

Department of Health
Rulemaking Hearing Rules
Board of Medical Examiners
Division of Health Related Boards

Chapter 0880-2
General Rules and Regulations Governing the Practice of Medicine

Amendments

Rule 0880-2-.04 Licensure Process—International Medical School Graduates, is amended by adding the following language as new subparagraph (3) (d) and renumbering the remaining subparagraphs accordingly:

(3) (d) The school’s admission standards must meet or exceed those of medical schools accredited by the Liaison Committee on Medical Education (LCME).

Authority: T.C.A. §§ 4-5-202, 4-5-204, 63-6-101, and 63-6-207.

Rule 0880-2-.16 Telemedicine Licensure, is amended by deleting subparagraph (6) (e) in its entirety and substituting instead the following language, so that as amended, the new subparagraph (6) (e) shall read:

(6) (e) Licensed/registered physicians or surgeons of other states when called in consultation by a Tennessee licensed/registered physician as provided by T.C.A. §63-6-204 (a) (3).

Authority: T.C.A. §§ 4-5-202, 4-5-204, 63-6-101, and 63-6-209.

Rule 0880-2-.19 Continuing Medical Education, is amended by substituting the punctuation and word “;or” for the period in subparagraph (3) (b) and is further amended by adding the following language as new subparagraph (3) (c):

(3) (c) If a licensee provides disciplinary case review at the request of the Department, and submits a written report of his or her conclusions regarding such disciplinary case review, the reviewing licensee shall receive one (1) hour of continuing medical education credit for each hour spent reviewing the materials and preparing the report. A maximum of ten (10) hours credit shall be awarded for reviewing disciplinary case materials during the two (2) calendar years (January 1 – December 31) that precede the licensure renewal year.

Authority: T.C.A. §§ 4-5-202, 4-5-204, 63-6-101, and 63-6-233.

The rulemaking hearing rules set out herein were properly filed in the Department of

State on the 23rd day of November, 2005, and will become effective on the 6th day of February , 2006.

Department of Health
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Chapter 0880-5
General Rules and Regulations Governing the Utilization of X-Ray Operators
in Physician's Offices
Amendments

Rule 0880-5-.08 Maintaining Certification, Renewal, Retirement and Reinstatement, is amended by adding the following language as new subparagraphs (3) (c) and (3) (d) and renumbering the present subparagraph (3) (c) as subparagraph (3) (e):

- (3) (c) To reactivate an expired certification submit, along with the Board's Reactivation Application, documentation of successful completion of the continuing education requirements provided in rule 0880-5-.09 for all the calendar years (January 1 – December 31) that the certification was expired that precede the calendar year during which the reactivation is requested; or
- (3) (d) To reactivate a retired certification submit, along with the Board's Reactivation Application, documentation of successful completion of twenty (20) hours of continuing education, as provided in rule 0880-5-.09, during the two (2) calendar years (January 1 – December 31) that precede the calendar year during which the reactivation is requested.

Authority: T.C.A. §§ 4-5-202, 4-5-204, 63-6-101, and 63-6-224.

Rule 0880-5-.09 Continuing Education, is amended by adding the following language as new subpart (3) (d) 1. (ii) and renumbering the remaining subparts accordingly and is further amended by adding the following language as new subpart (3) (d) 1. (vii):

- (3) (d) 1. (ii) Tennessee Radiological Society
- (3) (d) 1. (vii) American College of Radiology

Authority: T.C.A. §§ 4-5-202, 4-5-204, 63-6-101, and 63-6-224.

Rule 0880-5-.12 Supervision, is amended by deleting the language of that rule in its entirety and substituting instead the following new language, so that as amended the rule shall read as follows:

- (1) Before being authorized to perform any x-ray procedure or operate any x-ray equipment in a physician's office, the physician shall place a copy of the person's renewal certificate in the person's personnel file to prove the person being authorized has the appropriate certification required for either or both the

procedure being performed and/or the equipment being used and that such certification is current.

- (2) The employing physician(s), or a physician designated by the employing physician(s) as a substitute supervisor, shall exercise close supervision and assume full control and responsibility for the services provided by any person certified under this chapter of rules employed in the physician(s)' practice. That supervision, control and responsibility, except when it involves contrast imaging or involves sedation, does not require the physical presence of the physician(s) at all times at the site where the services are being provided. However, it does require that the physician(s) have his/her primary medical practice physically located within the boundaries of the state of Tennessee and that he/she be capable of being physically present at the site where the services are being provided within a reasonable time depending upon the type of x-ray being performed and the severity of the medical complications that may arise from that type of x-ray.

Authority: T.C.A. §§ 4-5-202, 4-5-204, 63-6-101, and 63-6-224.

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Department of Health
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New Rules

Chapter 0880-9
General Rules and Regulations Governing Radiologist Assistants

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0880-9-.01 Definitions. As used in this Chapter of rules the following terms and acronyms will have the meaning ascribed to them:

- (1) A.R.R.T. - American Registry of Radiologic Technologists.
- (2) Full Certification - Certification obtained by submitting certification issued by the A.R.R.T. which will enable the holder to perform any and all procedures or functions in a physician's office.
- (3) Radiologist – A physician licensed by the Tennessee Board of Medical Examiners who is certified or eligible to be certified by the American Board of Radiology.
- (4) Radiologist Assistant Certification - Certification obtained by submitting proof of A.R.R.T. certification as a radiologist assistant which will enable the holder to perform any and all radiologist assistant procedures or functions as defined in Section 0880-9-.08 in a radiology practice or radiologist's office.

Authority: T.C.A. §§ 4-5-202, 4-5-204, 63-6-101, 63-6-224, and 63-6-237.

0880-9-.02 Fees. The following fees are nonrefundable and apply to all applicants and certificate holders. All fees may be paid in person, by mail or electronically by cash, check, money order, or by credit and/or debit cards accepted by the Division. If the fees

are paid by certified, personal or corporate check they must be drawn against an account in a United States Bank, and made payable to the Tennessee Board of Medical Examiners.

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| (1) | Application and Certification Fee - To be paid by all applicants at the time an application is filed. | \$ 50.00 |
| (2) | Biennial Certification Renewal Fee - To be paid by all persons holding certification. | \$ 50.00 |
| (3) | State Regulatory Fee (biennial) - To be paid with initial applications and with renewal applications. | \$ 10.00 |
| (4) | Late Renewal - Reactivation Fee | \$100.00 |

Authority: T.C.A. §§4-3-1011, 4-5-202, 4-5-204, 63-6-101, 63-6-224, and 63-6-237.

0880-9-.03 Qualifications for Certification. To be certified as a radiologist assistant (RA), an applicant must:

- (1) On or after July 1, 2007, be a graduate of a radiologist assistant educational program and a radiologist directed clinical preceptorship culminating in the award of a baccalaureate degree or its equivalent from an institution offering a program accredited by an entity recognized by the American Registry of Radiologic Technologists for certification purposes; and
- (2) be currently certified by the American Registry of Radiologic Technologists as a radiologist assistant (RA); and
- (3) be currently certified by the American Registry of Radiologic Technologists as a radiologic technologist (RT); and
- (4) be currently certified in advanced cardiac life support (ACLS); and
- (5) possess current and unencumbered full certification as an x-ray operator by the Tennessee Board of Medical Examiners, pursuant to Rule 0880-5-.04.

Authority: T.C.A. §§ 4-5-202, 4-5-204, 63-6-101, 63-6-224, and 63-6-237.

0880-9-.04 Procedures for Certification

- (1) An applicant shall submit with the application a copy of his/her A.R.R.T. identification card which must be current, in good standing, and shows

certification as a radiologist assistant (RA) and as a radiologic technologist (RT).

- (2) An applicant shall submit with the application a copy of his or her certification in advanced cardiac life support (ACLS) which must be current and in good standing.
- (3) An applicant shall submit with the application a form provided by the Board containing a physician's credentials as a radiologist, acknowledgement of the physician's responsibility to supervise the radiologist assistant, and the signature of the supervising physician.
- (4) On or after July 1, 2007, an applicant shall cause a transcript to be submitted directly from the school to the Board Administrative Office. The transcript must show graduation from a radiologist assistant educational program, and that a baccalaureate degree or its equivalent from an institution offering a program accredited by an entity recognized by the American Registry of Radiologic Technologists for certification purposes, which includes a radiologist directed clinical preceptorship has been conferred, and contains the official seal of the institution.
- (5) An applicant shall submit with the application the Application and Certification Fee and the State Regulatory Fee as provided in Rule 0880-9-.02.
- (6) An applicant shall submit with the application a clear, recognizable, recently taken bust photograph which shows the full head, face forward from at least the top of the shoulder up.
- (7) Application review and decisions shall be governed by Rule 0880-2-.07 (1) through (4).

Authority: T.C.A. §§4-3-1011, 4-5-202, 4-5-204, 63-6-101, 63-6-224, and 63-6-237.

0880-9-.05 Examination for Certification.

- (1) The Board adopts as its certification examination the radiologist assistant examination provided by the A.R.R.T.
- (2) A.R.R.T. certification will substitute for all examinations required by the Board and will be the basis for radiologist assistant certification.
- (3) It is the applicant's responsibility to apply directly to the examination agency for admission to the examinations. The Board does not process applications for examination.

- (4) The passing score shall be determined by the A.R.R.T.

Authority: T.C.A. §§ 4-5-202, 4-5-204, 63-6-101, 63-6-224, and 63-6-237.

0880-9-.06 Certification Renewal, Retirement and Reactivation.

- (1) All certificate holders must renew their certificates to be able to legally continue in practice. Renewal is governed by the following:
- (a) The due date for renewal is its expiration date which is the last day of the month in which a certificate holder's birthday falls pursuant to the Division of Health Related Boards "biennial birthdate renewal system" contained in rule 1200-10-1-.10.
 - (b) Methods of Renewal - Renewal may be accomplished by one of the following methods:
 - 1. Internet Renewals - Individuals may apply for renewal and pay the necessary fees via the Internet. The application to renew can be accessed at: www.tennessee.gov.
 - 2. Paper Renewals - Certificate holders who have not renewed their authorization online via the Internet will have a renewal application form mailed to them at the last address provided by them to the Board prior to the expiration date of their current certificate. Failure to receive such notification does not relieve the individual of the responsibility of timely meeting all requirements for renewal. To be eligible for renewal a certificate holder must submit to the Division of Health Related Boards on or before the certificate's expiration date the following:
 - (i) A completed and signed renewal application form.
 - (ii) The Biennial Certification Renewal and State Regulatory Fees as provided in Rule 0880-9-.02.
 - (c) Any renewal application received after the expiration date but before the last day of the month following the expiration date must be accompanied by the Late Renewal - Reactivation Fee provided in Rule 0880-9-.02.
 - (d) Any individual who fails to comply with the renewal rules and/or notifications sent to them concerning failure to timely renew shall have their certificates processed pursuant to rule 1200-10-1-.10.

- (e) Anyone submitting a signed renewal form, electronically or otherwise, which is found to be fraudulent or untrue may be subject to disciplinary action.
- (f) Any certificate holder who receives notice of failure to timely renew pursuant to rule 1200-10-1-.10, and who, on or before the last day of the month following the month in which the certificate expires, executes and files in the Board's administrative office an affidavit of retirement pursuant to paragraph (2) of this rule may have their certificate retired effective on their certificate's expiration date.

(2) Certificate Retirement

- (a) Certificate holders who wish to retain their certification but not actively practice will not be required to comply with the certification renewal process by doing the following:
 - 1. Obtain from, complete and submit to the Board Administrative Office an affidavit of retirement form.
 - 2. Submit any documentation which may be required by the form to the Board Administrative Office.
- (b) Upon successful application for retirement of certification with completion and receipt of all proper documentation to the Board's satisfaction, the Board shall register the certificate as retired. Any person who has a retired certificate may not practice in Tennessee.

(3) Reactivation - Any certificate holder whose certificate has been retired or processed pursuant to rule 1200-10-1-.10 for failure to timely renew may re-enter active practice by doing the following:

- (a) Submit a written request for a Reactivation Application to the Board Administrative Office; and
- (b) Fully complete and submit the Board's Reactivation Application along with payment of:
 - 1. For those reactivating a retired certificate the Biennial Certification Renewal Fee.
 - 2. For those who are reactivating a certificate processed pursuant to rule 1200-10-1-.10 for failure to timely renew all past due Biennial Certification Renewal Fees and the Late Renewal – Reactivation Fee; and

- (c) To reactivate an expired certification submit, along with the Board's Reactivation Application, documentation of successful completion of the continuing education requirements provided in rule 0880-9-.07 for all the calendar years (January 1 – December 31) that the certification was expired that precede the calendar year during which the reactivation is requested; or
 - (d) To reactivate a retired certification submit, along with the Board's Reactivation Application, documentation of successful completion of twenty-four (24) hours of continuing education, as provided in rule 0880-9-.07, during the two (2) calendar years (January 1 – December 31) that precede the calendar year during which the reactivation is requested.
 - (e) If requested, after review by the Board, a designated Board member, or the Board's consultant appear before either the Board, or a duly constituted panel of the Board, or another Board member, or the Board Designee for an interview regarding continued competence in the event of certification retirement, certification expiration or other practice inactivity in excess of two (2) years and meet such other requirements the Board feels necessary to establish current levels of competency.
- (4) Renewal issuance and reactivation decisions pursuant to this rule may be made administratively subject to review by the Board, any Board member or the Board Designee.

Authority: T.C.A. §§ 4-3-1011, 4-5-202, 4-5-204, 63-6-101, 63-6-224, and 63-6-237.

0880-9-.07 Continuing Education.

- (1) Continuing Education - Hours Required
 - (a) Each person certified by the Board must biennially attend and complete twenty-four (24) hours of radiological related continuing education in courses approved by the Board.
 - (b) The Board approves courses for only the number of hours contained in the course. The approved hours of any individual course will not be counted more than once in a two (2) year period toward the required hourly total regardless of the number of times the course is attended or completed by any individual certificate holder.

- (c) The hours required by this rule may be used to satisfy the continuing education requirements of Rule 0880-5-.09.

(2) Continuing Education - Proof of Compliance

- (a) Each person must, on a Board provided form, check a box and/or enter signature which indicates attendance and completion of the required continuing education hours and that such hours were obtained during the preceding two (2) calendar years.
- (b) Each person must retain proof of attendance and completion of all continuing education courses. This documentation must be retained for a period of four (4) years from the end of the calendar year in which the course is completed. This documentation must be produced for inspection and verification, if requested in writing by the Board during its verification process.

(3) Continuing Education - Course Approval

- (a) Courses to be offered for credit toward the required continuing education hours must, unless otherwise provided, receive prior approval from the Board.
- (b) Prior approval of a course may be obtained by submitting the following information to the Board Administrative Office at least thirty (30) days prior to the scheduled date of the course.
 1. a course description or outline.
 2. names of all lecturers.
 3. brief resume of all lecturers.
 4. number of hours of educational credit requested.
 5. date of course.
 6. copies of materials to be utilized in the course.
 7. how verification of attendance is to be documented.
- (c) Continuing education courses may be presented in any of the following formats:
 1. Lecture.

2. Audiovisual - with successful completion of a written post experience examination to evaluate material retention.
 3. Correspondence - with successful completion of a written post experience examination to evaluate material retention.
 4. Any combination of the above.
- (d) The following courses need not receive prior approval and shall constitute Board approved continuing education courses:
1. Courses sponsored or approved by any of the following organizations:
 - (i) Tennessee Society of Radiologic Technologists
 - (ii) Tennessee Radiological Society
 - (iii) Tennessee Medical Association
 - (iv) American Medical Association
 - (v) American Society of Radiologic Technologists
 - (vi) American Registry of Radiologic Technologists
 - (vii) American College of Radiology
 2. Educational courses sponsored by an accredited school of medicine or radiological health. If such course is taken for or assigned quarter or semester credit hours, three (3) quarter hours or equivalent semester hours shall be equivalent to fifteen (15) continuing education hours. No credits will be counted for courses failed.
- (e) Individual Board members and the Board's designee are vested with the authority to approve continuing education courses submitted in compliance with this rule. All such approvals must be presented to the full Board for ratification.
- (4) Violations
- (a) Any person who falsely attests to attendance and completion of the required hours of continuing education may be subject to decertification.

- (b) Any person who fails to obtain the required continuing education hours may be subject to decertification.
- (c) Education hours obtained as a result of compliance with the terms of an informal settlement or Board Orders in any disciplinary action shall not be counted toward the continuing education hours required to be obtained by Rule 0880-9-.07 (1) (a).

Authority: T.C.A. §§ 4-5-202, 4-5-204, 63-6-101, 63-6-224, and 63-6-237.

0880-9-.08 Radiologist Assistant Scope of Practice and Role Delineation.

- (1) Before being authorized to perform any x-ray procedure or operate any x-ray equipment in a physician's office, the supervising staff radiologist shall place a copy of the person's renewal certificate in the person's personnel file to prove the person being authorized has the appropriate certification required for either or both the procedure being performed and/or the equipment being used and that such certification is current.
- (2) The radiologist assistant shall evaluate the day's schedule of procedures with the supervising staff radiologist and determine where the radiologist assistant's skills will be best utilized.
- (3) After demonstrating competency the radiologist assistant when ordered to do so by the supervising radiologist may:
 - (a) perform selected procedures under the direct supervision of a radiologist including static and dynamic fluoroscopic procedures;
 - (b) assess and evaluate the physiologic and psychological responsiveness of patients undergoing radiologic procedures;
 - (c) participate in patient management including acquisition of additional imaging for completion of the examination and record documentation in medical records;
 - (d) evaluate image quality, make initial image observations and communicate observations to the supervising radiologist; and
 - (e) administer intravenous contrast media or other prescribed medications.
- (4) The radiologist assistant may not interpret images, make diagnoses, or prescribe medications or therapies.

- (5) The radiologist assistant shall adhere to the code of ethics of the American Registry of Radiologic Technologists and to national, institutional and/or departmental standards, policies and procedures regarding the standards of care for patients.
- (6) For the purposes of this rule, “direct supervision” means the radiologist must be present in the office suite and immediately available to furnish assistance and direction throughout the performance of all procedures. “Direct supervision” does not mean that the supervising radiologist must be present in the room when the procedure is performed.
- (7) A certificate holder may be disciplined in the same manner, for the same causes and pursuant to the same procedures as any physician pursuant to T.C.A. 63-6-214.

Authority: T.C.A. §§ 4-5-202, 4-5-204, 63-6-101, 63-6-214, 63-6-224, and 63-6-237.

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