

Notice of Rulemaking Hearing
Board of Electrolysis Examiners

There will be a hearing before the Tennessee Board of Electrolysis Examiners to consider the promulgation of amendments to rules pursuant to T.C.A. §§ 4-5-202, 4-5-204, and 63-26-108. 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 Department of Health Conference Center's Mockingbird Room on the First Floor of the Heritage Place Building located at 227 French Landing, Nashville, TN at 2:30 p.m. (CDT) on the 16th day of August, 2007.

Any individuals with disabilities who wish to participate in these proceedings (review these filings) should contact the Department of Health, Division of Health Related Boards 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 Related Boards, 227 Fr. Lndng., Ste. 300, Heritage Place, MetroCenter, Nashville, TN 37243, (615) 532-4397.

For a copy of the entire text of this notice of rulemaking hearing contact: Jerry Kosten, Regulations Manager, Division of Health Related Boards, 227 French Landing, Suite 300, Heritage Place, MetroCenter, Nashville, TN 37243, (615) 532-4397.

Substance of Proposed Rules

Chapter 0540-01
General Rules Governing Electrology, Electrologists and Electrology Instructors

Chapter 0540-3
General Rules Governing Schools of Electrology

Amendments

Rule 0540-01-.06, Fees, is amended by deleting subparagraphs (4) (a), (4) (b), (4) (c), (4) (d), (4) (e), (4) (f), (4) (g) and (4) (h) in their entirety and substituting instead the following language, so that as amended, the new subparagraphs (4) (a), (4) (b), (4) (c), (4) (d), (4) (e), (4) (f), (4) (g) and (4) (h) shall read:

(4) (a)	Application	\$ 300.00	\$ 350.00
(4) (b)	Endorsement/Verification	50.00	50.00
(4) (c)	Examination - Practical or Re-evaluation	200.00	200.00
(4) (d)	License - Initial	200.00	200.00
(4) (e)	Reinstatement	200.00	200.00
(4) (f)	License Renewal -Biennial	1,020.00	680.00
(4) (g)	Reciprocity License fee	300.00	300.00
(4) (h)	Replacement license	50.00	50.00

Authority: T.C.A. §§ 63-26-108, 63-26-109, 63-26-111, 63-26-112, 63-26-114, 63-26-115, 63-26-116, 63-26-117, and 63-26-120.

Rule 0540-01-.20, Advertising, is amended by inserting the following language as new paragraph (6) and renumbering the current paragraph (6) as paragraph (7):

- (6) Use of Titles - Any person who possesses a valid, current and active license issued by the Board that has not been suspended or revoked has the right to use the title "electrologist" and to practice electrology, as defined in T.C.A. §§ 63-26-102. Any person licensed by the Board to whom this rule applies must use the title authorized by this rule in every "advertisement" [as that term is defined in rule 0540-01-.01(1)] he or she publishes or the failure to do so will constitute an omission of a material fact which makes the advertisement misleading and deceptive and subjects the electrologist to disciplinary action pursuant to T.C.A. § 63-26-123.

Authority: T.C.A. §§ 63-1-145, 63-26-108, and 63-26-123.

Rule 0540-3-.06, Fees, is amended by deleting subparagraphs (4) (a), (4) (b), (4) (c), (4) (d), (4) (e) and (4) (f) in their entirety and substituting instead the following language, so that as amended, the new subparagraphs (4) (a), (4) (b), (4) (c), (4) (d), (4) (e) and (4) (f) shall read:

(4) (a)	Application	\$550.00
(4) (b)	Endorsement Verification	50.00
(4) (c)	Late Renewal	200.00
(4) (d)	License (Initial)	200.00
(4) (e)	License Renewal (annual)	680.00
(4) (f)	Replacement License	50.00

Authority: T.C.A. §§ 63-26-108, 63-26-109, 63-26-119, and 63-26-120.

The notice of rulemaking set out herein was properly filed in the Department of State on the 26th day of June, 2007. (FS 06-27-06, DBID 655, 656)