

Department of Health
Notice of Rulemaking Hearing
Board of Alcohol and Drug Abuse Counselors
Division of Health Related Boards

There will be a hearing before the Tennessee Board of Alcohol and Drug Abuse Counselors to consider the promulgation of amendments to rules pursuant to T.C.A. §§ 4-5-202, 4-5-204, and 68-24-605. 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 Division of Health Related Board's Conference Room on the Third Floor of the Heritage Place Building located at 227 French Landing, Nashville, TN at 2:30 p.m. (CST) on the 20th day of December, 2006.

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 French Landing, Suite 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

Amendments

Rule 1200-30-01-.05 Licensure Process, is amended by deleting parts (1) (b) 8., (1) (b) 9. and (1) (b) 10. in their entirety and substituting instead the following language, and is further amended by deleting paragraph (6) in its entirety and renumbering paragraph (7) as the new paragraph (6), so that as amended, the new parts (1) (b) 8., (1) (b) 9. and (1) (b) 10. shall read:

- (1) (b) 8. An applicant shall submit a copy of his original licensure or its equivalent with the license number from the original issuing state in effect at the time the original was issued.
- (1) (b) 9. An applicant must submit a copy of his most recent renewal certificate or its equivalent from the current issuing state with the number and expiration date.
- (1) (b) 10. The applicant shall provide the Board with a copy of current licensing statutes and rules from all states where the applicant is currently licensed.

Authority: T.C.A. §§ 4-5-202, 4-5-204, 68-24-605, and 68-24-606.

Rule 1200-30-01-.12 Continuing Education, is amended by deleting subparagraph (3) (c) in its entirety and substituting instead the following language, so that as amended, the new subparagraph (3) (c) shall read:

- (3) (c) All applications for approval must be submitted to the Board at least thirty (30) days prior to a regularly scheduled meeting of the Board that precedes the educational offering. The Board shall review each application and shall rule on whether the offering(s) in whole or in part shall be accepted as valid for the purposes of the continuing education requirements of this rule. The decision of the Board shall be final in all such matters.

Authority: T.C.A. §§ 4-5-202, 4-5-204, 68-24-605, and 68-24-606.

Rule 1200-30-01-.15 Disciplinary Actions and Civil Penalties, is amended by adding the following language as new paragraph (8), and renumbering the present paragraph (8) as the new paragraph (9):

- (8) Reconsiderations and Stays. The Board authorizes the member who chaired the Board for a contested case to be the agency member to make the decisions authorized pursuant to rule 1360-4-1-.18 regarding petitions for reconsiderations and stays in that case.

Authority: T.C.A. §§ 4-5-202, 4-5-204, and 68-24-605.

The notice of rulemaking set out herein was properly filed in the Department of State on the 6th day of October, 2006. (10-05-06)