- (d) Upon reapplication, the licensee shall submit to an inspection of the facility by Department of Health surveyors.

Authority: T.C.A. § 68-11-209(a)(1), Chapter 846 of the Public Acts of 2008, §1 T.C.A. §68-11-206(a)(5) [effective January 1, 2009].

Rule 1200-08-27-.02 Licensing Procedures is amended by adding subparagraph (f) to paragraph (2) as follows:

- (f) The applicant shall allow the home care agency providing hospice services to be inspected by a Department surveyor. In the event that deficiencies are noted, the applicant shall submit a plan of corrective action to the Board that must be accepted by the Board. Once the deficiencies have been corrected, then the Board shall consider the application for licensure.

Authority: T.C.A. § 68-11-209(a)(1), Chapter 846 of the Public Acts of 2008, §1 T.C.A. §68-11-206(a)(5) [effective January 1, 2009].

Rule 1200-08-27-.02 Licensing Procedures is amended by deleting paragraph (4) in its entirety and substituting it instead with the following:

(4) Renewal.

- (a) In order to renew a license, each home care agency providing hospice services shall submit to periodic inspections by Department surveyors for

compliance with these rules. If deficiencies are noted, the licensee shall submit an acceptable plan of corrective action and shall remedy the deficiencies. In addition, each licensee shall submit a renewal form approved by the board and applicable renewal fee prior to the expiration date of the license.

- (b) If a licensee fails to renew its license prior to the date of its expiration but submits the renewal form and fee within sixty (60) days thereafter, the licensee may renew late by paying, in addition to the renewal fee, a late penalty of one hundred dollars (\$100) per month for each month or fraction of a month that renewal is late.
- (c) In the event that a licensee fails to renew its license within the sixty (60) day grace period following the license expiration date, then the licensee shall reapply for a license by submitting the following to the Board office:
 - 1. a completed application for licensure;
 - 2. the license fee provided in rule 1200-08-27-.02(2)(b); and
 - 3. any other information required by the Health Services and Development Agency.
- (d) Upon reapplication, the licensee shall submit to an inspection of the facility by Department of Health surveyors.

Authority: T.C.A. § 68-11-209(a)(1), Chapter 846 of the Public Acts of 2008, §1 T.C.A. §68-11-206(a)(5) [effective January 1, 2009].

Rule 1200-08-28-.02 Licensing Procedures is amended by adding subparagraph (f) to paragraph (2) as follows:

- (f) The applicant shall allow the HIV supportive living facility to be inspected by a Department surveyor. In the event that deficiencies are noted, the applicant shall submit a plan of corrective action to the Board that must be accepted by the Board. Once the deficiencies have been corrected, then the Board shall consider the application for licensure.

Authority: T.C.A. § 68-11-209(a)(1), Chapter 846 of the Public Acts of 2008, §1 T.C.A. §68-11-206(a)(5) [effective January 1, 2009].

Rule 1200-08-28-.02 Licensing Procedures is amended by deleting paragraph (4) in its entirety and substituting it instead with the following:

- (4) Renewal.
 - (a) In order to renew a license, each HIV supportive living facility shall submit to periodic inspections by Department surveyors for compliance with these rules. If deficiencies are noted, the licensee shall submit an acceptable plan of corrective action and shall remedy the deficiencies. In addition, each licensee shall submit a renewal form approved by the board and applicable renewal fee prior to the expiration date of the license.
 - (b) If a licensee fails to renew its license prior to the date of its expiration but submits the renewal form and fee within sixty (60) days thereafter, the

licensee may renew late by paying, in addition to the renewal fee, a late penalty of one hundred dollars (\$100) per month for each month or fraction of a month that renewal is late.

- (c) In the event that a licensee fails to renew its license within the sixty (60) day grace period following the license expiration date, then the licensee shall reapply for a license by submitting the following to the Board office:
 - 1. a completed application for licensure; and
 - 2. the license fee provided in rule 1200-08-28-.02(2)(b).
- (d) Upon reapplication, the licensee shall submit to an inspection of the facility by Department of Health surveyors.

Authority: T.C.A. § 68-11-209(a)(1), Chapter 846 of the Public Acts of 2008, §1 T.C.A. §68-11-206(a)(5) [effective January 1, 2009].

Rule 1200-08-29-.02 Licensing Procedures is amended by adding subparagraph (f) to paragraph (2) as follows:

- (f) The applicant shall allow the home care organization providing home medical equipment to be inspected by a Department surveyor. In the event that deficiencies are noted, the applicant shall submit a plan of corrective action to the Board that must be accepted by the Board. Once the deficiencies have been corrected, then the Board shall consider the application for licensure.

Authority: T.C.A. § 68-11-209(a)(1), Chapter 846 of the Public Acts of 2008, §1 T.C.A. §68-11-206(a)(5) [effective January 1, 2009].

Rule 1200-08-29-.02 Licensing Procedures is amended by deleting paragraph (4) in its entirety and substituting it instead with the following:

(4) Renewal.

- (a) In order to renew a license, each home care organization providing home medical equipment shall submit to periodic inspections by Department surveyors for compliance with these rules. If deficiencies are noted, the licensee shall submit an acceptable plan of corrective action and shall remedy the deficiencies. In addition, each licensee shall submit a renewal form approved by the board and applicable renewal fee prior to the expiration date of the license.
- (b) If a licensee fails to renew its license prior to the date of its expiration but submits the renewal form and fee within sixty (60) days thereafter, the licensee may renew late by paying, in addition to the renewal fee, a late penalty of one hundred dollars (\$100) per month for each month or fraction of a month that renewal is late.
- (c) In the event that a licensee fails to renew its license within the sixty (60) day grace period following the license expiration date, then the licensee shall reapply for a license by submitting the following to the Board office:

1. a completed application for licensure;
2. the license fee provided in rule 1200-08-29-.02(2)(b); and
3. any other information required by the Health Services and Development Agency.

(d) Upon reapplication, the licensee shall submit to an inspection of the facility by Department of Health surveyors.

Authority: T.C.A. § 68-11-209(a)(1), Chapter 846 of the Public Acts of 2008, §1 T.C.A. §68-11-206(a)(5) [effective January 1, 2009].

Rule 1200-08-32-.02 Licensing Procedures is amended by adding subparagraph (e) to paragraph (2) as follows:

(e) The applicant shall allow the end stage renal dialysis clinic to be inspected by a Department surveyor. In the event that deficiencies are noted, the applicant shall submit a plan of corrective action to the Board that must be accepted by the Board. Once the deficiencies have been corrected, then the Board shall consider the application for licensure.

Authority: T.C.A. § 68-11-209(a)(1), Chapter 846 of the Public Acts of 2008, §1 T.C.A. §68-11-206(a)(5) [effective January 1, 2009].

Rule 1200-08-32-.02 Licensing Procedures is amended by deleting paragraph (4) in its entirety and substituting it instead with the following:

(4) Renewal.

(a) In order to renew a license, each end stage renal dialysis clinic shall submit to periodic inspections by Department surveyors for compliance with these rules. If deficiencies are noted, the licensee shall submit an acceptable plan of corrective action and shall remedy the deficiencies. In addition, each licensee shall submit a renewal form approved by the board and applicable renewal fee prior to the expiration date of the license.

(b) If a licensee fails to renew its license prior to the date of its expiration but submits the renewal form and fee within sixty (60) days thereafter, the licensee may renew late by paying, in addition to the renewal fee, a late penalty of one hundred dollars (\$100) per month for each month or fraction of a month that renewal is late.

(c) In the event that a licensee fails to renew its license within the sixty (60) day grace period following the license expiration date, then the licensee shall reapply for a license by submitting the following to the Board office:

1. a completed application for licensure; and
2. the license fee provided in rule 1200-08-32-.02(2)(b).

(d) Upon reapplication, the licensee shall submit to an inspection of the facility by Department of Health surveyors.

Authority: T.C.A. § 68-11-209(a)(1), Chapter 846 of the Public Acts of 2008, §1 T.C.A. §68-11-206(a)(5) [effective January 1, 2009].

Rule 1200-08-34-.02 Licensing Procedures is amended by adding subparagraph (f) to paragraph (2) as follows:

- (f) The applicant shall allow the home care organization providing professional support services to be inspected by a Department surveyor. In the event that deficiencies are noted, the applicant shall submit a plan of corrective action to the Board that must be accepted by the Board. Once the deficiencies have been corrected, then the Board shall consider the application for licensure.

Authority: T.C.A. § 68-11-209(a)(1), Chapter 846 of the Public Acts of 2008, §1 T.C.A. §68-11-206(a)(5) [effective January 1, 2009].

Rule 1200-08-34-.02 Licensing Procedures is amended by deleting paragraph (4) in its entirety and substituting it instead with the following:

(4) Renewal.

- (a) In order to renew a license, each home care organization providing professional support services shall submit to periodic inspections by Department surveyors for compliance with these rules. If deficiencies are noted, the licensee shall submit an acceptable plan of corrective action and shall remedy the deficiencies. In addition, each licensee shall submit a renewal form approved by the board and applicable renewal fee prior to the expiration date of the license.
- (b) If a licensee fails to renew its license prior to the date of its expiration but submits the renewal form and fee within sixty (60) days thereafter, the licensee may renew late by paying, in addition to the renewal fee, a late penalty of one hundred dollars (\$100) per month for each month or fraction of a month that renewal is late.
- (c) In the event that a licensee fails to renew its license within the sixty (60) day grace period following the license expiration date, then the licensee shall reapply for a license by submitting the following to the Board office:
 - 1. a completed application for licensure;
 - 2. the license fee provided in rule 1200-08-34-.02(2)(b); and
 - 3. any other information required by the Health Services and Development Agency.
- (d) Upon reapplication, the licensee shall submit to an inspection of the facility by Department of Health surveyors.

Authority: T.C.A. § 68-11-209(a)(1), Chapter 846 of the Public Acts of 2008, §1 T.C.A. §68-11-206(a)(5) [effective January 1, 2009].

Rule 1200-08-35-.02 Licensing Procedures is amended by adding subparagraph (f) to paragraph (2) as follows:

- (f) The applicant shall allow the outpatient diagnostic center to be inspected by a Department surveyor. In the event that deficiencies are noted, the applicant shall submit a plan of corrective action to the Board that must be accepted by the Board. Once the deficiencies have been corrected, then the Board shall consider the application for licensure.

Authority: T.C.A. § 68-11-209(a)(1), Chapter 846 of the Public Acts of 2008, §1 T.C.A. §68-11-206(a)(5) [effective January 1, 2009].

Rule 1200-08-35-.02 Licensing Procedures is amended by adding a new paragraph (5) as follows:

(5) Renewal.

- (a) In order to renew a license, each outpatient diagnostic center shall submit to periodic inspections by Department surveyors for compliance with these rules. If deficiencies are noted, the licensee shall submit an acceptable plan of corrective action and shall remedy the deficiencies. In addition, each licensee shall submit a renewal form approved by the board and applicable renewal fee prior to the expiration date of the license.
- (b) If a licensee fails to renew its license prior to the date of its expiration but submits the renewal form and fee within sixty (60) days thereafter, the licensee may renew late by paying, in addition to the renewal fee, a late penalty of one hundred dollars (\$100) per month for each month or fraction of a month that renewal is late.
- (c) In the event that a licensee fails to renew its license within the sixty (60) day grace period following the license expiration date, then the licensee shall reapply for a license by submitting the following to the Board office:
 - 1. a completed application for licensure;
 - 2. the license fee provided in rule 1200-08-35-.02(2)(b); and
 - 3. any other information required by the Health Services and Development Agency.
- (d) Upon reapplication, the licensee shall submit to an inspection of the facility by Department of Health surveyors.

Authority: T.C.A. § 68-11-209(a)(1), Chapter 846 of the Public Acts of 2008, §1 T.C.A. §68-11-206(a)(5) [effective January 1, 2009].

I certify that the information included in this filing is an accurate and complete representation of the intent and scope of rulemaking proposed by the agency.

Date: 2/26/09

Signature: *L. Erin Begley*

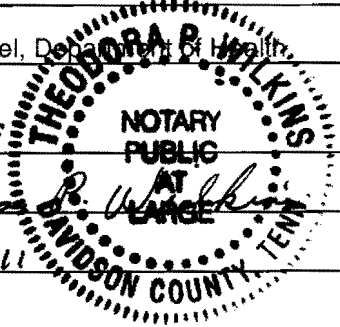
Name of Officer: Leah Erin Begley

Title of Officer: Assistant General Counsel, Department of Health

Subscribed and sworn to before me on: 2/26/09

Notary Public Signature: *Theodore P. Wilkins*

My commission expires on: 11/7/2011



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Tre Hargett
Tre Hargett
Secretary of State

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