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Sequence Number: 05-19-13
 Notice ID(s): 2021
 File Date: 5/30/13

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.

Agency/Board/Commission:	Department of Health
Division:	Board of Medical Examiners
Contact Person:	Andrea Huddleston Deputy General Counsel
Address:	220 Athens Way, Suite 210 Nashville, TN 37243
Phone:	(615) 253-5895
Email:	Andrea.Huddleston@tn.gov

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, Tennessee 37243
Phone:	(615) 532-4397
Email:	

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

Address 1:	HRB Conference Rooms, Iris Room		
Address 2:	Heritage Place, 227 French Landing Drive		
City:	Nashville		
Zip:	37243		
Hearing Date :	07/23/2013		
Hearing Time:	8:30 a.m.	<input checked="" type="checkbox"/> CST/CDT	<input type="checkbox"/> EST/EDT

Additional Hearing Information:

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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
0880-02	General Rules and Regulations Governing the Practice of Medicine
Rule Number	Rule Title
0880-02-.15	Medical Records

(Place substance of rules and other info here. Statutory authority must be given for each rule change. For information on formatting rules go to <http://state.tn.us/sos/rules/1360/1360.htm>)

Rule 0880-02-.15(4)(d) Medical Records is amended by deleting subparagraph (4)(d) and substituting instead the following language, so that as amended, the new subparagraph shall read:

- (d) Content – All medical records, or summaries thereof, produced in the course of the practice of medicine for all patients shall include all information and documentation listed in T.C.A. § 63-2-101(c)(4) and such additional information that is necessary to insure that a subsequent reviewing or treating physician can both ascertain the basis for the diagnosis, treatment plan and outcomes, and provide continuity of care for the patient.

Rule 0880-02-.15(4)(f) Medical Records is amended by deleting part (4)(f)(3) and renumbering the remaining subparagraph, so that as amended, subparagraph (4)(f) shall read:

- (f) Retention of Medical Records-Medical records shall be retained for a period of not less than ten (10) years from the physician's or his supervisees' last professional contact with the patient except for the following:
 - 1. Immunization records shall be retained indefinitely.
 - 2. Medical records for incompetent patients shall be retained indefinitely.
 - 3. X-rays, radiographs and other imaging products shall be retained for at least four (4) years after which if there exist separate interpretive records thereof they may be destroyed.
 - 4. Medical records of minors shall be retained for a period of not less than one (1) year after the minor reaches the age of majority or ten (10) years from the date of the physician's or his supervisees' last professional contact with the patient, whichever is longer.
 - 5. Notwithstanding the foregoing, no medical record involving services which are currently under dispute shall be destroyed until the dispute is resolved.

Authority: T.C.A. §§4-5-202, 4-5-204, 63-2-101, 63-2-102, 63-6-101, 63-6-204, and 63-6-214.

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: 5-30-13

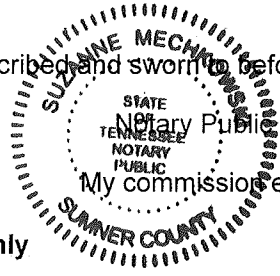
Signature: _____

Name of Officer: ANDREA HUDDLESTON

DEPUTY GENERAL COUNSEL

Title of Officer: DEPARTMENT OF HEALTH

Subscribed and sworn to before me on: May 30, 2013



Notary Public Signature: Suzanne Mecholsky

My commission expires on: _____

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**MY COMMISSION EXPIRES
APRIL 19, 2017**

Filed with the Department of State on: 5/30/13

Tre Hargett

Tre Hargett
Secretary of State

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