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Sequence Number: 04-12-21  
Notice ID(s): 3278  
File Date: 4/7/2021

# Notice of Rulemaking Hearing

Hearings will be conducted in the manner prescribed by the Uniform Administrative Procedures Act, T.C.A. § 4-5-204. For questions and copies of the notice, contact the person listed below.

<b>Agency/Board/Commission:</b>	Department of Health, Health Services Administration
<b>Division:</b>	Family Health and Wellness
<b>Contact Person:</b>	Rachel Appelt, Sr. Associate General Counsel
<b>Address:</b>	710 James Robertson Parkway, 5 <sup>th</sup> Floor, Nashville, TN 37243
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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:

<b>ADA Contact:</b>	ADA Coordinator
<b>Address:</b>	710 James Robertson Parkway, Andrew Johnson Building, 5 <sup>th</sup> Floor, Nashville, TN 37243
<b>Phone:</b>	(615) 741-9421
<b>Email:</b>	Luvenia.Harrison@tn.gov

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

Address 1:	Metro Center
Address 2:	665 Mainstream Drive, Iris Conference Room
City:	Nashville, Tennessee
Zip:	37228
Hearing Date :	May 27, 2021
Hearing Time:	9:00 A.M. <input checked="" type="checkbox"/> CST/CDT <input type="checkbox"/> EST/EDT

**Additional Hearing Information:**

Join from the meeting link: <a href="https://tngov.webex.com/tngov/j.php?MTID=m987dfeabaea93aaeca367af21305930b">https://tngov.webex.com/tngov/j.php?MTID=m987dfeabaea93aaeca367af21305930b</a> Call in number: 1-415-655-0003 US TOLL Call in access code: 185 239 5378
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**Revision Type (check all that apply):**

- Amendment
- New
- Repeal

**Rule(s)** (ALL chapters and rules contained in filing must be listed. If needed, copy and paste additional tables to accommodate more than one chapter. Please enter only **ONE** Rule Number/Rule Title per row.)

Chapter Number	Chapter Title
1200-15-01	Newborn Hearing Testing, Screening for Metabolic/Genetic Disorders and Critical

	Congenital Heart Disease
<b>Rule Number</b>	<b>Rule Title</b>
1200-15-01-.02	Persons and/or Institutions Responsible for Tests for Newborn Infants

Place substance of rules and other info here. Statutory authority must be given for each rule change. For information on formatting rules go to <https://sos.tn.gov/products/division-publications/rulemaking-guidelines>.

Rule Chapter 1200-15-01  
Newborn Hearing Testing, Screening for Metabolic/Genetic Disorders and Critical Congenital Heart Disease  
Amendments

Rule 1200-15-01.02 Persons and/or Institutions Responsible for Tests for Newborn Infants is amended by deleting subparagraphs (1)(a), (1)(c), (2)(a), (2)(c), (3)(a), and (3)(c) in their entirety and substituting instead the following language, so that as amended, the new subparagraphs shall read:

- (1) Every chief administrative officer of a hospital and the attending physician in each instance shall:
  - (a) Submit a satisfactory specimen of blood to the State Public Health Laboratory, Department of Health. This sample shall be collected between twenty-four and thirty-six (24-36) hours of age and mailed within twenty-four (24) hours of collection. In some cases it may be necessary to collect a specimen prior to twenty-four (24) hours of age if the infant is going to be discharged, transferred or transfused.
  - (c) Perform pulse oximetry tests on all newborns to screen for critical congenital heart disease between twenty-four and thirty-six (24-36) hours of age. The recommended protocol for screening is available online at the Department of Health's web page.
- (2) Any health care provider(s) of delivery services in a non-hospital setting shall:
  - (a) Submit a satisfactory specimen of blood to the State Public Health Laboratory, Department of Health, in a manner as directed by the Department. This sample shall be collected between twenty-four and thirty-six (24-36) hours of age and mailed within twenty-four (24) hours of collection. In some cases it may be necessary to collect a specimen prior to twenty-four (24) hours of age if the infant is going to be discharged, transferred or transfused.
  - (c) Perform pulse oximetry tests on all newborns to screen for critical congenital heart disease between twenty-four and thirty-six (24-36) hours of age. The recommended protocol for screening is available online at the Department of Health's web page.
- (3) Any parent, guardian, or custodian residing in Tennessee, of an infant born in Tennessee, outside a Tennessee health care facility and without the assistance of a health care provider, shall:
  - (a) Between twenty-four to thirty-six (24-36) hours of age present said infant to a primary care provider or local health department for blood specimen collection.
  - (c) Between twenty-four and thirty-six (24-36) hours of age present said infant to a primary care provider to perform pulse oximetry tests to screen for critical congenital heart disease. The recommended protocol for screening is available online at the Department of Health's web page.

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: 04/07/2021  
Signature: Rachel Appelt  
Name of Officer: Rachel Appelt  
Title of Officer: Sr. Associate General Counsel

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Filed with the Department of State on: 4/7/2021

Tre Hargett  
Tre Hargett  
Secretary of State

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