

## Notice of Rulemaking Hearing

### Board of Medical Examiners Committee for Clinical Perfusionists

There will be a hearing before the Tennessee Board of Medical Examiners' Committee for Clinical Perfusionists to consider the promulgation of amendments to rules pursuant to T.C.A. §§ 4-5-202, 4-5-204, 63-1-145, 63-1-146, 63-6-101, 63-28-102, 63-28-110, 63-28-114, 63-28-117, and 63-28-118. 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. (CST) on the 4th day of January, 2008.

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: Schean Belton, Assistant General Counsel, Office of General Counsel, 220 Athens Way, Suite 210, Plaza I, MetroCenter, Nashville, TN 37243, (615) 741-1611.

### Substance of Proposed Rules

#### Amendments

#### Chapter 0880-11

#### General Rules and Regulations Governing the Practice of Clinical Perfusionists

Rule 0880-11-.03 Use of Titles, is amended by deleting the language of the rule in its entirety and substituting instead the following language, so that as amended, the new language of the rule shall read:

0880-11-.03 Use of Titles. Any person who possesses a valid, current and active license issued by the Committee that has not been suspended or revoked has the right to use the title "Licensed Clinical Perfusionist" or "L.C.P." and to practice perfusion, as defined in T.C.A. § 63-28-102. Any person licensed by the Committee to whom this rule applies must use one of the titles authorized by this rule in every "advertisement" [as that term is defined in rule 0880-11-.20 (2) (a)] 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 clinical perfusionist to disciplinary action pursuant to T.C.A. § 63-28-117 (3) (c).

Authority: T.C.A. §§ 63-1-145, 63-1-146, 63-6-101, 63-28-102, 63-28-110, 63-28-114, and 63-28-117.

Rule 0880-11-.15 Disciplinary Grounds, Actions, and Civil Penalties, is amended by deleting subparagraph (1) (a) in its entirety and substituting instead the following language, so that as amended, the new subparagraph (1) (a) shall read:

(1) (a) Violation of any provision of T.C.A. § 63-28-117;

Authority T.C.A. §§ 63-6-101, 63-28-114, 63-28-117, and 63-28-118.T

The notice of rulemaking set out herein was properly filed in the Department of State on the 26th day of October, 2007. (FS 10-20-07; DBID 747)