



Tennessee Board of Medical Examiners
Meeting of the Office Based Surgery
Monday, September 15, 2014

MINUTES

A meeting of the Tennessee Board of Medical Examiners' standing Committee on Office Based Surgery was called to order at 5:38 p.m. in the Iris Room, Ground Floor, Metro Center Complex, 665 Mainstream Drive, Nashville, Tennessee 37243 by Subhi Ali, MD, Committee Chair.

Committee members present: Subhi Ali, MD
 Michael Zanolli, MD
 Neal Beckford, MD

Staff present: Maegan Carr Martin, Executive Director, Board of Medical Examiners
 Andrea Huddleston, Deputy General Counsel, Office of General Counsel

Guest present: Vincent Davis, Director, Health Care Facilities
 Nelson Rodriguez, Fire Safety Supervisor, Health Care Facilities

Pursuant to TENN. COMP. R. & REGS. 0880-02-.21(9), all comments and suggestions for revision and improvement of the office based surgery rules should be addressed to the standing Committee on Office Based Surgery. Accordingly, Ms. Martin met with representatives from the division of Health Care Facilities (HCF) in August to discuss some issues they routinely encounter in their inspection of applicable surgery suites. Specifically, if an office based surgery facility upgrades to a level III facility, or undergoes renovations or modernizations, that facility becomes subject to more restrictive rules. Unfortunately, most renovations are completed before HCF has knowledge of the changes and/or an opportunity to inspect the premises to confirm that the plans comply with the more restrictive rules. A post-construction inspection by HCF may result in the removal of part or all of interior walls or other structures or fixtures and a post-construction finding by HCF that the renovations do not comply with the applicable rules may require an amendment to the building plan. This result is disruptive to the facility and the providers practicing within and could be avoided if the facility submitted a pre-construction building plan to HCF.

Ms. Martin prepared a document summarizing the suggested edits that will help HCF avoid some of these frequent obstacles, which she distributed to the Committee members. These suggested edits include the following:

1. Licensees who seek to operate a Level III facility/suite must submit building plans to Health Care Facilities for pre-construction approval.

2. Facilities/suites that upgrade to Level III will be subject to the applicable standards in effect at the time of the upgrade. Licensee operators of these facilities/suites must submit building plans to health care facilities for pre-construction approval.
3. Renovations and/or modernizations to the facility/suite which fall within the scope of the office based surgery rule will be subject to the applicable standards in effect at the time of the renovation. Licensee operators of these facilities/suites must submit building plans to health care facilities for pre-construction approval.
4. Consider defining “department” if necessary.

The Committee members reviewed the memorandum and discussed it with the representatives present from Health Care Facilities. Dr. Ali stated that he found the recommendations to be very reasonable. Dr. Beckford added that pursuing these possible rule amendments would be of service to licensees.

Dr. Beckford made a motion endorsing the recommendations made in the memorandum and recommending that the full Board move forward with rule amendments. The motion was seconded by Dr. Zanolli and passed by unanimous vote.

Dr. Beckford requested that notification be provided at the appropriate time to existing facilities regarding these changes.

The meeting was adjourned at 5:52 p.m.