

**TENNESSEE MEDICAL LABORATORY BOARD**  
**POLICY STATEMENT REGARDING LICENSEES**  
**WHO FAIL TO OBTAIN CONTINUING EDUCATION**

The Tennessee Medical Laboratory Board realizes that an individual may unintentionally fail to obtain Continuing Education (CE) in a timely manner. However, statute prohibits an individual from working as a Medical Laboratory Professional unless he/she has obtained the appropriate number of CE hours. Acknowledgment is given to the fact that this problem exists; however, the Board cannot overlook an individual who has failed to obtain the appropriate number of CE hours. With this in mind, the Board has adopted the following procedures for discipline:

1. When it is discovered by the Board or its staff that a licensee has failed to obtain CE hours in a timely manner, the licensee shall have to option to retire the license within thirty (30) days or have ninety (90) days from the date that appears on the deficiency letter from the Board Director in which to obtain the CE hours that are still deficient and to submit proof of completion of those hours to the Board's staff.
2. If the licensee fails to obtain the exact number of CE hours that are still deficient within the ninety (90) days, the matter will be forwarded to the Tennessee Department of Health, Office of General Counsel, at which time the licensee will be assessed a civil penalty of Twenty Dollars (\$20.00) for each CE hour that is still deficient; be required to obtain the CE hours that are still deficient; and, in addition, be required to obtain ten (10) punitive CE hours. The licensee will also be audited for the next CE cycle.
3. The civil penalty assessment and an agreement to obtain the required number of CE hours will be contained in the form of an Agreed Citation, which is an offer of settlement to pay the civil penalty assessment within thirty (30) days (from the date that appears on the second deficiency letter from the Board Director) and to obtain the CE hours that are still deficient, plus the punitive CE hours, within ninety (90) days (from the date that appears on the second deficiency letter from the Board Director). The licensee will have the option to accept the Agreed Citation, and thereby waive the right to appear before the Board; or the licensee shall have the right to a contested case hearing before the Board.
4. Should the licensee fail to pay the civil penalty and obtain the required number of CE hours through the Agreed Citation, the Tennessee Department of Health, Office of General Counsel will file a formal disciplinary action against the licensee, which will require the licensee to appear before the Board and could result in additional penalties, costs, and disciplinary action against the license, up to, and including revocation.

This Policy Statement was adopted by the  
Tennessee Medical Laboratory Board on the 18<sup>th</sup> day of July, 2013.