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 Phone: 615.741.2650
 Fax: 615.741.5133
 Email: register.information@tn.gov

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Sequence Number: 09-30-14
 Notice ID(s): 2244-2250
 File Date: 9/29/14

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 Bureau of Health Licensure and Regulation
Division:	Division of Health Care Facilities
Contact Person:	Kyonzte Hughes-Toombs
Address:	665 Mainstream Drive, Nashville, Tennessee 37243
Phone:	(615) 741-1611
Email:	Kyonzte.Hughes-Toombs@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 710 James Robertson Parkway,
Address:	Andrew Johnson Building, 5 th 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 :	01/21/2015
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
1200-08-02	Standards for Prescribed Child Care Centers
Rule Number	Rule Title

1200-08-02-.01	Definitions
1200-08-02-.06	Basic Agency Functions

Chapter Number	Chapter Title
1200-08-06	Standards for Nursing Homes
Rule Number	Rule Title
1200-08-06-.01	Definitions
1200-08-06-.06	Basic Agency Functions

Chapter Number	Chapter Title
1200-08-15	Standards for Residential Hospices
Rule Number	Rule Title
1200-08-15-.01	Definitions
1200-08-15-.06	Basic Agency Functions

Chapter Number	Chapter Title
1200-08-26	Standards for Homecare Organizations Providing Home Health Services
Rule Number	Rule Title
1200-08-26-.01	Definitions
1200-08-26-.06	Basic Agency Functions

Chapter Number	Chapter Title
1200-08-27	Standards for Homecare Organizations Providing Hospice Services
Rule Number	Rule Title
1200-08-27-.01	Definitions
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-.01	Definitions
1200-08-28-.06	Basic Agency Functions

Chapter Number	Chapter Title
1200-08-34	Standards for Homecare Organizations Providing Professional Support Services
Rule Number	Rule Title
1200-08-34-.01	Definitions
1200-08-34-.06	Basic Agency Functions

(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>)

Amendments

Chapter 1200-08-02

Standards for Prescribed Child Care Centers

Rule 1200-08-02-.01 Definitions is amended by deleting paragraph (69) in its entirety and substituting instead the following language, and is further amended by adding new paragraph (13) and renumbering the remaining paragraphs, so that as amended, the new paragraphs shall read:

- (13) Clinical Fellow. A Speech Language Pathologist who is in the process of obtaining his or her paid professional experience, as defined by a Communications Disorders and Sciences Board-approved accreditation agency, before being qualified for licensure.
- (70) Speech Language Pathologist. A person currently licensed as such by the Tennessee Board of Communications Disorders and Sciences in the healing arts as defined in T.C.A. § 63-17-103.

Authority: T.C.A. §§ 4-5-202, 4-5-204, 39-11-106, 68-11-202, 68-11-204, 68-11-206, 68-11-209, 68-11-211, 68-11-216, 68-11-224, and 68-11-1802.

Rule 1200-08-02-.06 Basic Agency Functions is amended by adding subparagraph (b) and re-lettering the remaining subparagraphs, so that as amended, the new subparagraph (b) shall read:

- (b) Speech therapy services shall be provided only by or under supervision of a qualified speech language pathologist or audiologist in good standing, or by a person qualified as a Clinical Fellow under Tennessee Board of Communications Disorders and Sciences Rule 1370-01-.01(13) without onsite supervision.

Authority: §§ 4-5-202, 68-11-202, 68-11-204, 68-11-206, 68-11-209, 68-11-21, and 68-11-222.

Chapter 1200-08-06

Standards for Nursing Homes

Rule 1200-08-06-.01 Definitions is amended by deleting paragraph (59) in its entirety and substituting instead the following language, and is further amended by adding new paragraph (9) and renumbering the remaining paragraphs, so that as amended, the new paragraphs shall read:

- (9) Clinical Fellow. A Speech Language Pathologist who is in the process of obtaining his or her paid professional experience, as defined by a Communications Disorders and Sciences Board-approved accreditation agency, before being qualified for licensure.
- (60) Speech Language Pathologist. A person currently licensed as such by the Tennessee Board of Communications Disorders and Sciences in the healing arts as defined in T.C.A. § 63-17-103.

Authority: T.C.A. §§ 4-5-202, 4-5-204, 39-11-106, 68-11-201, 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, 68-11-234, 68-11-1802, and 71-6-121.

Rule 1200-08-06-.06 Basic Agency Functions is amended by adding subparagraph (11)(b) and re-lettering the remaining subparagraphs, so that as amended, the new subparagraph (11)(b) shall read:

- (b) Speech therapy services shall be provided only by or under supervision of a qualified speech language pathologist or audiologist in good standing, or by a person qualified as a Clinical Fellow under Tennessee Board of Communications Disorders and Sciences Rule 1370-01-.01(13)

without onsite supervision.

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.

Chapter
1200-08-15

Standards for Residential Hospices

Rule 1200-08-15-.01 Definitions is amended by deleting paragraph (71) in its entirety and substituting instead the following language, and is further amended by adding new paragraph (11) and renumbering the remaining paragraphs, so that as amended, the new paragraphs shall read:

- (11) Clinical Fellow. A Speech Language Pathologist who is in the process of obtaining his or her paid professional experience, as defined by a Communications Disorders and Sciences Board-approved accreditation agency, before being qualified for licensure.
- (72) Speech Language Pathologist. A person currently licensed as such by the Tennessee Board of Communications Disorders and Sciences in the healing arts as defined in T.C.A. § 63-17-103.

Authority: T.C.A. §§ 4-5-202, 4-5-204, 39-11-106, 68-11-201, 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 1200-08-15-.06 Basic Agency Functions is amended by deleting paragraph (9) and substituting instead the following language, so that as amended, the new paragraph (9) shall read:

- (9) Physical therapy, occupational therapy, respiratory therapy and speech language pathology.
 - (a) Physical therapy services, occupational therapy services, respiratory therapy services and speech language pathology services must be available, and when provided, offered in a manner consistent with accepted standards of practice.
 - (b) Speech therapy services shall be provided only by or under supervision of a qualified speech language pathologist or audiologist in good standing, or by a person qualified as a Clinical Fellow under Tennessee Board of Communications Disorders and Sciences Rule 1370-01-.01(13) without onsite supervision.

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

Chapter
1200-08-26

Standards for Homecare Organizations Providing Home Health Services

Rule 1200-08-26-.01 Definitions is amended by deleting paragraph (57) in its entirety and substituting instead the following language, and is further amended by adding new paragraph (11) and renumbering the remaining paragraphs, so that as amended, the new paragraphs shall read:

- (11) Clinical Fellow. A Speech Language Pathologist who is in the process of obtaining his or her paid professional experience, as defined by a Communications Disorders and Sciences Board-approved accreditation agency, before being qualified for licensure.
- (58) Speech Language Pathologist. A person currently licensed as such by the Tennessee Board of Communications Disorders and Sciences in the healing arts as defined in T.C.A. § 63-17-103.

Authority: T.C.A. §§ 4-5-202, 4-5-204, 39-11-106, 68-11-201, 68-11-202, 68-11-207, 68-11-209, 68-11-210, 68-1211, 68-11-213, 68-11-224, and 68-11-1802.

Rule 1200-08-26-.06 Basic Agency Functions is amended by deleting subparagraph (6)(b) in its entirety and substituting instead the following language, so that as amended, the new subparagraph (6)(b) shall read:

- (b) Speech therapy services shall be provided only by or under supervision of a qualified speech language pathologist or audiologist in good standing, or by a person qualified as a Clinical Fellow under Tennessee Board of Communications Disorders and Sciences Rule 1370-01-.01(13) without onsite supervision.

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 Homecare Organizations Providing Hospice Services

Rule 1200-08-27-.01 Definitions is amended by deleting paragraph (60) in its entirety and substituting instead the following language, and is further amended by adding new paragraph (11) and renumbering the remaining paragraphs, so that as amended, the new paragraphs shall read:

- (11) Clinical Fellow. A Speech Language Pathologist who is in the process of obtaining his or her paid professional experience, as defined by a Communications Disorders and Sciences Board-approved accreditation agency, before being qualified for licensure.
- (61) Speech Language Pathologist. A person currently licensed as such by the Tennessee Board of Communications Disorders and Sciences in the healing arts as defined in T.C.A. § 63-17-103.

Authority: T.C.A. §§ 4-5-202, 4-5-204, 39-11-106, 68-11-201, 68-11-202, 68-11-204, 68-11-207, 68-11-209, 68-11-210, 68-11-211, 68-11-213, 68-11-224, and 68-11-1802.

Rule 1200-08-27-.06 Basic Agency Functions is amended by adding paragraph (13) and renumbering the remaining subparagraphs, so that as amended, the new paragraph (13) shall read:

- (13) Speech therapy services shall be provided only by or under supervision of a qualified speech language pathologist or audiologist in good standing, or by a person qualified as a Clinical Fellow under Tennessee Board of Communications Disorders and Sciences Rule 1370-01-.01(13) without onsite supervision.

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

Rule 1200-08-28-.01 Definitions is amended by deleting paragraph (68) in its entirety and substituting instead the following language, and is further amended by adding new paragraph (11) and renumbering the remaining paragraphs, so that as amended, the new paragraphs shall read:

- (11) Clinical Fellow. A Speech Language Pathologist who is in the process of obtaining his or her paid professional experience, as defined by a Communications Disorders and Sciences Board-approved accreditation agency, before being qualified for licensure.
- (69) Speech Language Pathologist. A person currently licensed as such by the Tennessee Board of Communications Disorders and Sciences in the healing arts as defined in T.C.A. § 63-17-103.

Authority: T.C.A. §§ 4-5-202, 4-5-204, 39-11-106, 68-11-202, 68-11-204, 68-11-206, 68-11-207, 68-11-209, 68-11-210, 68-11-211, 68-11-213, 68-11-216, 68-11-224, and 68-11-1802

Rule 1200-08-28-.06 Basic Agency Functions is amended by adding paragraph (9) and renumbering the remaining paragraphs, so that as amended, the new paragraph (9) shall read:

- (9) Speech therapy services shall be provided only by or under supervision of a qualified speech language pathologist or audiologist in good standing, or by a person qualified as a Clinical Fellow under Tennessee Board of Communications Disorders and Sciences Rule 1370-01-.01(13) without onsite supervision.

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

Chapter
1200-08-34

Standards for Homecare Organizations Providing Professional Support Services

Rule 1200-08-34-.01 Definitions is amended by deleting paragraph (49) in its entirety and substituting instead the following language, and is further amended by adding new paragraph (8) and renumbering the remaining paragraphs, so that as amended, the new paragraphs shall read:

- (8) Clinical Fellow. A Speech Language Pathologist who is in the process of obtaining his or her paid professional experience, as defined by a Communications Disorders and Sciences Board-approved accreditation agency, before being qualified for licensure.
- (50) Speech Language Pathologist. A person currently licensed as such by the Tennessee Board of Communications Disorders and Sciences in the healing arts as defined in T.C.A. § 63-17-103.

Authority: T.C.A. §§ 4-5-202, 4-5-204, 39-11-106, 68-11-201, 68-11-202, 68-11-207, 68-11-209, 68-11-210, 68-11-211, 68-11-213, 68-11-224, and 68-11-1802.

Rule 1200-08-34-.06 Basic Agency Functions is amended by deleting subparagraph (5)(b) and substituting the following language, so that as amended, the new subparagraph (5)(b) shall read:

- (b) Speech therapy services shall be provided only by or under supervision of a qualified speech language pathologist or audiologist in good standing, or by a person qualified as a Clinical Fellow under Tennessee Board of Communications Disorders and Sciences Rule 1370-01-.01(13) without onsite supervision.

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

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: 9-29-14

Signature: Kyonzte Hughes Toombs

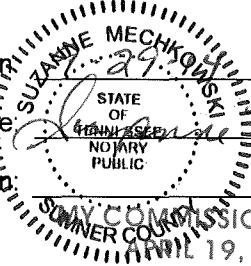
Name of Officer: Kyonzte Hughes Toombs
Assistant General Counsel

Title of Officer: Department of Health

Subscribed and sworn to before me on _____

Notary Public Signature: Suzanne Mechkowski

My commission expires on: _____



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Filed with the Department of State on: 9/29/14

Tre Hargett
Secretary of State

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