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Sequence Number: 10-12-23
Notice ID(s): 3734
File Date: 10/12/2023

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 Medical Examiner's Committee for Clinical Perfusionists
Division:	
Contact Person:	Elyse Nida, Associate Counsel
Address:	665 Mainstream Drive, Nashville, TN 37243
Phone:	(615) 741-1611
Email:	Elyse.Nida@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) 741-6354
Email:	Marci.Martinez@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:	37243
Hearing Date:	04/30/2024
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 here. If needed, copy and paste additional tables to accommodate multiple chapters. Please make sure that ALL new rule and repealed rule numbers are listed in the chart below. Please enter only ONE Rule Number/Rule Title per row)

Chapter Number	Chapter Title
0880-11	General Rules and Regulations Governing the Practice of Clinical Perfusionists
Rule Number	Rule Title
0880-11-.06	Fees
0880-11-.11	Retirement and Reactivation of License
0880-11-.12	Continuing Education

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: October 10, 2023

Signature: *Elyse Nida*

Name of Officer: Elyse Nida

Title of Officer: Associate Counsel, Department of Health

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Filed with the Department of State on: 10/12/2023

Tre Hargett

Tre Hargett
Secretary of State

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Oct 12 2023, 3:12 pm

Secretary of State
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0880-11-.06 FEES

All fees provided for in this rule are non-refundable.

- | | | |
|-----|--|----------|
| (1) | Initial licensure fee to be submitted at the time of application | \$250.00 |
| (2) | Biennial renewal fee to be submitted every two (2) years when licensure renewal is due | \$250.00 |
| (3) | Late renewal fee | \$100.00 |
| (4) | Licensure reinstatement/ reactivation restoration fee | \$ 50.00 |
| (5) | Duplication of license fee | \$ 25.00 |
| (6) | Biennial state regulatory fee to be submitted at the time of application | \$ 10.00 |
| (7) | Fees may be paid in the following manner: | |
| (a) | All fees paid by money order, certified, personal, or corporate check must be submitted to the Committee's Administrative Office and made payable to the Committee for Clinical Perfusionists. | |
| (b) | Fees may be paid by Division-approved credit cards or other Division-approved electronic methods. | |

Authority: T.C.A. §§ 4-3-1011, 4-5-202, 4-5-204, 63-1-107, 63-6-101, 63-28-107, 63-28-114, and 63-28-118.

0880-11-.11 RETIREMENT AND REACTIVATION OF LICENSE

- (1) Licensees who wish to retain their licenses but not actively practice as a clinical perfusionist may avoid compliance with the licensure renewal process by obtaining, completing, and submitting, to the Administrative Office, an affidavit of retirement form along with any documentation required by the form.
- (2) Upon successful application for retirement of licensure with completion and receipt of all proper documentation to the Committee's and Board's satisfaction, the license shall be registered as retired. Any person who has a retired license may not practice as a clinical perfusionist in Tennessee.
- (3) Reactivation - Any licensee whose license has been retired may re-enter active practice by doing the following:
 - (a) Submit a written request for a Reactivation Application to the Administrative Office; and
 - (b) Complete and submit the Reactivation Application along with the licensure renewal fee as provided in Rule 0880-11-.06 to the Administrative Office. If reactivation was requested prior to the expiration of one (1) year from the date of retirement, the Committee may require payment of the licensure ~~reactivation~~restoration fee and ~~a latepast-due~~ renewal fees as provided in Rule 0880-11-.06; and

- (c) Submit any documentation which may be required by the form to the Administrative Office; and
 - (d) If requested, after review by the Committee and/or Board or a designated Committee and/or Board member, appear before either the Committee and/or Board, or a duly constituted panel of the Board, or another Committee or Board member, or the Committee and/or Board Designee for an interview regarding continued competence.
 - (e) In the event of licensure retirement or inactivity in excess of two (2) years or the receipt of derogatory information or communication during the reactivation process, the applicant should be prepared to meet or accept other conditions or restrictions as the Committee and/or Board may deem necessary to protect the public.
 - (f) If licensure retirement was in excess of five (5) years, the licensee may be required to successfully complete whatever educational and/or testing requirements the Committee and/or Board feels necessary to establish current levels of competency.
- (4) License reactivation applications shall be treated as licensure applications and review decisions shall be governed by Rule 0880-11-.07.

Authority: T.C.A. §§ 4-5-202, 4-5-204, 63-1-111, 63-6-101, and 63-28-118.

0880-11-.12 CONTINUING EDUCATION

All persons licensed as a clinical perfusionist must comply with the following continuing education rules as a prerequisite to licensure renewal.

- (1) Continuing Education - Hours Required
 - (a) All licensed clinical perfusionists must complete ~~thirty fifteen (3015)~~ thirty (30) hours of continuing education in courses approved by the Committee and Board during the two (2) every calendar years (January 1-December 31) that precede a licensee's renewal year.
 - (b) Six (6) ~~Three (3)~~ hours of the ~~thirty fifteen (3015)~~ thirty (30) hour requirement must be ABCP Category I courses.
 - (c) Continuing education for new licensees - For new licensees, submitting proof of successful completion of all education and training requirements required for licensure in Tennessee, pursuant to Rule 0880-11-.05, shall be considered proof of sufficient preparatory education to constitute continuing education credit for the calendar year in which such education and training requirements were completed.
 - (d) The Committee and Board approve a course 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 calendar year toward the required hourly total regardless of the number of times the course is attended or completed by any individual.
 - (e) The Committee and/or Board may waive or otherwise modify the requirements of this rule in cases where there is retirement, or an illness, disability or other undue hardship that prevents a licensee from obtaining the requisite number of continuing education hours. Requests for waivers or modification must be sent in writing to the Administrative Office prior to the expiration of the renewal period in which the continuing education is due.
- (2) Continuing Education - Proof of Compliance

- (a) The due date for completion of the required continuing education is December 31st of every calendar year.
 - (b) All clinical perfusionists must, on the license renewal form, enter a signature, electronic or otherwise, which indicates completion of the required continuing education hours and that such hours were obtained during the applicable calendar years.
 - (c) All clinical perfusionists must retain independent documentation of completion of all continuing education hours. This documentation must be retained for a period of four (4) years from the end of the renewal period in which the continuing education was acquired. This documentation must be produced for inspection and verification, if requested in writing by the Division during its verification process. Documentation verifying the licensed individual's completion of the continuing education program(s) may consist of any one or more of the following:
 - 1. Certificates from the continuing education program's sponsor, indicating the date, length in minutes awarded (continuing education units must be converted to clock hours), program title, licensed individual's name, license number and social security number; or
 - 2. An original letter on official stationery from the continuing education program's sponsor indicating date, length in minutes awarded (continuing education units must be converted to clock hours), program title, licensed individual's name, license number and social security number.
 - (d) If a person submits documentation for continuing education that is not clearly identifiable as appropriate continuing education, the Committee and/or Board will request a written description of the education and how it applies to the practice as a clinical perfusionist.
- (3) Acceptable continuing education - To be utilized for satisfaction of the continuing education requirements of this rule, the continuing education program must be approved in content, structure and format by either the ABCP, the AMA or the TMA or any other AMA recognized medical specialty certification organization. If the continuing education is not approved or sponsored by the ABCP, the content and structure must be as strict as the standards utilized by the ABCP in approving or sponsoring continuing education.
- (4) Violations
- (a) Any clinical perfusionist who falsely attests to completion of the required hours of continuing education may be subject to disciplinary action pursuant to Rule 0880-11-.15.
 - (b) Any clinical perfusionist who fails to obtain the required continuing education hours may be subject to disciplinary action pursuant to Rule 0880-11-.15 and may not be allowed to renew licensure.
 - (c) Education hours obtained as a result of compliance with the terms of Committee and/or Board Orders in any disciplinary action shall not be credited toward the continuing education hours required to be obtained in any calendar year.

Authority: T.C.A. §§ 4-5-202, 4-5-204, 63-6-101, 63-28-107, 63-28-114, and 63-28-118.