

## Notice of Rulemaking Hearing

Department of Health  
Board for Licensing Health Care Facilities  
Division of Health Care Facilities

There will be a hearing before the Board for Licensing Health Care Facilities to consider the promulgation of amendments to rules pursuant to T.C.A. §§ 4-5-202, 4-5-204, 68-11-202 and 68-11-209. 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 Metrocenter Building located at 227 French Landing, Nashville, TN at 9:00 a.m. (CST) on the 15<sup>th</sup> 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 Care Facilities 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 Care Facilities, Fifth Floor, Heritage Place Metrocenter, 227 French Landing, Suite 501, Nashville, TN 37243, (615) 741-7598.

For a copy of the entire text of this notice of rulemaking hearing visit the Department of Health's web page on the Internet at [www.state.tn.us/health](http://www.state.tn.us/health) and click on "rulemaking hearings" or contact: Steve Goodwin, Health Facility Survey Manager, Division of Health Care Facilities, 227 French Landing, Suite 501, Heritage Place Metrocenter, Nashville, TN 37243, (615) 741-7598.

### Substance of Proposed Rules

Chapter 1200-08-01  
Standards for Hospitals

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

Chapter 1200-08-06  
Standards for Nursing Homes

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

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

Chapter 1200-08-15  
Standards for Residential Hospices

Chapter 1200-08-17  
Alcohol and other Drugs of Abuse Residential Rehabilitation Treatment Facilities

Chapter 1200-08-18  
Alcohol and other Drugs of Abuse Non-Residential Treatment Facilities

Chapter 1200-08-19  
Alcohol and other Drugs of Abuse DUI School Facilities

Chapter 1200-08-20  
Alcohol and other Drugs of Abuse Prevention Program Facilities

Chapter 1200-08-21  
Alcohol and other Drugs of Abuse Non-Residential Narcotic Treatment Facilities

Chapter 1200-08-22  
Alcohol and other Drugs of Abuse Halfway House Treatment Facilities

Chapter 1200-08-23  
Alcohol and other Drugs of Abuse Residential Detoxification Treatment Facilities

Chapter 1200-08-24  
Standards for Birthing Centers

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

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

Chapter 1200-08-27  
Standards for Homecare Organizations Providing Hospice Services

Chapter 1200-08-28  
Standards for HIV Supportive Living Facilities

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

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

Chapter 1200-08-34  
Standards for Homecare Organizations Providing Professional Support Services

Chapter 1200-08-35  
Standards for Outpatient Diagnostic Centers

#### Amendments

Rule 1200-08-01-.01, Definitions, is amended by deleting paragraph (85) in its entirety and substituting instead the following language, so that as amended, the new paragraph (85) shall read:

(85) Surgical Technologist. A person who works under supervision to facilitate the safe and effective conduct of invasive surgical procedures. This individual is usually employed by a hospital, medical office, or surgical center and supervised during the surgical procedure according to institutional policy and procedure to assist in providing a safe operating room environment that maximizes patient safety by performing certain tasks including, but not limited to:

(a) Preparation of the operating room and the sterile field for surgical procedures by preparing sterile supplies, instruments, and equipment using sterile technique;

- (b) Preparation of the operating room for surgical procedures by ensuring that surgical equipment is functioning properly and safely; and
- (c) Passing instruments, equipment or supplies to a surgeon, sponging or suctioning an operative site, preparing and cutting suture material, holding retractors, transferring but not administering fluids or drugs, assisting in counting sponges, needles, supplies, and instruments, and performing other similar tasks as directed during a surgical procedure.

Authority: T.C.A. §§4-5-202, 4-5-204, 39-11-106, 68-11-202, 68-11-204, 68-11-207, 68-11-209, 68-11-210, 68-11-211, 68-11-213, 68-11-224, 68-11-255, 68-11-1802, 68-57-101, and 68-57-102.

Rule 1200-08-01-.04, Administration, is amended by adding the following language as new paragraph (11) and re-numbering the remaining paragraph appropriately, so that as amended, the new paragraph (11) shall read:

- (11) "No smoking" signs or the international "No Smoking" symbol, consisting of a pictorial representation of a burning cigarette enclosed in a red circle with a red bar across it, shall be clearly and conspicuously posted at every entrance.

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 1200-08-01-.04, Administration, is amended by adding the following language as new paragraph (13), so that as amended, the new paragraph (13) shall read:

- (13) The facility shall develop a concise statement of its charity care policies and shall post such statement in a place accessible to the public.

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 1200-08-01-.07, Optional Hospital Services, is amended by deleting part (1)(h)5 in its entirety and substituting instead the following language, so that as amended, the new part (1)(h)5 shall read:

- (1)(h)5 Provide sufficient evidence that, prior to May 21, 2007, the person was at any time employed as a surgical technologist for not less than eighteen (18) months in the three (3) years preceding May 21, 2007 in a hospital, medical office, surgery center, or an accredited school of surgical technology; or has begun the appropriate training to be a surgical technologist prior to May 21, 2007 provided that such training is completed within three (3) years of May 21, 2007.

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

Rule 1200-08-02-.04, Administration, is amended by adding the following language as new paragraphs (10) and (11), so that as amended, the new paragraphs (10) and (11) shall read:

- (10) "No smoking" signs or the international "No Smoking" symbol, consisting of a pictorial representation of a burning cigarette enclosed in a red circle with a red bar across it, shall be clearly and conspicuously posted at every entrance.
- (11) The facility shall develop a concise statement of its charity care policies and shall post such statement in a place accessible to the public.

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 1200-08-06-.04, Administration, is amended by adding the following language as new paragraphs (22), (23), and (24), so that as amended, the new paragraphs (22), (23), and (24) shall read:

- (22) "No Smoking" signs or the international "No Smoking" symbol, consisting of a pictorial representation of a burning cigarette enclosed in a red circle with a red bar across it, shall be clearly and conspicuously posted at every entrance.
- (23) Residents of the facility are exempt from the smoking prohibition. The resident smoking practices shall be governed by the policies and procedures established by the facility. Smoke from such areas shall not infiltrate into areas where smoking is prohibited.
- (24) The facility shall develop a concise statement of its charity care policies and shall post such statement in a place accessible to the public.

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, 68-11-257, 68-11-906, and 71-6-121.

Rule 1200-08-10-.01, Definitions, is amended by deleting paragraph (67) in its entirety and substituting instead the following language, so that as amended, the new paragraph (67) shall read:

- (67) Surgical Technologist. A person who works under supervision to facilitate the safe and effective conduct of invasive surgical procedures. This individual is usually employed by a hospital, medical office, or surgical center and supervised during the surgical procedure according to institutional policy and procedure to assist in providing a safe operating room environment that maximizes patient safety by performing certain tasks including, but not limited to:
  - (a) Preparation of the operating room and the sterile field for surgical procedures by preparing sterile supplies, instruments, and equipment using sterile technique;
  - (b) Preparation of the operating room for surgical procedures by ensuring that surgical equipment is functioning properly and safely; and
  - (c) Passing instruments, equipment or supplies to a surgeon, sponging or suctioning an operative site, preparing and cutting suture material, holding retractors, transferring but not administering fluids or drugs, assisting in counting sponges, needles, supplies, and instruments, and performing other similar tasks as directed during a surgical procedure.

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, 68-11-216, 68-11-224, 68-11-1802, 68-57-101, and 68-57-102.

Rule 1200-08-10-.04, Administration, is amended by adding the following language as new paragraphs (25) and (26), so that as amended, the new paragraphs (25) and (26) shall read:

- (25) "No smoking" signs or the international "No Smoking" symbol, consisting of a pictorial representation of a burning cigarette enclosed in a red circle with a red bar across it, shall be clearly and conspicuously posted at every entrance.
- (26) The facility shall develop a concise statement of its charity care policies and shall post such statement in a place accessible to the public.

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 1200-08-10-.06, Basic Services, is amended by deleting part (1)(j)5 in its entirety and substituting instead the following language, so that as amended, the new part (1)(j)5 shall read:

- (1)(j)5 Provide sufficient evidence that, prior to May 21, 2007, the person was at any time employed as a surgical technologist for not less than eighteen (18) months in the three (3) years preceding May 21, 2007 in a hospital, medical office, surgery center, or an accredited school of surgical technology; or has begun the appropriate training to be a surgical technologist prior to May 21, 2007 provided that such training is completed within three (3) years of May 21, 2007.

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, 68-57-101, 68-57-102, and 68-57-104.

Rule 1200-08-11-.04, Administration, is amended by adding the following language as new subparagraph (5)(n), and is further amended by adding the following language as new paragraphs (8) and (9), so that as amended, the new subparagraph (5)(n) and new paragraphs (8) and (9) shall read:

- (5)(n) The facility shall develop a concise statement of its charity care policies and shall post such statement in a place accessible to the public.
- (8) “No Smoking” signs or the international “No Smoking” symbol, consisting of a pictorial representation of a burning cigarette enclosed in a red circle with a red bar across it, shall be clearly and conspicuously posted at every entrance.
- (9) Residents of the facility are exempt from the smoking prohibition. The resident smoking practices shall be governed by the policies and procedures established by the facility. Smoke from such areas shall not infiltrate into areas where smoking is prohibited.

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 1200-08-15-.04, Administration, is amended by adding the following language as new paragraphs (19) and (20), so that as amended, the new paragraphs (19) and (20) shall read:

- (19) “No smoking” signs or the international “No Smoking” symbol, consisting of a pictorial representation of a burning cigarette enclosed in a red circle with a red bar across it, shall be clearly and conspicuously posted at every entrance.
- (20) The facility shall develop a concise statement of its charity care policies and shall post such statement in a place accessible to the public.

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 1200-08-17-.04, Administration, is amended by adding the following language as new paragraphs (8) and (9), so that as amended, the new paragraphs (8) and (9) shall read:

- (8) “No smoking” signs or the international “No Smoking” symbol, consisting of a pictorial representation of a burning cigarette enclosed in a red circle with a red bar across it, shall be clearly and conspicuously posted at every entrance.
- (9) The facility shall develop a concise statement of its charity care policies and shall post such statement in a place accessible to the public.

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 1200-08-18-.04, Administration, is amended by adding the following language as new paragraphs (12) and (13), so that as amended, the new paragraphs (12) and (13) shall read:

- (12) "No smoking" signs or the international "No Smoking" symbol, consisting of a pictorial representation of a burning cigarette enclosed in a red circle with a red bar across it, shall be clearly and conspicuously posted at every entrance.
- (13) The facility shall develop a concise statement of its charity care policies and shall post such statement in a place accessible to the public.

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 1200-08-19-.04, Administration, is amended by adding the following language as new paragraphs (11) and (12), so that as amended, the new paragraphs (11) and (12) shall read:

- (11) "No smoking" signs or the international "No Smoking" symbol, consisting of a pictorial representation of a burning cigarette enclosed in a red circle with a red bar across it, shall be clearly and conspicuously posted at every entrance.
- (12) The facility shall develop a concise statement of its charity care policies and shall post such statement in a place accessible to the public.

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 1200-08-20-.04, Administration, is amended by adding the following language as new paragraphs (11) and (12), so that as amended, the new paragraphs (11) and (12) shall read:

- (11) "No smoking" signs or the international "No Smoking" symbol, consisting of a pictorial representation of a burning cigarette enclosed in a red circle with a red bar across it, shall be clearly and conspicuously posted at every entrance.
- (12) The facility shall develop a concise statement of its charity care policies and shall post such statement in a place accessible to the public.

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 1200-08-21-.04, Administration, is amended by adding the following language as new paragraphs (7) and (8), so that as amended, the new paragraphs (7) and (8) shall read:

- (7) "No smoking" signs or the international "No Smoking" symbol, consisting of a pictorial representation of a burning cigarette enclosed in a red circle with a red bar across it, shall be clearly and conspicuously posted at every entrance.
- (8) The facility shall develop a concise statement of its charity care policies and shall post such statement in a place accessible to the public.

Authority: T.C.A. §§4-5-202 through 4-5-206, 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 1200-08-22-.04, Administration, is amended by adding the following language as new paragraphs (8) and (9), so that as amended, the new paragraphs (8) and (9) shall read:

- (8) "No smoking" signs or the international "No Smoking" symbol, consisting of a pictorial representation of a burning cigarette enclosed in a red circle with a red bar across it, shall be clearly and conspicuously posted at every entrance.
- (9) The facility shall develop a concise statement of its charity care policies and shall post such statement in a place accessible to the public.

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 1200-08-23-.04, Administration, is amended by adding the following language as new paragraphs (8) and (9), so that as amended, the new paragraphs (8) and (9) shall read:

- (8) "No smoking" signs or the international "No Smoking" symbol, consisting of a pictorial representation of a burning cigarette enclosed in a red circle with a red bar across it, shall be clearly and conspicuously posted at every entrance.
- (9) The facility shall develop a concise statement of its charity care policies and shall post such statement in a place accessible to the public.

Authority: T.C.A. §§4-5-202 through 4-5-206, 68-11-201, 68-11-202, 68-11-204, 68-11-206, 68-11-209, 68-11-222, and 71-6-121.

Rule 1200-08-24-.04, Administration, is amended by adding the following language as new paragraphs (12) and (13), so that as amended, the new paragraphs (12) and (13) shall read:

- (12) "No smoking" signs or the international "No Smoking" symbol, consisting of a pictorial representation of a burning cigarette enclosed in a red circle with a red bar across it, shall be clearly and conspicuously posted at every entrance.
- (13) The facility shall develop a concise statement of its charity care policies and shall post such statement in a place accessible to the public.

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 1200-08-25-.04, Administration, is amended by adding the following language as new paragraphs (10) and (11) and re-numbering the remaining paragraphs appropriately, and is further amended by adding the following language as new paragraph (15), so that as amended, the new paragraphs (10), (11), and (15) shall read:

- (10) "No Smoking" signs or the international "No Smoking" symbol, consisting of a pictorial representation of a burning cigarette enclosed in a red circle with a red bar across it, shall be clearly and conspicuously posted at every entrance.
- (11) Residents of the facility are exempt from the smoking prohibition. The resident smoking practices shall be governed by the policies and procedures established by the facility. Smoke from such areas shall not infiltrate into areas where smoking is prohibited.
- (15) The facility shall develop a concise statement of its charity care policies and shall post such statement in a place accessible to the public.

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 1200-08-25-.05, Admissions, Discharges, and Transfers, is amended by deleting paragraph (2), but not its subparagraphs, and substituting instead the following language, and is further amended by deleting paragraph (4) in its entirety and substituting instead the following language, so that as amended, the new paragraphs (2) and (4) shall read:

- (2) Except as provided in 1200-08-25-.05(4) and 1200-08-25-.05(6), an assisted care living facility shall not admit nor permit the continued stay of any assisted-care living facility resident if any of the following conditions exists. The person:
- (4) If any person admitted to an assisted care living facility under paragraph (4) above no longer meets the requirements listed above and/or is no longer able to self care for their medical condition, the assisted care living facility must transfer the person immediately to a licensed nursing home or hospital. However, this requirement shall not be construed to prevent facility staff from responding to an emergency situation.

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

Rule 1200-08-25-.05, Admissions, Discharges, and Transfers, is amended by adding the following language as new paragraph (2) and re-numbering the remaining paragraphs appropriately, so that as amended, the new paragraph (2) shall read:

- (2) An ACLF resident may be admitted and/or retained who is deemed eligible for placement through a federal home and community based services waiver so long as such admission and/or retention is consistent with the individual's plan of care, and provided that such admission and/or retention is not prohibited by 1200-08-25-.01(9), 1200-08-25-.05(1), and 1200-08-25-.05(3).

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

Rule 1200-08-26-.04, Administration, is amended by adding the following language as new paragraphs (21) and (22), so that as amended, the new paragraphs (21) and (22) shall read:

- (21) "No smoking" signs or the international "No Smoking" symbol, consisting of a pictorial representation of a burning cigarette enclosed in a red circle with a red bar across it, shall be clearly and conspicuously posted at every entrance.
- (22) The facility shall develop a concise statement of its charity care policies and shall post such statement in a place accessible to the public.

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 1200-08-27-.04, Administration, is amended by adding the following language as new paragraphs (24) and (25), so that as amended, the new paragraphs (24) and (25) shall read:

- (24) "No smoking" signs or the international "No Smoking" symbol, consisting of a pictorial representation of a burning cigarette enclosed in a red circle with a red bar across it, shall be clearly and conspicuously posted at every entrance.



- (25) The facility shall develop a concise statement of its charity care policies and shall post such statement in a place accessible to the public.

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 1200-08-28-.04, Administration, is amended by adding the following language as new paragraphs (19) and (20), so that as amended, the new paragraphs (19) and (20) shall read:

- (19) “No smoking” signs or the international “No Smoking” symbol, consisting of a pictorial representation of a burning cigarette enclosed in a red circle with a red bar across it, shall be clearly and conspicuously posted at every entrance.

- (20) The facility shall develop a concise statement of its charity care policies and shall post such statement in a place accessible to the public.

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 1200-08-29-.02, Licensing Procedures, is amended by deleting paragraph (1) in its entirety and substituting instead the following language, so that as amended, the new paragraph (1) shall read:

- (1) No person, partnership, association, corporation or any state, county or local government unit, or any division, department, board or agency thereof, shall establish, conduct, operate or maintain in the State of Tennessee any Home Care Organization providing home medical equipment without having a license. A license shall be issued to the person or persons named and only for the premises listed in the application for licensure. The name of the agency shall not be changed without first notifying the Department in writing. Licenses are not transferable or assignable and shall expire annually on June 30<sup>th</sup>. The license shall be conspicuously posted in the agency.

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.

Rule 1200-08-29-.04, Administration, is amended by adding the following language as new paragraphs (7) and (8), so that as amended, the new paragraphs (7) and (8) shall read:

- (7) “No smoking” signs or the international “No Smoking” symbol, consisting of a pictorial representation of a burning cigarette enclosed in a red circle with a red bar across it, shall be clearly and conspicuously posted at every entrance.

- (8) The facility shall develop a concise statement of its charity care policies and shall post such statement in a place accessible to the public.

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, 68-11-226, and 71-6-121.

Rule 1200-08-32-.04, Administration, is amended by adding the following language as new paragraphs (18) and (19), so that as amended, the new paragraphs (18) and (19) shall read:

- (18) “No smoking” signs or the international “No Smoking” symbol, consisting of a pictorial representation of a burning cigarette enclosed in a red circle with a red bar across it, shall be clearly and conspicuously posted at every entrance.

- (19) The facility shall develop a concise statement of its charity care policies and shall post such statement in a place accessible to the public.

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 1200-08-34-.04, Administration, is amended by adding the following language as new paragraphs (19) and (20), so that as amended, the new paragraphs (19) and (20) shall read:

- (19) "No smoking" signs or the international "No Smoking" symbol, consisting of a pictorial representation of a burning cigarette enclosed in a red circle with a red bar across it, shall be clearly and conspicuously posted at every entrance.
- (20) The facility shall develop a concise statement of its charity care policies and shall post such statement in a place accessible to the public.

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 1200-08-35-.04, Administration, is amended by adding the following language as new paragraphs (19) and (20), so that as amended, the new paragraphs (19) and (20) shall read:

- (19) "No smoking" signs or the international "No Smoking" symbol, consisting of a pictorial representation of a burning cigarette enclosed in a red circle with a red bar across it, shall be clearly and conspicuously posted at every entrance.
- (20) The facility shall develop a concise statement of its charity care policies and shall post such statement in a place accessible to the public.

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.

The notice of rulemaking set out herein was properly filed in the Department of State on the 15th day of November, 2007. (FS 11-07-07; DBID 755 through 780)