

Tennessee Board of Podiatric Medical Examiners



Newsletter



2015

A regulatory agency of the state of Tennessee

Fall

In conjunction with the purpose and goals of the Department of Health the Mission of the Bureau of Health Licensure and Regulation is to: Monitor, access and enforce the health care laws and regulations. Protect, promote and enhance quality health care for all citizens; Continuously strive to meet the needs of our customers in a respectful and caring manner; Provide quality work-life necessary to attract and retain competent, caring employees: Empower out employees to become entrepreneurs in their jobs; Increase awareness and public confidence in our services; and utilize our resources efficiently and cost effectively.

665 Mainstream Drive, Nashville, TN 37243 • <http://tn.gov/health> (615) 741-5735 or 1-800-778-4123

Office Hours: Monday – Friday 8:00 a.m. to 4:30 p.m. Central Time (except State and Federal holidays) Fax: (615) 532-5369

2016 Board Meeting Dates

February 10, 2016
9:00 a.m., Poplar Room

May 11, 2016
9:00 a.m., Poplar Room

August 10, 2016
9:00 a.m., Iris Room

November 9,, 2016
9:00 a.m., Poplar Room



All board meetings will be held at 665 Mainstream Drive, Nashville TN, unless otherwise noted.

Live Streaming Video

If you would like the see your board “in action” but can’t attend a meeting in person, you can now watch the board meeting on your computer through live streaming video. The link is:
<https://web.nowuseeit.tn.gov/Mediasite/Catalog/Full/98fe21d561e9489487745f0c7da678b221>. After you access the page, go to the board meeting you wish to view and click on that particular link.

Legislative Updates

Board of Podiatric Medical Examiners
Legislative Update - 2015

[Public Chapter 154](#)

This act allows the Commissioner of Health or his designee to have electronic access to medical records in order to facilitate investigations when responding to an immediate threat to public health. Today the Commissioner of Health or his designee already has this authority but must go to the facility to review the medical records.

[Public Chapter 94](#)

This act defines “abuse” and “neglect” for purposes of placing a person on the registry of persons who have abused, neglected, or misappropriated the property of vulnerable individuals specifically within the statutes that govern the Dept. of Health. It does not impact the definitions within the statutes that govern the Dept. of Intellectual and Developmental Disabilities nor the Dept. of Human Services. It also increases the time within which placement on the registry may be appealed from 30 to 60 days.

[Public Chapter 26](#)

This legislation deletes the Intractable Pain Act. It has been assigned Public Chapter 26 of 2015.

[Public Chapter 502](#)

This act allows the Joint Government Operations Committee (the legislative committee that reviews all rules) to stay a rule up to 75 days instead of 60 days. Present law authorizes the Joint Government Operations Committee to consider the following factors when reviewing rules: authority, clarity, consistency, justification, necessity and reference. This act adds arbitrariness and capriciousness as two new considerations.

[Public Chapter 268](#)

This act makes disclosures of protected healthcare information permissible in medical malpractice lawsuits.

[Public Chapter 261](#)

The act provides for the practice of telehealth. It outlines the following:

- Defines a healthcare provider
- Establishes a provider-patient relationship by mutual consent and mutual communication
- Specifies that telehealth does not create a new standard care
- Prohibits any board from creating a more restrictive standard of professional practice for telehealth service
- Allows a physician to prescribe by means of telemedicine and follow all prescribing applicable statutes such as checking the Controlled Substance Monitoring Database; however, pain management clinics are not permitted
- There is no separate telehealth license required by the Board of Medical Examiners

[Public Chapter 476](#)

Currently, the top 50 prescribers of controlled substances in the state are annually identified and sent a letter notifying them of their inclusion on this list and asked to respond with a justification for their prescribing patterns. This legislation expands on this list and requires the top 10 prescribers from all of the combined counties having populations of fewer than 50,000 to also be on this annual list.

Separate from this provision, the bill also specifies that a provider of home medical equipment or services that provides its own company-branded insulin pumps and related supplies does not have to have a physical place of business in the state if the provider maintains an employee presence in the state, is accredited by the Joint Commission on Accreditation of Healthcare Organizations and maintains a 24-7 service telephone number.

[Public Chapter 40](#)

Extends the board of podiatric medical examiners to June 30, 2017

Professional Privilege Tax

TENN. CODE ANN. §67-4-1701, et seq., requires the payment of an annual professional privilege (occupation) tax. The law requires your licensing board to refuse to allow you to renew your professional license if you fail to pay your professional privilege tax. Upon receipt of certification from the Department of Revenue that a licensee is in arrears more than 90 days, the law requires that your ability to renew your

license be held in abeyance until our office receives a written tax clearance from the Department of Revenue. Avoid any interruption in your ability to practice your profession by remitting your tax to the Department of Revenue in a timely fashion.

<http://tn.gov/revenue/topic/professional-privilege-tax>

If you have moved out-of-state, but maintain a license, you are still responsible for paying the Professional Privilege Tax. If your license is in "active" status as of June 1 of any year, no matter if you live in Tennessee or out-of-state, you are required to pay the yearly professional privilege tax.

Note: The Board of Podiatric Medical Examiners does not assess this tax.

Board of Podiatric Medical Examiners Website

You may download a copy of the rules, applications and forms, board member list, board meeting schedule, policy statements, and other pertinent information at the board's website:

<http://tn.gov/health/topic/Podiatric-board>

Electronic Notification for Licensed Health Professionals

NOTICE TO ALL LICENSED HEALTHCARE PROFESSIONALS – ELECTRONIC NOTICE OPTION

On January 1, 2013, a new law became effective requiring all Tennessee health professional boards to provide electronic notices to healthcare professionals they license. The law gives healthcare professionals the option of being notified electronically of the following: (1) Renewals of license, certification or registration; (2) Any fee increases; (3) Any changes in state law that impact the license holder; and (4) Any board meeting where changes in rules or fees are on the agenda. If a healthcare professional "opts in", the Department of Health will also be able to alert him or her of critical public health matters impacting Tennessee. Please visit apps.tn.gov/hhrs/begin.jsp and complete the registration process to opt in. Upon receipt of a current email address, those who opt in will begin to receive ALL notices electronically rather than through the United States mail. Please note opting in means license renewal notification will be delivered electronically approximately 45 days in advance of the expiration date. The electronic notice will direct the licensee to the appropriate Web page to renew. For professions that do not permit licensees to renew their licenses online, a paper renewal will continue to be provided. For more information, contact the Health Professional Boards

office at 615-741-5735 or toll-free at 1-800-778-4123.

Renew Your License Online



Practitioners may access the online service at <https://apps.tn.gov/hlrs/> to renew their licenses up to 70 days prior to the expiration date.

Click the "Licensing Renewal" link where you can renew your license and update your professional license information. *Licenses are responsible for renewing their licenses on time and keeping the Board apprised of current information. It is a violation of the law and of the Board's rules to practice on an expired license.*

-Step 1: Login - Select our board and your profession and enter your license number.

-Step 2: Update your Information - Change your home and/or office address.

-Step 3: Enter your renewal information - Answer all necessary questions, as if you were completing your hard-copy form.

-Step 4: Payment - Enter your credit card information through the secure site and choose "submit".

If you have met all of the criteria necessary, your renewal certificate will be mailed to you in approximately one week. Updated license information will be available on the department's web site within two business days.

Retirement of License

If you are not practicing in Tennessee and do not wish to renew your license, it is suggested you retire your license rather than have it fall into failed to renew status. A retirement form may be obtained at our website at:

<http://tn.gov/health/article/Podiatric-applications>

If you do not have access to the internet, you may request a retirement form be mailed to you. (See Board address on page 5.)

Office of Investigations



The Office of Investigations is responsible for receiving and processing all complaints for the licensure boards. To file a complaint, please contact the Office of Investigations at 1-800-852-2187 or visit our website where you may download and print out the complaint form.



Have you moved/changed your name?

Must be reported in writing or by e-mail to the board's office within 30 days! Please include the following:

- your name and license number;
- your profession;
- your old address and phone number;
- your new address and phone number, e-mail address, and/or your fax number;
- your signature!
- If your name has changed due to marriage or divorce, you must send a copy of the document that made the change in status.

Keeping the board's administrative staff up to date on your location facilitates the timely notification to you of important information such as your application for licensure renewal and important statutory and rule changes.

A form for the change of address/name can be found at:

<http://tn.gov/health/article/Podiatric-applications>

You may fax your change to the board's administrative office at (615) 532-5369 or by mail at: 665 Mainstream Drive, Nashville, TN 37243.

Practitioner Profile

When you notify the board of an address or name change, please remember to update your practitioner profile.

Continuing Education Requirements

The Board's rule regarding continuing education requires all podiatrists to obtain fifteen (15) hours of continuing education each calendar from January 1 – December 31. Twelve (12) of the fifteen (15) clock hour requirement shall be clinical, scientific, or related to patient care. If the licensee is performing ankle surgery pursuant to Tenn. Code Ann. §63-3-101(b)(1), ten (10) of the twelve (12) hours shall pertain to ankle surgery. Every other year at least one (1) hour of the annual fifteen (15) hour requirement shall be a course designed specifically to address prescribing practices. Ten (10) of the fifteen (15) hour requirements must be completed in the traditional "lecture/classroom" format. Five (5) hours of the fifteen (15) clock hour requirements may be completed in any of the following multi-media formats:

1. The Internet
2. Closed circuit television
3. Satellite broadcasts
4. Correspondence courses
5. Videotapes
6. CD-ROM
7. DVD
8. Teleconferencing
9. Videoconferencing
10. Distance learning

X-ray operators must complete four (4) hours or radiological related continuing education courses biennially in courses provided or sponsored by the APMA, a state or regional affiliate of the APMA, an affiliated specialty group, the United States government, or other courses approved by the Board.

Orthotists, prosthetists and pedorthists must annually complete fifteen (15) hours of continuing education in courses applicable to his/her profession. At least six (6) hours of the annual continuing education requirement must be obtained from providers in the state of Tennessee. No more than five (5) hours of the annual requirement shall be completed by any of the means listed in Rule 1155-02-.12(1)(C). A person licensed in more than one (1) profession under these rules shall annually complete a total of twenty (20) hours of continuing education. Of the twenty (20) hours required by subparagraph (a), six (6) hours shall be subjects pertaining to each profession in which he/she is licensed. For example, a person who is licensed as an orthotist and a prosthetist is required to complete six (6) hours pertaining to Orthotics and six (6) hours pertaining to prosthetics. The remaining eight (8) hours required could pertain to either orthotics or prosthetics.

Non-compliant practitioners are subject to Board discipline which includes a fine of \$100 and make up the delinquent hours. The action taken against the practitioner is reportable on the Department of Health web site on the monthly Disciplinary Action Report.

Lapsed License

Statute prohibits an individual from working as a Podiatrist, Orthotist, Prostothist, or Pedorthist unless he/she has an active license.

To renew a license or certificate, the licensee or certificate

holder must pay the biennial renewal fee and comply with the other requirements for renewal contained in the Board's statutes and rules.

Any licensee or certificate holder who has failed to renew after a three (3) month grace period and continues to practice is subject to a Type C civil penalty of \$100.00 for each additional month of practice on the expired license.

Discipline for lapsed licenses is reportable to the national databanks as well as the Department's Disciplinary Action report and will be noted on the practitioner's licensure profile.

To Contact This Board Call:

**(615) 741-5735 local or (800) 778-4123
nationwide or write to:**

**Tennessee Board of Podiatric Medical
Examiners
665 Mainstream Drive
Nashville, TN 37243**

BOARD MEMBERS

Paul C. Rivard, DPM
Paul Somers, Jr., DPM
Sheila Schuler, DPM
David J. Sables, DPM
Karl M. Fillauer
Orthotist, Prosthetist, Pedorthist
Karen S. Garner
Citizen Member

BOARD STAFF

James A. Hill
Board Administrator

Doris VanOvermeiren
Licensing Technician

Theodora (Teddy) Wilkins
Administrative Director