

Rulemaking Hearing Rules

Department of Health
Board for Licensing Health Care Facilities

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Amendments

Rule 1200-8-1-.04, Administration, is amended by deleting subparagraph (10)(b) in its entirety and substituting instead the following language, and is further amended by adding the following language as new subparagraph (10)(c), so that as amended, the new subparagraphs (10)(b) and (10)(c) shall read:

- (10)(b) A statement that a person of advanced age who may be the victim of abuse, neglect, or exploitation may seek assistance or file a complaint with the division concerning abuse, neglect and exploitation; and
- (10)(c) A statement that any person, regardless of age, who may be the victim of domestic violence may call the nationwide domestic violence hotline, with that number printed in boldface type, for immediate assistance and posted on a sign no smaller than eight and one-half inches (8½") in width and eleven inches (11") in height.

Postings of (a) and (b) shall be on a sign no smaller than eleven inches (11") in width and seventeen inches (17") in height.

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, 68-11-216, and 71-6-121.

Rule 1200-8-1-.06, Basic Hospital Functions, is amended by deleting parts (1)(b)3 and (1)(b)4 in their entirety and substituting instead the following language, and is further amended by adding the following language as new part (1)(b)5, and is further amended by deleting part (3)(b)3 in its entirety and substituting instead the following language, so that as amended, the new parts (1)(b)3, (1)(b)4, (1)(b)5, and (3)(b)3 shall read:

- (1)(b)3 All medical and surgical services performed in the hospital are evaluated as to the appropriateness of diagnosis and treatment;
- (1)(b)4 The competency of all staff is evaluated at least annually; and
- (1)(b)5 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.

(3)(b)3 Written procedures governing the use of aseptic techniques and procedures in all areas of the hospital, including adoption of a standardized central venous catheter insertion process which shall contain these key components:

- (i) Hand hygiene (as defined in 1200-8-1-.06(3)(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, 68-3-511, 68-11-202, 68-11-204, 68-11-206, 68-11-209, and 68-11-216.

Rule 1200-8-1-.06, Basic Hospital Functions, is amended by deleting subparagraph (3)(f) in its entirety and substituting instead the following language, so that as amended, the new subparagraph (3)(f) shall read:

(3)(f) The facility and its employees shall adopt and utilize standard precautions (per CDC) for preventing transmission of infections, HIV, and communicable diseases, including 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 where other potentially infectious materials, mucous membranes, and non-intact skin could occur and gloves 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 used 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, 68-3-511, 68-11-202, 68-11-204, 68-11-206, 68-11-209, and 68-11-216.

Rule 1200-8-1-.06, Basic Hospital Functions, is amended by adding the following language as new subparagraph (3)(f) and re-numbering the remaining subparagraphs appropriately, so that as amended, the new subparagraph (3)(f) shall read:

- (3)(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;
 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, 68-3-511, 68-11-202, 68-11-204, 68-11-206, 68-11-209, and 68-11-216.

Rule 1200-8-2-.04, Administration, is amended by deleting subparagraph (9)(b) in its entirety and substituting instead the following language, and is further amended by adding the following language as new subparagraph (9)(c), so that as amended, the new subparagraphs (9)(b) and (9)(c) shall read:

- (9)(b) A statement that a person of advanced age who may be the victim of abuse, neglect, or exploitation may seek assistance or file a complaint with the division concerning abuse, neglect and exploitation; and
- (9)(c) A statement that any person, regardless of age, who may be the victim of domestic violence may call the nationwide domestic violence hotline, with that number printed in boldface type, for immediate assistance and posted on a sign no smaller than eight and one-half inches (8½") in width and eleven inches (11") in height.

Postings of (a) and (b) shall be on a sign no smaller than eleven inches (11") in width and seventeen inches (17") in height.

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, 68-11-234, and 71-6-121.

Rule 1200-8-6-.01, Definitions, is amended by adding the following language as new paragraph (37) and re-numbering the remaining paragraphs appropriately, so that as amended, the new paragraph (37) shall read:

- (37) Medical Equipment. Equipment used for the diagnosis, treatment and monitoring of patients, including, but not limited to, oxygen care equipment and oxygen delivery systems, enteral and parenteral feeding pumps, and intravenous pumps.

Authority: T.C.A. §§4-5-202, 4-5-204, 68-11-202, 68-11-204, 68-11-206, 68-11-207, 68-11-209, 68-11-210, 68-11-211, 68-11-213, 68-11-224, and 68-11-1802.

Rule 1200-8-6-.04, Administration, is amended by adding the following language as new paragraphs (20) and (21), so that as amended, the new paragraphs (20) and (21) shall read:

- (20) The nursing home shall carry out the following functions, all of which shall be documented in a written medical equipment management plan:
- (a) Develop and maintain a current itemized inventory of medical equipment used in the facility, that is owned or leased by the operator of the facility;
 - (b) Develop and maintain a schedule for the maintenance, inspection and testing of medical equipment according to manufacturers' recommendations or other generally accepted standards. The schedule shall include the date and time such maintenance, inspection and testing was actually performed, and the name of the individual who performed such tasks; and
 - (c) Ensure maintenance, inspection and testing were conducted by facility personnel adequately trained in such procedures or by a contractor qualified to perform such procedures.
- (21) All health care facilities licensed pursuant to T.C.A. §68-11-201, et. seq. shall post on a sign no smaller than eight and one-half inches (8½") in width and eleven inches (11") in height the following in the main public entrance:
- (a) a statement that any person, regardless of age, who may be the victim of domestic violence may call the nationwide domestic violence hotline, with that number printed in boldface type, for immediate assistance.

Authority: T.C.A. §§4-5-202, 4-5-204, 68-11-202, 68-11-204, 68-11-206, 68-11-209, 68-11-225, 68-11-254, 68-11-256, 68-11-906, and 71-6-121.

Rule 1200-8-6-.06, Basic Services, is amended by deleting parts (1)(b)2 and (1)(b)3 in their entirety and substituting instead the following language, and is further amended by adding the following language as new part (1)(b)4, so that as amended, the new parts (1)(b)2, (1)(b)3, and (1)(b)4 shall read:

- (1)(b)2 Nosocomial infections and medication therapy are evaluated;
- (1)(b)3 All services performed in the facility are evaluated as to the appropriateness of diagnosis and treatment; and
- (1)(b)4 The facility shall develop and implement a system for measuring improvements in adherence to the hand hygiene program and influenza vaccination program.

Authority: T.C.A. §§4-5-202, 4-5-204, 68-3-511, 68-11-202, 68-11-204, 68-11-206, and 68-11-209.

Rule 1200-8-6-.06, Basic Services, is amended by deleting subparagraph (3)(f) in its entirety and substituting instead the following language, so that as amended, the new subparagraph (3)(f) shall read:

(3)(f) The facility and its employees shall adopt and utilize standard precautions (per CDC) for preventing transmission of infections, HIV, and communicable diseases, including 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 where other potentially infectious materials, mucous membranes, and non-intact skin could occur and gloves 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 used 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, 68-3-511, 68-11-202, 68-11-204, 68-11-206, and 68-11-209.

Rule 1200-8-6-.06, Basic Services, is amended by adding the following language as new subparagraph (3)(i) and re-numbering the remaining paragraphs appropriately, so that as amended, the new paragraph (3)(i) shall read:

(3)(i) 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;

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, 68-3-511, 68-11-202, 68-11-204, 68-11-206, and 68-11-209.

Rule 1200-8-10-.04, Administration, is amended by deleting subparagraph (24)(b) in its entirety and substituting instead the following language, and is further amended by adding the following language as new subparagraph (24)(c), so that as amended, the new subparagraphs (24)(b) and (24)(c) shall read:

(24)(b) A statement that a person of advanced age who may be the victim of abuse, neglect, or exploitation may seek assistance or file a complaint with the division concerning abuse, neglect and exploitation; and

(24)(c) A statement that any person, regardless of age, who may be the victim of domestic violence may call the nationwide domestic violence hotline, with that number printed in boldface type, for immediate assistance and posted on a sign no smaller than eight and one-half inches (8½") in width and eleven inches (11") in height.

Postings of (a) and (b) shall be on a sign no smaller than eleven inches (11") in width and seventeen inches (17") in height.

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, 68-11-216, and 71-6-121.

Rule 1200-8-11-.04, Administration, is amended by deleting subparagraph (7)(b) in its entirety and substituting instead the following language, and is further amended by adding the following language as new subparagraph (7)(c), so that as amended, the new subparagraphs (7)(b) and (7)(c) shall read:

(7)(b) A statement that a person of advanced age who may be the victim of abuse, neglect, or exploitation may seek assistance or file a complaint with the division concerning abuse, neglect and exploitation; and

(7)(c) A statement that any person, regardless of age, who may be the victim of domestic violence may call the nationwide domestic violence hotline, with that number printed in boldface type, for immediate assistance and posted on a sign no smaller than eight and one-half inches (8½") in width and eleven inches (11") in height.

Postings of (a) and (b) shall be on a sign no smaller than eleven inches (11") in width and seventeen inches (17") in height.

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, 68-11-257, and 71-6-121.

Rule 1200-8-15-.04, Administration, is amended by deleting subparagraph (18)(b) in its entirety and substituting instead the following language, and is further amended by adding the following language as new subparagraph (18)(c), so that as amended, the new subparagraphs (18)(b) and (18)(c) shall read:

(18)(b) A statement that a person of advanced age who may be the victim of abuse, neglect, or exploitation may seek assistance or file a complaint with the division concerning abuse, neglect and exploitation; and

(18)(c) A statement that any person, regardless of age, who may be the victim of domestic violence may call the nationwide domestic violence hotline, with that number printed in boldface type, for immediate assistance and posted on a sign no smaller than eight and one-half inches (8½") in width and eleven inches (11") in height.

Postings of (a) and (b) shall be on a sign no smaller than eleven inches (11") in width and seventeen inches (17") in height.

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, and 71-6-121.

Rule 1200-8-17-.04, Administration, is amended by deleting subparagraph (7)(b) in its entirety and substituting instead the following language, and is further amended by adding the following language as new subparagraph (7)(c), so that as amended, the new subparagraphs (7)(b) and (7)(c) shall read:

(7)(b) A statement that a person of advanced age who may be the victim of abuse, neglect, or exploitation may seek assistance or file a complaint with the division concerning abuse, neglect and exploitation; and

(7)(c) A statement that any person, regardless of age, who may be the victim of domestic violence may call the nationwide domestic violence hotline, with that number printed in boldface type, for immediate assistance and posted on a sign no smaller than eight and one-half inches (8½") in width and eleven inches (11") in height.

Postings of (a) and (b) shall be on a sign no smaller than eleven inches (11") in width and seventeen inches (17") in height.

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, 68-11-222, and 71-6-121.

Rule 1200-8-18-.04, Administration, is amended by deleting subparagraph (11)(b) in its entirety and substituting instead the following language, and is further amended by adding the following language as new subparagraph (11)(c), so that as amended, the new subparagraphs (11)(b) and (11)(c) shall read:

(11)(b) A statement that a person of advanced age who may be the victim of abuse, neglect, or exploitation may seek assistance or file a complaint with the division concerning abuse, neglect and exploitation; and

(11)(c) A statement that any person, regardless of age, who may be the victim of domestic violence may call the nationwide domestic violence hotline, with that number printed in boldface type, for immediate assistance and posted on a sign no smaller than eight and one-half inches (8½") in width and eleven inches (11") in height.

Postings of (a) and (b) shall be on a sign no smaller than eleven inches (11") in width and seventeen inches (17") in height.

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, 68-11-222, and 71-6-121.

Rule 1200-8-19-.04, Administration, is amended by deleting subparagraph (10)(b) in its entirety and substituting instead the following language, and is further amended by adding the following language as new subparagraph (10)(c), so that as amended, the new subparagraphs (10)(b) and (10)(c) shall read:

(10)(b) A statement that a person of advanced age who may be the victim of abuse, neglect, or exploitation may seek assistance or file a complaint with the division concerning abuse, neglect and exploitation; and

(10)(c) A statement that any person, regardless of age, who may be the victim of domestic violence may call the nationwide domestic violence hotline, with that number printed in boldface type, for immediate assistance and posted on a sign no smaller than eight and one-half inches (8½") in width and eleven inches (11") in height.

Postings of (a) and (b) shall be on a sign no smaller than eleven inches (11") in width and seventeen inches (17") in height.

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, 68-11-222, and 71-6-121.

Rule 1200-8-20-.04, Administration, is amended by deleting subparagraph (10)(b) in its entirety and substituting instead the following language, and is further amended by adding the following language as new subparagraph (10)(c), so that as amended, the new subparagraphs (10)(b) and (10)(c) shall read:

(10)(b) A statement that a person of advanced age who may be the victim of abuse, neglect, or exploitation may seek assistance or file a complaint with the division concerning abuse, neglect and exploitation; and

(10)(c) A statement that any person, regardless of age, who may be the victim of domestic violence may call the nationwide domestic violence hotline, with that number printed in boldface type, for immediate assistance and posted on a sign no smaller than eight and one-half inches (8½") in width and eleven inches (11") in height.

Postings of (a) and (b) shall be on a sign no smaller than eleven inches (11") in width and seventeen inches (17") in height.

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, 68-11-222, and 71-6-121.

Rule 1200-8-21-.04, Administration, is amended by deleting subparagraph (6)(b) in its entirety and substituting instead the following language, and is further amended by adding the following language as new subparagraph (6)(c), so that as amended, the new subparagraphs (6)(b) and (6)(c) shall read:

(6)(b) A statement that a person of advanced age who may be the victim of abuse, neglect, or exploitation may seek assistance or file a complaint with the division concerning abuse, neglect and exploitation; and

(6)(c) A statement that any person, regardless of age, who may be the victim of domestic violence may call the nationwide domestic violence hotline, with that number printed in boldface type, for immediate assistance and posted on a sign no smaller than eight and one-half inches (8½") in width and eleven inches (11") in height.

Postings of (a) and (b) shall be on a sign no smaller than eleven inches (11") in width and seventeen inches (17") in height.

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, 68-11-210, 68-11-222, and 71-6-121.

Rule 1200-8-22-.04, Administration, is amended by deleting subparagraph (7)(b) in its entirety and substituting instead the following language, and is further amended by adding the following language as new subparagraph (7)(c), so that as amended, the new subparagraphs (7)(b) and (7)(c) shall read:

(7)(b) A statement that a person of advanced age who may be the victim of abuse, neglect, or exploitation may seek assistance or file a complaint with the division concerning abuse, neglect and exploitation; and

(7)(c) A statement that any person, regardless of age, who may be the victim of domestic violence may call the nationwide domestic violence hotline, with that number printed in boldface type, for immediate assistance and posted on a sign no smaller than eight and one-half inches (8½") in width and eleven inches (11") in height.

Postings of (a) and (b) shall be on a sign no smaller than eleven inches (11") in width and seventeen inches (17") in height.

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, 68-11-222, and 71-6-121.

Rule 1200-8-23-.04, Administration, is amended by deleting subparagraph (7)(b) in its entirety and substituting instead the following language, and is further amended by adding the following language as new subparagraph (7)(c), so that as amended, the new subparagraphs (7)(b) and (7)(c) shall read:

(7)(b) A statement that a person of advanced age who may be the victim of abuse, neglect, or exploitation may seek assistance or file a complaint with the division concerning abuse, neglect and exploitation; and

(7)(c) A statement that any person, regardless of age, who may be the victim of domestic violence may call the nationwide domestic violence hotline, with that number printed in boldface type, for immediate assistance and posted on a sign no smaller than eight and one-half inches (8½") in width and eleven inches (11") in height.

Postings of (a) and (b) shall be on a sign no smaller than eleven inches (11") in width and seventeen inches (17") in height.

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, 68-11-222, and 71-6-121.

Rule 1200-8-24-.04, Administration, is amended by deleting subparagraph (11)(b) in its entirety and substituting instead the following language, and is further amended by adding the following language as new subparagraph (11)(c), so that as amended, the new subparagraphs (11)(b) and (11)(c) shall read:

(11)(b) A statement that a person of advanced age who may be the victim of abuse, neglect, or exploitation may seek assistance or file a complaint with the division concerning abuse, neglect and exploitation; and

(11)(c) A statement that any person, regardless of age, who may be the victim of domestic violence may call the nationwide domestic violence hotline, with that number printed in boldface type, for immediate assistance and posted on a sign no smaller than eight and one-half inches (8½") in width and eleven inches (11") in height.

Postings of (a) and (b) shall be on a sign no smaller than eleven inches (11") in width and seventeen inches (17") in height.

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, 68-11-222, and 71-6-121.

Rule 1200-8-25-.04, Administration, is amended by deleting subparagraph (9)(b) in its entirety and substituting instead the following language, and is further amended by adding the following language as new subparagraph (9)(c), and is further amended by adding the following language as new paragraphs (10), (11), and (12), so that as amended, the new subparagraphs (9)(b) and (9)(c) and new paragraphs (10),(11), and (12) shall read:

(9)(b) A statement that a person of advanced age who may be the victim of abuse, neglect, or exploitation may seek assistance or file a complaint with the division concerning abuse, neglect and exploitation; and

(9)(c) A statement that any person, regardless of age, who may be the victim of domestic violence may call the nationwide domestic violence hotline, with that number printed in boldface type, for immediate assistance and posted on a sign no smaller than eight and one-half inches (8½") in width and eleven inches (11") in height.

Postings of (a) and (b) shall be on a sign no smaller than eleven inches (11") in width and seventeen inches (17") in height.

(10) The facility shall have an annual influenza vaccination program which shall include at least:

(a) The offer of influenza vaccination to all staff and independent practitioners or accept documented evidence of vaccination from another vaccine source or facility;

(b) A signed declination statement on record from all who refuse the influenza vaccination for other than medical contraindications;

(c) Education of all direct care personnel about the following:

1. Flu vaccination,

2. Non-vaccine control measures, and

3. The diagnosis, transmission, and potential impact of influenza;

(d) An annual evaluation of the influenza vaccination program and reasons for non-participation;

(e) The requirements to complete vaccinations or declination statements are suspended by the administrator in the event of a vaccine shortage.

(11) The facility and its employees shall adopt and utilize standard precautions (per CDC) for preventing transmission of infections, HIV, and communicable diseases, including adherence to a hand hygiene program which shall include:

(a) 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;

(b) Use of gloves during each patient contact with blood or where other potentially infectious materials, mucous membranes, and non-intact skin could occur and gloves changed before and after each patient contact;

- (c) Use of either a non-antimicrobial soap and water or an antimicrobial soap and water for visibly soiled hands; and
- (d) Health care worker education programs which may include:
 - 1. Types of patient care activities that can result in hand contamination;
 - 2. Advantages and disadvantages of various methods used to clean hands;
 - 3. Potential risks of health care workers' colonization or infection caused by organisms acquired from patients; and
 - 4. Morbidity, mortality, and costs associated with health care associated infections.

(12) The facility shall develop and implement a system for measuring improvements in adherence to the hand hygiene program and influenza vaccination program.

Authority: T.C.A. §§4-5-202, 4-5-204, 68-3-511, 68-11-201, 68-11-202, 68-11-204, 68-11-206, 68-11-209, 68-11-257, and 71-6-121.

Rule 1200-8-26-.04, Administration, is amended by deleting subparagraph (20)(b) in its entirety and substituting instead the following language, and is further amended by adding the following language as new subparagraph (20)(c), so that as amended, the new subparagraphs (20)(b) and (20)(c) shall read:

- (20)(b) A statement that a person of advanced age who may be the victim of abuse, neglect, or exploitation may seek assistance or file a complaint with the division concerning abuse, neglect and exploitation; and
- (20)(c) A statement that any person, regardless of age, who may be the victim of domestic violence may call the nationwide domestic violence hotline, with that number printed in boldface type, for immediate assistance and posted on a sign no smaller than eight and one-half inches (8½") in width and eleven inches (11") in height.

Postings of (a) and (b) shall be on a sign no smaller than eleven inches (11") in width and seventeen inches (17") in height.

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, 68-11-222, and 71-6-121.

Rule 1200-8-27-.04, Administration, is amended by deleting subparagraph (23)(b) in its entirety and substituting instead the following language, and is further amended by adding the following language as new subparagraph (23)(c), so that as amended, the new subparagraphs (23)(b) and (23)(c) shall read:

- (23)(b) A statement that a person of advanced age who may be the victim of abuse, neglect, or exploitation may seek assistance or file a complaint with the division concerning abuse, neglect and exploitation; and
- (23)(c) A statement that any person, regardless of age, who may be the victim of domestic violence may call the nationwide domestic violence hotline, with that number printed in boldface type, for immediate assistance and posted on a sign no smaller than eight and one-half inches (8½") in width and eleven inches (11") in height.

Postings of (a) and (b) shall be on a sign no smaller than eleven inches (11”) in width and seventeen inches (17”) in height.

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, 68-11-222, and 71-6-121.

Rule 1200-8-28-.04, Administration, is amended by deleting subparagraph (18)(b) in its entirety and substituting instead the following language, and is further amended by adding the following language as new subparagraph (18)(c), so that as amended, the new subparagraphs (18)(b) and (18)(c) shall read:

- (18)(b) A statement that a person of advanced age who may be the victim of abuse, neglect, or exploitation may seek assistance or file a complaint with the division concerning abuse, neglect and exploitation; and
- (18)(c) A statement that any person, regardless of age, who may be the victim of domestic violence may call the nationwide domestic violence hotline, with that number printed in boldface type, for immediate assistance and posted on a sign no smaller than eight and one-half inches (8½”) in width and eleven inches (11”) in height.

Postings of (a) and (b) shall be on a sign no smaller than eleven inches (11”) in width and seventeen inches (17”) in height.

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, and 71-6-121.

Rule 1200-8-29-.04, Administration, is amended by deleting subparagraph (6)(b) in its entirety and substituting instead the following language, and is further amended by adding the following language as new subparagraph (6)(c), so that as amended, the new subparagraphs (6)(b) and (6)(c) shall read:

- (6)(b) A statement that a person of advanced age who may be the victim of abuse, neglect, or exploitation may seek assistance or file a complaint with the division concerning abuse, neglect and exploitation; and
- (6)(c) A statement that any person, regardless of age, who may be the victim of domestic violence may call the nationwide domestic violence hotline, with that number printed in boldface type, for immediate assistance and posted on a sign no smaller than eight and one-half inches (8½”) in width and eleven inches (11”) in height.

Postings of (a) and (b) shall be on a sign no smaller than eleven inches (11”) in width and seventeen inches (17”) in height.

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, 68-11-222, and 71-6-121.

Rule 1200-8-32-.04, Administration, is amended by deleting subparagraph (17)(b) in its entirety and substituting instead the following language, and is further amended by adding the following language as new subparagraph (17)(c), so that as amended, the new subparagraphs (17)(b) and (17)(c) shall read:

- (17)(b) A statement that a person of advanced age who may be the victim of abuse, neglect, or exploitation may seek assistance or file a complaint with the division concerning abuse, neglect and exploitation; and

- (17)(c) A statement that any person, regardless of age, who may be the victim of domestic violence may call the nationwide domestic violence hotline, with that number printed in boldface type, for immediate assistance and posted on a sign no smaller than eight and one-half inches (8½") in width and eleven inches (11") in height.

Postings of (a) and (b) shall be on a sign no smaller than eleven inches (11") in width and seventeen inches (17") in height.

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, and 71-6-121.

Rule 1200-8-34-.04, Administration, is amended by deleting subparagraph (18)(b) in its entirety and substituting instead the following language, and is further amended by adding the following language as new subparagraph (18)(c), so that as amended, the new subparagraphs (18)(b) and (18)(c) shall read:

- (18)(b) A statement that a person of advanced age who may be the victim of abuse, neglect, or exploitation may seek assistance or file a complaint with the division concerning abuse, neglect and exploitation; and

- (18)(c) A statement that any person, regardless of age, who may be the victim of domestic violence may call the nationwide domestic violence hotline, with that number printed in boldface type, for immediate assistance and posted on a sign no smaller than eight and one-half inches (8½") in width and eleven inches (11") in height.

Postings of (a) and (b) shall be on a sign no smaller than eleven inches (11") in width and seventeen inches (17") in height.

Authority: T.C.A. §§4-5-202, 4-5-204, 68-11-202, 68-11-204, 68-11-206, 68-11-209, 68-11-222, and 71-6-121.

Rule 1200-8-35-.04, Administration, is amended by deleting subparagraph (18)(b) in its entirety and substituting instead the following language, and is further amended by adding the following language as new subparagraph (18)(c), so that as amended, the new subparagraphs (18)(b) and (18)(c) shall read:

- (18)(b) A statement that a person of advanced age who may be the victim of abuse, neglect, or exploitation may seek assistance or file a complaint with the division concerning abuse, neglect and exploitation; and

- (18)(c) A statement that any person, regardless of age, who may be the victim of domestic violence may call the nationwide domestic violence hotline, with that number printed in boldface type, for immediate assistance and posted on a sign no smaller than eight and one-half inches (8½") in width and eleven inches (11") in height.

Postings of (a) and (b) shall be on a sign no smaller than eleven inches (11") in width and seventeen inches (17") in height.

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

in the December 15, 2006 issue of the Tennessee Administrative Register, and such rulemaking hearing having been conducted pursuant thereto on the 17th day of January, 2007.

The rulemaking hearing rules set out herein were properly filed in the Department of State on the 18th day of July, 2007 and will become effective on the 1st day of October, 2007. (FS 07-13-7; DBID 2616 through 2637)

STATEMENT OF ECONOMIC IMPACT TO SMALL BUSINESSES

1. Name of Board, Committee or Council:

Board for Licensing Health Care Facilities

2. Rulemaking hearing date:

January 17, 2007

3. Types of small businesses that will be directly affected by the proposed rules:

Hospitals, Prescribed Child Care Centers, Nursing Homes, Ambulatory Surgical Treatment Centers, Homes for the Aged, Residential Hospices, Alcohol and Drug Facilities: Residential Rehabilitation Treatment Facilities, Non-Residential Treatment Facilities, DUI School Facilities, Prevention Program Facilities, Non-Residential Narcotic Treatment Facilities, Halfway House Treatment Facilities, and Residential Detoxification Treatment Facilities; Birthing Centers, Assisted-Care Living Facilities, Home Health Services, Hospice Services, HIV Supportive Living Facilities, Home Medical Equipment, End Stage Renal Dialysis Clinics, Professional Support Services, and Outpatient Diagnostic Centers

4. Types of small businesses that will bear the cost of the proposed rules:

N/A

5. Types of small businesses that will directly benefit from the proposed rules:

Hospitals, Prescribed Child Care Centers, Nursing Homes, Ambulatory Surgical Treatment Centers, Homes for the Aged, Residential Hospices, Alcohol and Drug Facilities: Residential Rehabilitation Treatment Facilities, Non-Residential Treatment Facilities, DUI School Facilities, Prevention Program Facilities, Non-Residential Narcotic Treatment Facilities, Halfway House Treatment Facilities, and Residential Detoxification Treatment Facilities; Birthing Centers, Assisted-Care Living Facilities, Home Health Services, Hospice Services, HIV Supportive Living Facilities, Home Medical Equipment, End Stage Renal Dialysis Clinics, Professional Support Services, and Outpatient Diagnostic Centers

6. Description of how small business will be adversely impacted by the proposed rules:

None

7. Alternatives to the proposed rule that will accomplish the same objectives but are less burdensome, and why they are not being proposed:

None

8. Comparison of the proposed rule with federal or state counterparts:

None