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Sequence Number: 08-22-15
 Notice ID(s): 2350-2366
 File Date: 8/25/15

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:	Bureau of Health Licensure and Regulation Office of Health Care Facilities
Contact Person:	Kyonzte Hughes-Toombs
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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
Address:	710 James Robertson Parkway, Andrew Johnson Building, 5th Floor, Nashville, Tennessee 37243
Phone:	(615) 741-6350
Email:	Tina.M.Harris2@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 :	01/14/16
Hearing Time:	9:00 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
1200-08-01	Standards for Hospitals
Rule Number	Rule Title

1200-08-01-.06	Basic Hospital Functions
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Chapter Number	Chapter Title
1200-08-02	Standards for Prescribed Child Care Centers
Rule Number	Rule Title
1200-08-02-.06	Basic Services

Chapter Number	Chapter Title
1200-08-06	Standards for Nursing Homes
Rule Number	Rule Title
1200-08-06-.06	Basic Services

Chapter Number	Chapter Title
1200-08-10	Standards for Ambulatory Surgical Treatment Centers
Rule Number	Rule Title
1200-08-10-.06	Basic Services

Chapter Number	Chapter Title
1200-08-11	Standards for Homes for the Aged
Rule Number	Rule Title
1200-08-11-.05	Admissions, Discharges and Transfers

Chapter Number	Chapter Title
1200-08-15	Standards for Residential Hospices
Rule Number	Rule Title
1200-08-15-.06	Basic Hospice Functions

Chapter Number	Chapter Title
1200-08-24	Standards for Birthing Centers
Rule Number	Rule Title
1200-08-24-.06	Basic Birthing Center Functions

Chapter Number	Chapter Title
1200-08-25	Standards for Assisted-Care Living Facilities
Rule Number	Rule Title
1200-08-25-.06	Administration

Chapter Number	Chapter Title
1200-08-26	Standards for Home Care Organizations Providing Home Health Services
Rule Number	Rule Title
1200-08-26-.06	Basic Agency Functions

Chapter Number	Chapter Title
1200-08-27	Standards for Home Care Organizations Providing Hospice Services
Rule Number	Rule Title
1200-08-27-.06	Basic Agency Functions

Chapter Number	Chapter Title
1200-08-28	Standards for HIV Supportive Living Centers
Rule Number	Rule Title
1200-08-28-.06	Basic HIV Supportive Living Facility Functions

Chapter Number	Chapter Title
1200-08-29	Standards for Home Care Organizations Providing Home Medical Equipment
Rule Number	Rule Title
1200-08-29-.06	Basic Agency Functions

Chapter Number	Chapter Title
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1200-08-30	Pediatric Emergency Care Facilities
Rule Number	Rule Title
1200-08-30-.05	Basic Functions

Chapter Number	Chapter Title
1200-08-32	Standards for End Stage Renal Dialysis Clinics
Rule Number	Rule Title
1200-08-32-.04	Administration

Chapter Number	Chapter Title
1200-08-34	Standards for Home Care Organizations Providing Professional Support Services
Rule Number	Rule Title
1200-08-34-.06	Basic Agency Functions

Chapter Number	Chapter Title
1200-08-35	Standards for Outpatient Diagnostic Centers
Rule Number	Rule Title
1200-08-35-.06	Basic Services

Chapter Number	Chapter Title
1200-08-36	Standards for Adult Care Homes-Level 2
Rule Number	Rule Title
1200-08-36-.05	Administration

(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>)

Chapter 1200-08-01
Standards for Hospitals
Amendments

Rule 1200-08-01-.06 Basic Hospital Functions is amended by deleting subparagraph (3)(f) in its entirety and substituting the following language, so that as amended, the new subparagraph (3)(f) shall read:

- (f) A Hospital shall have an annual influenza vaccination program which shall include at least:
1. The offer of influenza vaccination to all staff and independent practitioners at no cost to the person or acceptance of documented evidence of vaccination from another vaccine source or facility. The Hospital will encourage all staff and independent practitioners to obtain an influenza vaccination;
 2. A signed declination statement on record from all who refuse the influenza vaccination for reasons other than medical contraindications (a sample form is available at <http://health.state.tn.us/hcf/facilities.htm#notifications>);
 3. Education of all employees 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; and
 5. A statement that the requirements to complete vaccinations or declination statements shall be suspended by the administrator in the event of a vaccine shortage as declared by the Commissioner or the Commissioner's designee.

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, and 68-11-216.

Chapter 1200-08-02
Standards for Prescribed Child Care Centers
Amendments

Rule 1200-08-02-.06 Basic Services is amended by adding new paragraph (14) and renumbering the remaining paragraph accordingly, so that as amended, the new paragraph (14) shall read:

- (14) Infection Control. A Prescribed Child Care Center shall have an annual influenza vaccination program which shall include at least:
- (a) The offer of influenza vaccination to all staff and independent practitioners at no cost to the person or acceptance of documented evidence of vaccination from another vaccine source or facility. The Prescribed Child Care Center will encourage all staff and independent practitioners to obtain an influenza vaccination;
 - (b) A signed declination statement on record from all who refuse the influenza vaccination for reasons other than medical contraindications (a sample form is available at <http://health.state.tn.us/hcf/facilities.htm#notifications>);
 - (c) Education of all employees 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; and
- (e) A statement that the requirements to complete vaccinations or declination statements shall be suspended by the administrator in the event of a vaccine shortage as declared by the Commissioner or the Commissioner's designee.

Authority: §§ 4-5-202, 68-11-201, 68-11-202, 68-11-204, 68-11-206, 68-11-209, 68-11-216, and 68-11-222.

Chapter 1200-08-06
Standards for Nursing Homes
Amendments

Rule 1200-08-06-.06 Basic Services is amended by deleting subparagraphs (3)(i) in its entirety and substituting instead the following language, so that as amended, the new subparagraph (3)(i) shall read:

- (i) A Nursing Home shall have an annual influenza vaccination program which shall include at least:
1. The offer of influenza vaccination to all staff and independent practitioners at no cost to the person or acceptance of documented evidence of vaccination from another vaccine source or facility. The Nursing Home will encourage all staff and independent practitioners to obtain an influenza vaccination;
 2. A signed declination statement on record from all who refuse the influenza vaccination for reasons other than medical contraindications (a sample form is available at <http://health.state.tn.us/hcf/facilities.htm#notifications>);
 3. Education of all employees 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; and
 5. A statement that the requirements to complete vaccinations or declination statements shall be suspended by the administrator in the event of a vaccine shortage as declared by the Commissioner or the Commissioner's designee.

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, and 68-11-216.

Chapter 1200-08-10
Standards for Ambulatory Surgical Treatment Centers
Amendments

Rule 1200-08-10-.06 Basic Services is amended by adding new paragraph (11) and renumbering the remaining paragraphs accordingly, so that as amended the new paragraph (11) shall read:

- (11) Infection Control. An Ambulatory Surgical Treatment Center shall have an annual influenza vaccination program which shall include at least:

- (a) The offer of influenza vaccination to all staff and independent practitioners at no cost to the person or acceptance of documented evidence of vaccination from another vaccine source or facility. The Ambulatory Surgical Treatment Center will encourage all staff and independent practitioners to obtain an influenza vaccination;
- (b) A signed declination statement on record from all who refuse the influenza vaccination for reasons other than medical contraindications (a sample form is available at <http://health.state.tn.us/hcf/facilities.htm#notifications>);
- (c) Education of all employees 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; and
- (e) A statement that the requirements to complete vaccinations or declination statements shall be suspended by the administrator in the event of a vaccine shortage as declared by the Commissioner or the Commissioner's designee.

Authority: T.C.A. §§ 4-5-202, 4-5-204, 68-11-201, 68-11-202, 68-11-204, 68-11-206, 68, 68-11-209, 68-11-216, 68-57-101, 68-57-102, 68-57-104, and 68-57-105.

Chapter 1200-08-11
Standards for Homes for the Aged
Amendments

1200-08-11-.05 Admissions, Discharges and Transfers 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:

- (f) A Home for the Aged shall have an annual influenza vaccination program which shall include at least:
 - 1. The offer of influenza vaccination to all staff and independent practitioners at no cost to the person or acceptance of documented evidence of vaccination from another vaccine source or facility. The Home for the Aged will encourage all staff and independent practitioners to obtain an influenza vaccination;
 - 2. A signed declination statement on record from all who refuse the influenza vaccination for reasons other than medical contraindications (a sample form is available at <http://health.state.tn.us/hcf/facilities.htm#notifications>);
 - 3. Education of all employees 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; and
 - 5. A statement that the requirements to complete vaccinations or declination statements shall be suspended by the administrator in the event of a vaccine shortage as declared by the Commissioner or the Commissioner's designee.

Authority: T.C.A. §§ 4-5-202, 4-5-204, 68-11-202, 68-11-204, 68-11-206, 68-11-209, 68-11-210, 68-11-257, and 71-6-121.

Chapter 1200-08-15
Standards for Residential Hospices
Amendments

Rule 1200-08-15-.06 Basic Hospice Functions is amended by adding new subparagraph (7)(f) and re-lettering the remaining subparagraphs accordingly, so that as amended, the new subparagraph (7)(f) shall read;

- (f) A Residential Hospice shall have an annual influenza vaccination program which shall include at least:
 - 1. The offer of influenza vaccination to all staff and independent practitioners at no cost to the person or acceptance of documented evidence of vaccination from another vaccine source or facility. The Residential Hospice will encourage all staff and independent practitioners to obtain an influenza vaccination;
 - 2. A signed declination statement on record from all who refuse the influenza vaccination for reasons other than medical contraindications (a sample form is available at <http://health.state.tn.us/hcf/facilities.htm#notifications>);
 - 3. Education of all employees 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; and
 - 5. A statement that the requirements to complete vaccinations or declination statements shall be suspended by the administrator in the event of a vaccine shortage as declared by the Commissioner or the Commissioner's designee.

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

Chapter 1200-08-24
Standards for Birthing Centers
Amendments

Rule 1200-08-24-.06 Basic Birthing Center Functions is amended by adding new paragraph (13) which shall read:

- (13) Infection Control. A Birthing Center shall have an annual influenza vaccination program which shall include at least:
 - (a) The offer of influenza vaccination to all staff and independent practitioners at no cost to the person or acceptance of documented evidence of vaccination from another vaccine source or facility. The Birthing Center will encourage all staff and independent practitioners to obtain an influenza vaccination;
 - (b) A signed declination statement on record from all who refuse the influenza vaccination for reasons other than medical contraindications (a sample form is available at <http://health.state.tn.us/hcf/facilities.htm#notifications>);
 - (c) Education of all employees 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; and
- (e) A statement that the requirements to complete vaccinations or declination statements shall be suspended by the administrator in the event of a vaccine shortage as declared by the Commissioner or the Commissioner's designee.

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

Chapter 1200-08-25
Standards for Assisted-Care Living Facilities
Amendments

Rule 1200-08-25-.06 Administration is amended by deleting subparagraph (5)(b) in its entirety and substituting instead the following language, so that as amended, the new subparagraph (5)(b) shall read:

- (b) Infection Control. An Assisted-Care Living 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 at no cost to the person or acceptance of documented evidence of vaccination from another vaccine source or facility. The Assisted-Care Living Facility will encourage all staff and independent practitioners to obtain an influenza vaccination;
 2. A signed declination statement on record from all who refuse the influenza vaccination for reasons other than medical contraindications (a sample form is available at <http://health.state.tn.us/hcf/facilities.htm#notifications>);
 3. Education of all employees 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; and
 5. A statement that the requirements to complete vaccinations or declination statements shall be suspended by the administrator in the event of a vaccine shortage as declared by the Commissioner or the Commissioner's designee.

Authority: T.C.A. §§ 39-17-1804, 39-17-1805, 68-3-511, 4-5-202, 68-11-202, 68-11-204, 68-11-206, 68-11-209, 68-11-254, 68-11-268, and 71-6-121.

Chapter 1200-08-26
Standards for Home Care Organizations Providing Home Health Services
Amendments

Rule 1200-08-26-.06 Basic Agency Functions is amended by adding new subparagraph (10)(d) and re-lettering the remaining subparagraphs accordingly, so that as amended, the new subparagraph shall read:

- (d) A Home Care Organization Providing Home Health Services shall have an annual influenza vaccination program which shall include at least:

1. The offer of influenza vaccination to all staff and independent practitioners at no cost to the person or acceptance of documented evidence of vaccination from another vaccine source or facility. The Home Care Organization Providing Home Health Services will encourage all staff and independent practitioners to obtain an influenza vaccination;
2. A signed declination statement on record from all who refuse the influenza vaccination for reasons other than medical contraindications (a sample form is available at <http://health.state.tn.us/hcf/facilities.htm#notifications>);
3. Education of all employees 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; and
5. A statement that the requirements to complete vaccinations or declination statements shall be suspended by the administrator in the event of a vaccine shortage as declared by the Commissioner or the Commissioner's designee.

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, 68-11-260 and 68-11-304.

Chapter 1200-08-27
Standards for Home Care Organizations Providing Hospice Services
Amendments

Rule 1200-08-27-.06 Basic Agency Functions is amended by adding new subparagraph (10)(d) and re-lettering the remaining subparagraphs accordingly, so that as amended, the new subparagraph (10)(d) shall read:

- (d) A Home Care Organization Providing Hospice Services shall have an annual influenza vaccination program which shall include at least:
1. The offer of influenza vaccination to all staff and independent practitioners at no cost to the person or acceptance of documented evidence of vaccination from another vaccine source or facility. The Home Care Organization Providing Hospice Services will encourage all staff and independent practitioners to obtain an influenza vaccination;
 2. A signed declination statement on record from all who refuse the influenza vaccination for reasons other than medical contraindications (a sample form is available at <http://health.state.tn.us/hcf/facilities.htm#notifications>);
 3. Education of all employees 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; and
 5. A statement that the requirements to complete vaccinations or declination statements shall be suspended by the administrator in the event of a vaccine shortage as declared by the Commissioner or the Commissioner's designee.

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, 68-11-260 and 68-11-304.

Chapter 1200-08-28
Standards for HIV Supportive Living Centers
Amendments

Rule 1200-08-28-.06 Basic HIV Supportive Living Facility Functions is amended by adding new subparagraph (6)(c) and re-lettering the remaining subparagraphs accordingly, so that as amended, the new subparagraph (6)(c) shall read:

- (c) A HIV Supportive Living Center shall have an annual influenza vaccination program which shall include at least:
 - 1. The offer of influenza vaccination to all staff and independent practitioners at no cost to the person or acceptance of documented evidence of vaccination from another vaccine source or facility. The HIV Supportive Living Center will encourage all staff and independent practitioners to obtain an influenza vaccination;
 - 2. A signed declination statement on record from all who refuse the influenza vaccination for reasons other than medical contraindications (a sample form is available at <http://health.state.tn.us/hcf/facilities.htm#notifications>);
 - 3. Education of all employees 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; and
 - 5. A statement that the requirements to complete vaccinations or declination statements shall be suspended by the administrator in the event of a vaccine shortage as declared by the Commissioner or the Commissioner's designee.

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

Chapter 1200-08-29
Standards for Home Care Organizations Providing Home Medical Equipment
Amendments

Rule 1200-08-29-.06 Basic Agency Functions is amended by adding new subparagraph (2)(f) which shall read:

- (f) A Home Care Organization Providing Home Medical Equipment shall have an annual influenza vaccination program which shall include at least:
 - 1. The offer of influenza vaccination to all staff and independent practitioners at no cost to the person or acceptance of documented evidence of vaccination from another vaccine source or facility. The Home Care Organization Providing Home Medical Equipment will encourage all staff and independent practitioners to obtain an influenza vaccination;
 - 2. A signed declination statement on record from all who refuse the influenza vaccination for reasons other than medical contraindications (a sample form is available at <http://health.state.tn.us/hcf/facilities.htm#notifications>);
 - 3. Education of all employees 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; and
 5. A statement that the requirements to complete vaccinations or declination statements shall be suspended by the administrator in the event of a vaccine shortage as declared by the Commissioner or the Commissioner's designee.

Authority: T.C.A. §§ 4-5-202, 4-5-204, 68-11-202, 68-11-209, 68-11-226 and 68-11-304.

Chapter 1200-08-30
Pediatric Emergency Care Facilities
Amendments

Rule 1200-08-30-.05 Basic Functions is amended by adding new paragraph (5) which shall read:

- (5) Infection Control. A Pediatric Emergency Care 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 at no cost to the person or acceptance of documented evidence of vaccination from another vaccine source or facility. The Pediatric Emergency Care Facility will encourage all staff and independent practitioners to obtain an influenza vaccination;
 - (b) A signed declination statement on record from all who refuse the influenza vaccination for reasons other than medical contraindications (a sample form is available at <http://health.state.tn.us/hcf/facilities.htm#notifications>);
 - (c) Education of all employees 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; and
 - (e) A statement that the requirements to complete vaccinations or declination statements shall be suspended by the administrator in the event of a vaccine shortage as declared by the Commissioner or the Commissioner's designee.

Authority: T.C.A. §§4-5-202, 4-5-204, 68-11-202, 68-11-209, and 68-11-251.

Chapter 1200-08-32
Standards for End Stage Renal Dialysis Clinics
Amendments

Rule 1200-08-32-.04 Administration is amended by adding a new subparagraph (8)(c) and re-lettering the remaining subparagraphs accordingly, so that as amended, the new subparagraph (8)(c) shall read:

- (c) An End Stage Renal Dialysis Clinic shall have an annual influenza vaccination program which shall include at least:

1. The offer of influenza vaccination to all staff and independent practitioners at no cost to the person or acceptance of documented evidence of vaccination from another vaccine source or facility. The End Stage Renal Dialysis Clinic will encourage all staff and independent practitioners to obtain an influenza vaccination;
2. A signed declination statement on record from all who refuse the influenza vaccination for reasons other than medical contraindications (a sample form is available at <http://health.state.tn.us/hcf/facilities.htm#notifications>);
3. Education of all employees 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; and
5. A statement that the requirements to complete vaccinations or declination statements shall be suspended by the administrator in the event of a vaccine shortage as declared by the Commissioner or the Commissioner's designee.

Authority: T.C.A. §§ 4-5-202, 4-5-204, 39-17-1803, 39-17-1805, 68-11-201, 68-11-202, 68-11-204, 68-11-206, 68-11-209, 68-11-268 and 71-6-121.

Chapter 1200-08-34
Standards for Home Care Organizations Providing Professional Support Services
Amendments

Rule 1200-08-34-.06 Basic Agency Functions is amended by adding new subparagraph (7)(c) and re-lettering the remaining subparagraphs accordingly, so that as amended, the new subparagraph (7)(c) shall read:

- (c) A Home Care Organization Providing Professional Support Services shall have an annual influenza vaccination program which shall include at least:
 1. The offer of influenza vaccination to all staff and independent practitioners at no cost to the person or acceptance of documented evidence of vaccination from another vaccine source or facility. The Home Care Organization Providing Professional Support Services will encourage all staff and independent practitioners to obtain an influenza vaccination;
 2. A signed declination statement on record from all who refuse the influenza vaccination for reasons other than medical contraindications (a sample form is available at <http://health.state.tn.us/hcf/facilities.htm#notifications>);
 3. Education of all employees 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; and
 5. A statement that the requirements to complete vaccinations or declination statements shall be suspended by the administrator in the event of a vaccine shortage as declared by the Commissioner or the Commissioner's designee.

Authority: T.C.A. §§ 4-5-202, 4-5-204, 68-11-202, 68-11-209, and 68-11-304.

Chapter 1200-08-35
Standards for Outpatient Diagnostic Centers
Amendments

Rule 1200-08-35-.06 Basic Services is amended by adding new subparagraph (7)(c) and re-lettering the remaining subparagraphs accordingly, so that as amended, the new subparagraph (7)(c) shall read:

- (c) An Outpatient Diagnostic Center shall have an annual influenza vaccination program which shall include at least:
1. The offer of influenza vaccination to all staff and independent practitioners at no cost to the person or acceptance of documented evidence of vaccination from another vaccine source or facility. The Outpatient Diagnostic Center will encourage all staff and independent practitioners to obtain an influenza vaccination;
 2. A signed declination statement on record from all who refuse the influenza vaccination for reasons other than medical contraindications (a sample form is available at <http://health.state.tn.us/hcf/facilities.htm#notifications>);
 3. Education of all employees 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; and
 5. A statement that the requirements to complete vaccinations or declination statements shall be suspended by the administrator in the event of a vaccine shortage as declared by the Commissioner or the Commissioner's designee.

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

Chapter 1200-08-36
Standards for Adult Care Homes-Level 2
Amendments

Rule 1200-08-36-.05 Administration is amended by deleting subparagraph (4)(b) in its entirety and substituting instead the following language, so that as amended, the new subparagraph (4)(b) shall read:

- (b) Infection Control. An Adult Care Home shall have an annual influenza vaccination program which shall include at least:
1. The offer of influenza vaccination to all staff and independent practitioners at no cost to the person or acceptance of documented evidence of vaccination from another vaccine source or facility. The Adult Care Home will encourage all staff and independent practitioners to obtain an influenza vaccination;
 2. A signed declination statement on record from all who refuse the influenza vaccination for reasons other than medical contraindications (a sample form is available at <http://health.state.tn.us/hcf/facilities.htm#notifications>);
 3. Education of all employees 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; and
5. A statement that the requirements to complete vaccinations or declination statements shall be suspended by the administrator in the event of a vaccine shortage as declared by the Commissioner or the Commissioner's designee.

Authority: T.C.A. §§ 39-17-1804, 68-11-207, 68-11-209, 68-11-268, 68-11-270 and 71-6-121.

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: 8/25/15

Signature: Kyonzte Hughes-Toombs

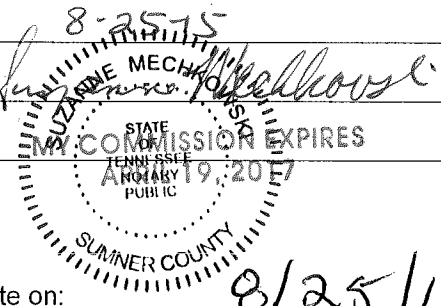
Name of Officer: Kyonzte Hughes-Toombs
Assistant General Counsel

Title of Officer: Department of Health

Subscribed and sworn to before me on: _____

Notary Public Signature: Supreme Meckelhouse

My commission expires on: _____



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Filed with the Department of State on: 8/25/15

Tre Hargett

Tre Hargett
Secretary of State

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