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Sequence Number: 04-10-15
 Notice ID(s): 2314
 File Date: 4/16/15

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:	Tennessee Board of Physical Therapy
Division:	
Contact Person:	Grant Mullins, Assistant General Counsel
Address:	665 Mainstream Drive, Nashville, Tennessee 37243
Phone:	(615) 741-1611
Email:	Grant.Mullins@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
Address:	710 James Robertson Parkway, Andrew Johnson Building, 5th 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, Poplar Conference Room
City:	Nashville, Tennessee
Zip:	37228
Hearing Date :	08/14/15
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
1150-01	General Rules Governing the Practice of Physical Therapy
Rule Number	Rule Title
1150-01-.15	Disciplinary Actions, Civil Penalties, Assessment of Costs, and Screening Panels

(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>)

Chapter 1150-01
General Rules Governing the Practice of Physical Therapy

Amendments

Rule 1150-01-.15 Disciplinary Actions, Civil Penalties, Assessment of Costs, and Screening Panels is amended by deleting current paragraph (2) in its entirety and renumbering the remaining paragraphs accordingly, and is further amended by deleting the newly-numbered paragraph (2), but not its subparagraphs, and substituting instead the following language, so that as amended, the new paragraph shall read:

- (2) Order of Compliance - This procedure is a necessary adjunct to each previously issued disciplinary order containing probation, suspension or other condition limiting the licensee's ability to practice. An order of compliance is available only when a petitioner has completely complied with the conditions of a previously issued disciplinary order, including payment of civil penalties, completion of continuing education courses, or payment of administrative costs. If all conditions of the ordered discipline have been satisfied, or if no conditions have been placed on the license in addition to probation or suspension, the Board may consider a petition at its last meeting before the expiration of any such discipline. The Board, at its discretion, may require the petitioner to appear before granting such order. No discipline issued by the Board shall be lifted until the licensee petitions for and receives such order from the Board, which shall only be effective the original date the discipline was to expire, and in no event effective earlier than the date of petition, pursuant to this paragraph.

Authority: T.C.A. §§ 4-5-202, 4-5-204, 63-13-108, 63-13-304, 63-13-312, 63-13-313, and 63-13-314.

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: 4/6/2015

Signature: *Grant Mullins*

Name of Officer: Grant Mullins

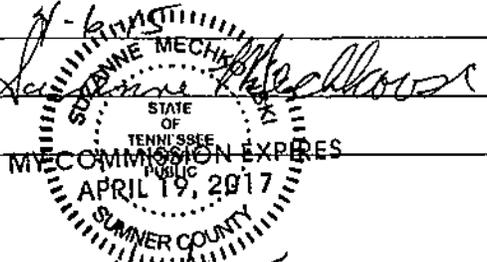
Assistant General Counsel

Title of Officer: Department of Health

Subscribed and sworn to before me on: _____

Notary Public Signature: *Deanne Mech...*

My commission expires on: _____



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Filed with the Department of State on: 4/6/15

Tre Hargett

Tre Hargett
Secretary of State

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Sequence Number: 04-23-15
 Notice ID(s): 2320
 File Date: 4/24/15

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:	Board of Physical Therapy
Division:	
Contact Person:	Grant Mullins, Assistant General Counsel
Address:	665 Mainstream Drive, Nashville, Tennessee 37243
Phone:	(615) 741-1611
Email:	Grant.Mullins@tn.gov

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ADA Contact:	ADA Coordinator
Address:	710 James Robertson Parkway, Andrew Johnson Building, 5th 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, Poplar Conference Room
City:	Nashville
Zip:	37228
Hearing Date :	08/14/15
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
1150-01	General Rules Governing the Practice of Physical Therapy
Rule Number	Rule Title
1150-01-.12	Continuing Competence

(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>)

Chapter 1150-01
General Rules Governing the Practice of Physical Therapy
Amendments

1150-01-.12 Continuing Competence is being amended by deleting the introductory paragraph in its entirety and substituting instead the following language, so that as amended, the new paragraph shall read:

Continuing Competence. The Board shall notify applicants for renewal of continuing competence requirements as provided in T.C.A. §63-13-304(6). The Board shall require each licensed physical therapist and physical therapist assistant to participate in a minimum number of experiences to promote continuing competence for the twenty – four (24) months that precede the licensure renewal month. Beginning January 1, 2005, all applicants for licensure, renewal of license, reactivation of license, or reinstatement of license must demonstrate competency.

Authority: T.C.A. §§ 63-13-108, 63-13-304, 63-13-308, 63-13-309, and 63-13-311.

1150-01-.12 Continuing Competence is being amended by deleting paragraph (3) but not its subparagraphs and parts and substituting instead the following language, so that as amended, the new paragraph shall read:

- (3) Twenty-four (24) Month Requirement – Continuing competence credit is awarded for the clock hours spent in an activity as provided in paragraphs (5) and (6). Except as provided in paragraph (4), all required hours may be met through Class I activities. Except as provided in paragraph (4), any Class I activity without a stated maximum number of hours may be used to accrue all required hours. For purposes of Class I and Class II activities, the American Physical Therapy Association or its sections, the Tennessee Physical Therapy Association, and accredited Tennessee schools of physical therapy are deemed to be appropriate continuing education unit (CEU) granting agencies and courses offered by these entities are deemed to be pre-approved.

Authority: T.C.A. §§ 63-13-108, 63-13-304, 63-13-308, 63-13-309, and 63-13-311.

1150-01-.12 Continuing Competence is being amended by deleting part (3)(a)1 in its entirety and substituting instead the following language, so that as amended, the new part shall read:

1. At least twenty (20) hours of the thirty (30) hour requirement must be from Class I activities as provided in paragraph (5), and only ten (10) may be acquired online.

Authority: T.C.A. §§ 63-13-108, 63-13-304, 63-13-308, 63-13-309, and 63-13-311.

1150-01-.12 Continuing Competence is being amended by deleting subparagraph (3)(b) including its parts and substituting instead the following language, so that as amended, the new subparagraph shall read:

- (b) Physical Therapist Assistant – Thirty (30) hours are required for the twenty-four (24) months that precede the licensure renewal month.
1. At least twenty (20) hours of the thirty (30) hour requirement must be from Class I activities as provided in paragraph (5), and only ten (10) may be acquired online.
 2. Up to ten (10) hours of the thirty (30) hour requirement may be from Class II activities as provided in paragraph (6).

Authority: T.C.A. §§ 63-13-108, 63-13-304, 63-13-308, 63-13-309, and 63-13-311.

1150-01-.12 Continuing Competence is being amended by deleting paragraph (4) but not its subparagraphs and parts and substituting instead the following language, so that as amended, the new paragraph shall read:

- (4) Four (4) of the hours required in parts (3) (a) 1. and (3) (b) 1. must consist of ethics and jurisprudence education courses. These four (4) hours are required every renewal cycle.

Authority: T.C.A. §§ 63-13-108, 63-13-304, 63-13-308, 63-13-309, and 63-13-311.

1150-01-.12 Continuing Competence is being amended by deleting subparagraph (4)(b) but not its parts and substituting instead the following language, so that as amended, the new subparagraph shall read:

- (b) Course approval – Aside from ethics and jurisprudence courses approved under subparagraph (a) above, and those pre-approved courses offered pursuant to paragraph (3) of this rule, the Board does not pre-approve Class I and Class II continuing competence courses, programs, and activities required by paragraphs (3), (5) and (6) of this rule. It is the licensee's responsibility, using his/her professional judgment, to determine if the courses offered by other entities are applicable, appropriate, and meet the requirements of this rule. However, TPTA must seek the Board's approval for offering ethics and jurisprudence courses by submitting the following information to the Board's office at least thirty (30) days prior to a regularly scheduled meeting of the Board that precedes the course:

Authority: T.C.A. §§ 63-13-108, 63-13-304, 63-13-308, 63-13-309, and 63-13-311.

1150-01-.12 Continuing Competence is being amended by deleting subparagraphs (5)(c) and (5)(d) in their entirety and substituting instead the following language, so that as amended, the new subparagraphs shall read:

- (c) Courses, seminars, workshops, and symposia attended by the licensee which have been pre-approved for continuing education units by appropriate CEU granting agencies.
- (d) Relevant and appropriate courses, seminars, workshops, and symposia attended by the licensee and approved by other State Boards of Physical Therapy, accredited schools of physical therapy, or health-related nonprofit organizations. The Board or its designee retains the right to determine whether any submitted course complies with the requirements of this rule.

Authority: T.C.A. §§ 63-13-108, 63-13-304, 63-13-308, 63-13-309, and 63-13-311.

1150-01-.12 Continuing Competence is being amended by deleting subparagraph (8)(a) in its entirety and substituting instead the following language, and is further amended by adding new subparagraph (8)(b) and re-lettering the remaining subparagraphs, so that as amended, the new subparagraphs shall read:

- (a) Each licensee must retain completion documents, certificates, transcripts and syllabi of all continuing competence requirements of this rule for a period of five (5) years from when the requirements were completed. This documentation must be produced for inspection and verification, if requested in writing by the Board during its verification process.
- (b) Each sponsor or provider of CEUs must retain records of any CEU offered for a period of not less than five (5) years.

Authority: T.C.A. §§ 63-13-108, 63-13-304, 63-13-308, 63-13-309, and 63-13-311.

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: 4/24/2015

Signature: *Grant Mullins*

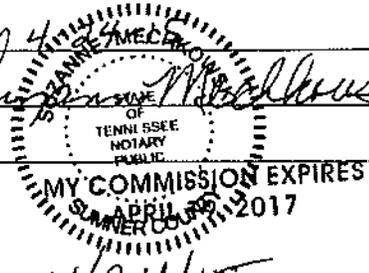
Name of Officer: Grant Mullins
Assistant General Counsel

Title of Officer: Department of Health

Subscribed and sworn to before me on: _____

Notary Public Signature: *Laura M. Medhurst*

My commission expires on: _____



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Filed with the Department of State on: 4/24/15

Tre Hargett
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Secretary of State

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