

motioned to accept the documents. Dr. Garabedian seconded and the motion passed. Mr. Varnell asked the Board take a roll call, the members present were: Dr. Jan Zieren, Dr. Michael Wieting, Dr. Michale Bernui, Dr. Shant Garabedian, and Ms. Penny Judd. Mr. Varnell outlined the process and purpose of the Rule making hearing. This rulemaking hearing is taking place pursuant to Public Chapter 470, which was passed and codified as 63-20-101 and becomes effective January 1, 2026. This rule establishes the process for licensure of graduate physicians, specifies supervision requirements and requirements for graduate physician collaborative practice arrangements, sets fees, and establishes other practice requirements and restrictions for the graduate physician which are necessary to protect the public.

Mr. Varnell read the substance of the rules into the record. Rule 1050-02-.02 FEES was amended by adding section 1(h) establishing a fee for the graduate physician license of \$300. A new section was added as Rule 1050-02-.24 LICENSURE PROCESS - GRADUATE PHYSICIAN. This Rule states To practice as a graduate physician in Tennessee a person must possess a lawfully issued license from the Board. The Board in its discretion may issue licensure according to the following criteria, process, and qualifications: (1) The Board adopts, as if fully set out here Rule 0880-02-.27 of the Board of Medical Examiners, and as it may from time to time be amended, as its rules governing, the graduate physician license; with the exception of the applicable application fee and state regulatory fee which are provided in 1050-02-.02.

There were no members of the public present to give comment. Dr. Garabedian made a motion to accept the red line of the rules. Dr. Bernui seconded. Ms. Tarr conducted a roll call vote with Dr. Wieting, Dr. Garabedian, Dr. Bernui, and Dr. Zieren voting aye and Ms. Judd voting nay.

APPROVAL OF MINUTES

The Board was presented three set of minutes from their regular board meeting on May 7, 2025, and contested case hearing minutes from December 12, 2024 and June 6, 2025 for approval. Regarding the contested case hearing. Ms. Judd asked about the contested case minutes not being as detailed as the normal meeting minutes. Ms. Allocco explained that since the case was not finished, the minutes were more general, and the final minutes would provide more detail about the final orders and board discussion of the case. Ms. Judd motioned to approve all three sets of minutes. Dr. Garabedian seconded and the motion passed.

LEGISLATIVE UPDATE

Grayson Carter, Legislative Liaison, was present to provide the Board's Legislative update. Mr. Carter started by explaining all new legislation was presented to the Board, but his report would cover only legislation that affected the Board or Dept of Health in general. Mr. Carter discussed the following legislation:

PC 23 HB233 / SB55 As enacted, extends the board of osteopathic examination to June 30, 2029. - Amends TCA Title 4, Chapter 29 and Title 63, Chapter 9.

PC 43 HB232 / SB54 As enacted, extends the board of occupational therapy to June 30, 2029. - Amends TCA Title 4, Chapter 29 and Title 63, Chapter 13.

PC 45 HB192 / SB282 As enacted, enacts the "Individualized Investigational Treatment Act." Outlines a patient's right to seek treatment with an individualized investigational treatment and that a healthcare provider is protected against disciplinary action taken by the licensing board based solely on the

provider's recommendation regarding access or treatment with an individualized investigational treatment - Amends TCA Title 53 and Title 63. - Amends TCA Title 53 and Title 63.

PC 46 HB111 / SB1283 As enacted, adds Hepatitis C to the list of serological tests run at the time of the first examination for pregnant women. Removes Hepatitis B and adds a second Syphilis screening for all pregnant women between the 28th and 32nd week of gestation. Also, adds a third Syphilis screening for all pregnant women at the time of delivery.

PC 56 HB383 / SB 744 As enacted, directs the commissioner of health to, on or before July 1, 2025, add alpha-gal syndrome to the department of health's published list of reportable diseases and conditions, the occurrence of which must be reported to the department by a healthcare provider pursuant to existing administrative rule. - Amends TCA Title 4; Title 63 and Title 68.

PC 69 HB1226 / SB669 As enacted, deletes all references to the world health organization; requires a pandemic to be declared by the federal centers for disease and prevention control, rather than the world health organization, with a subsequent declaration of a state of emergency by the governor for the governor to have exclusive jurisdiction to issue executive orders and directives related to the pandemic until the pandemic ceases to exist. - Amends TCA Title 7 and Title 68.

PC 99 HB572 / SB575 As enacted, requires all hospitals and birthing centers to provide information on post-birth warning signs, including symptoms and resources, to a mother and, if possible, to the mother's caregiver or at least one of the mother's family members prior to discharge following a birth; requires the department to provide all hospitals and birthing centers with information on post-birth warning signs, including symptoms and resources, and to have the information available on the department's website. - Amends TCA Title 68.

PC 100 HB657 / SB619 As enacted, allows a healthcare provider to petition a relevant board after completing a peer assistance or treatment program contract to remove information from the public-facing licensure verification website regarding the adverse action and the order by the relevant board after five years from the completion date of that program or contract indicated in such order; authorizes the division of health related boards to promulgate rules to effectuate such petition process. - Amends TCA Title 4; Title 63 and Title 68.

PC 116 HB155 / SB668 As enacted, removes the limitation that a death must have been anticipated for a registered nurse to make the actual determination and pronouncement of death if a deceased was a patient or resident at a nursing home, hospital, or assisted-care living facility. - Amends TCA Title 68

PC 125 HB1074 / SB1063 As enacted, removes the requirement that a provider notify a patient of communication between the provider and a health insurance entity or healthcare facility concerning additional information needed to process a prior authorization request for the patient; removes the requirement that an utilization review agent notify the enrollee and the provider or healthcare facility when additional information is needed from the enrollee, provider, or healthcare facility to make a determination on the request for prior authorization. - Amends TCA Title 56 and Title 63, Chapter 1.

PC 127 HB1311 / SB1284 As enacted, removes requirement that a license issued by a health related board be signed by members of the board prior to such issuance; authorizes the presiding officer to divide the board into panels to conduct contested case hearings or disciplinary matters; includes patient billing records as part of the medical and practice records that providers must make available for inspection upon the department's request; clarifies that identifying information of certain parties to a contested case hearing involving disciplinary charges filed against a provider must only be produced by the provider in response to a subpoena from a law enforcement agency. - Amends TCA Title 4; Title 63 and Title 68.

PC 213 HB510 / SB554 As enacted, enacts the "Tennessee Physician Workforce Information Act." Requires the Department of Health to contact qualified medical organizations in Tennessee and request

information on challenges, opportunities, and solutions related to physician workforce sustainability, including burnout, policy needs, training, access to care, and national trends. Amends TCA Title 4; Title 49; Title 63 and Title 68.

PC 217 HB990 / SB1004 As enacted, creates definitions for "inevitable abortion" and "serious risk of substantial and irreversible impairment of a major bodily function" providing more clarity to physicians in determining when a condition could qualify for an abortion to be performed that is not considered criminal - Amends TCA Title 4; Title 9; Title 29; Title 33; Title 37; Title 38; Title 39; Title 40; Title 53; Title 56; Title 62; Title 63; Title 68 and Title 71.

PC 222 HB203 / SB332 As enacted, requires the board of nursing to develop a survey to collect information regarding Nurse Practitioners including specialty, collaborating physician relationship, and practice site location. Creates an annual report of the aggregated, de-identified data collected from the survey. The report shall be submitted on or before December 31 to the chair of the health and welfare committee of the senate and the chair of the committee of the house of representatives with jurisdiction over health-related matters Amends TCA Title 4; Title 8; Title 14; Title 29; Title 33; Title 37; Title 39; Title 53; Title 63; Title 68 and Title 71.

PC 247 HB533 / SB449 As enacted, enacts the "Fertility Treatment and Contraceptive Protection Act." Outlines protections for fertility treatment and contraception - Amends TCA Title 63 and Title 68.

PC 261 HB960 / SB849 As enacted, directs the department of health to collaborate with an organization in this state that is approved by the board of medical examiners and board of osteopathic examination, and the board of medical examiners, the board of examiners in psychology respectively and accredited as a sponsor of continuing education to create or identify a continuing education program for the purpose of providing healthcare professionals licensed pursuant to this chapter with information or training relative to maternal mental health.

PC 266 HB1044 / SB955 As enacted, creates the "Medical Ethics Defense Act." Grants healthcare providers the legal right to decline to participate in or fund any healthcare procedure, treatment, or service that violates their conscience. - Amends TCA Title 63.

PC 272 HB1349 / SB1146 As enacted, requires the medical examiner's office to ascertain and document current drug use, including psychotropic drugs, by a deceased individual who committed a mass shooting; directs the University of Tennessee's health science center to study drug interactions between the psychotropic drugs and any other drugs present in the deceased individual's system; requires the department of health to disclose the psychotropic drug use of the individual to the public upon request. - Amends TCA Title 38; Title 53; Title 63 and Title 68.

PC 294 HB1237 / SB1235 As enacted, prohibits the exclusion of persons from membership on state regulatory and health-related boards on the basis of race, color, ethnicity, and national origin; prohibits such boards from establishing or operating under race-based policies pertaining to their composition; creates a private cause of action against a board and its officers, employees, and agents for such practices; removes requirement that appointing authorities strive to ensure certain boards and commissions are represented by members of racial minorities. - Amends TCA Title 4, Chapter 21; Title 9; Title 62; Title 63 and Title 68.

PC 295 HB1239 / SB421 As enacted, authorizes certain prescribing physician assistants and nurse practitioners to prescribe buprenorphine products for the treatment of opioid use disorder when the physician assistant or nurse practitioner is employed by or contracts with a state correctional facility or county or municipal jail, and certain other conditions are met. - Amends TCA Title 33; Title 41; Title 53 and Title 63.

PC 317 HB1203 / SB359 As enacted, authorizes the board of medical examiners and board of osteopathic examination to issue a license subject to a private advocacy order which requires the applicant to participate in a peer assistance program approved by the board; designates private advocacy orders as confidential and not public records, as long as the provider does not fail to maintain participation in the peer assistance program and requires the initiation of disciplinary proceedings by the board. - Amends TCA Title 63.

PC 339 HB495 / SB606 As enacted, rewrites the fee limits for a party requesting a patient's medical record in either paper or electronic format from a provider or the provider's third-party release of information provider. - Amends TCA Title 63 and Title 68.

PC 346 HB760 / SB817 As enacted, authorizes a healthcare practitioner to prescribe and a pharmacist to dispense a prescribed, bronchodilator rescue inhaler to an authorized entity to be administered to a person believed to be experiencing asthma symptoms or respiratory distress in an emergency situation, under a standing protocol from the healthcare practitioner; encourages schools in LEAs and public charter schools to keep bronchodilator rescue inhalers to be administered to students believed to be having asthma symptoms or in respiratory distress in an emergency situation. - Amends TCA Title 49; Title 53; Title 63 and Title 68.

PC 347 HB826 / SB895 As enacted, outlines parental consent regarding medical treatment and video or voice recording of children on school property, as well as absences from school due to religious holidays- Amends TCA Title 33; Title 36; Title 37; Title 49; Title 63 and Title 68.

PC 361 HB318 / SB263 As enacted, prohibits the enforcement and recognition of requirements or mandates issued by the World Health Organization, United Nations, or World Economic Forum in this state or its political subdivisions. - Amends TCA Title 4, Chapter 1, Part 4.

PC390 HB1355 / SB1052 As enacted, specifies that a biological father or alleged biological father who makes token financial support to or for the benefit of a child or the child's mother during the pregnancy or when the mother had physical custody of the child is not a putative father; makes various other changes regarding final orders of adoption. Adds to the list of persons a healthcare provider can get informed consent from before vaccinating a minor to include biological, legal, adoptive parent, potential adoptive parent or individual granted medical decision-making authority over a child under state law - Amends TCA Title 36 and Title 63.

PC 400 HB1310 / SB1282 As enacted, deletes present laws pertaining to rented premises unfit for habitation and quick fast food establishment delivery vehicles; removes the statutorily set permit fees to operate food service establishments and requires such permit fees to be set by rule; makes other revisions to present laws pertaining to food service and safety. - Amends TCA Section 53-8-103; Title 68, Chapter 110; Title 68, Chapter 111; Title 68, Chapter 14 and Title 68, Chapter 15.

HB923 / SB1084 As enacted, enacts the "Dismantling DEI Departments Act." Prohibits a department, agency, or other unit of state government from use of a discriminatory preference in an effort to increase diversity, equity, or inclusion or establish or maintain an office, division, or department for such purposes. Sets exemptions for public health, medical research, or disease prevention programs - Amends TCA Title 4; Title 5; Title 6; Title 7; Title 8 and Title 49, Chapter 7.

HB622 / SB1083F As enacted, enacts the "Dismantle DEI Act," which prohibits local governments and public institutions of higher education from basing hiring decisions on any metrics that consider an applicant's race, color, religion, sex, national origin, age, or disability, or hiring a particular candidate to achieve any goals to increase diversity, equity, or inclusion in the workplace. - Amends TCA Title 5; Title 6; Title 7; Title 8 and Title 49.

HB1330 / SB1316 As introduced, enacts the “Less is More Act of 2025.” – Amends TCA Title 4; Title 8; Title 20; Title 33; Title 38; Title 40; Title 52; Title 55; Title 62; Title 63; Title 68; Title 70 and Title 76.

HB869 / SB890 As enacted, deletes the 72 hour pause on certain lab results, requiring labs to fully comply with federal information blocking requirements. Also outlines requirements for insurance entities to establish and maintain certain application programming interfaces as described in federal code for the benefit of insureds - Amends TCA Title 8; Title 47; Title 56; Title 63 and Title 68.

HB979 / SB764 As enacted, establishes rules around which types of physicians can be employed by hospitals in different counties, with specific restrictions for specialties like radiologists, anesthesiologists, pathologists, and emergency physicians. It also defines conditions under which these physicians can be employed, including ensuring medical decision-making is not interfered with by the employing hospital. Establishes a licensing system for anesthesiologist assistants in Tennessee, setting requirements for education, certification, and supervision, and outlining their scope of practice under the direct oversight of a licensed anesthesiologist. - Amends TCA Title 47; Title 63 and Title 68.

Mr. Varnell elaborated on PC 127 previously mentioned during the legislative update and further explained that the Board now had the authority to break into panels for the purpose of hearing disciplinary matters rather than needing a full quorum of the Board. Mr. Varnell explained the statute gave the Board Chairman the authority to approve the panels and asked that Dr. Wieting go on the record to approve the Administrative Office to set these panels up as necessary in the future. Dr. Wieting state he had no problem with that.

OFFICE OF INVESTIGATIONS REPORT

Barbara Granum was present from the Office of Investigations to give the report.

Ms. Granum reported YTD for 2025, there were eighty five (85) new complaints opened and eighty (80) were closed for the following reasons: twenty three (23) closed for insufficient evidence, six (6) referred to the Office of General Counsel, forty two (42) complaints closed with no action, two (2) closed with a letter of concern, and seven (7) were closed with a letter of warning.

There were no new complaints opened for Osteopathic X-Ray operators, DO Office based surgery, or DO special training.

With there being no questions, Ms. Granum concluded her report.

REPORT FROM THE ADMINISTRATIVE OFFICE

Ms. Brandi Allocco was present to give the Administrative Office report.

The activities that have transpired in the administrative office between May 1, 2025 and July 31, 2025 concerning Osteopathic Physicians are as follows:

New Applications Received:

- Osteopathic Physician: 141
- Locum Tenens: 0
- Telemedicine: 0
- Special Training: 5

New DOX Applications Received: 0

Total New Licenses Issued

- Osteopathic Physician: 129
- Telemedicine: 1
- Locum Tenens: 0
- Special Training: 4
- DOX: 0
- Compact: 56

Total Number of Reinstatement: 1

Total Number of Renewals: 272

Online 246 – 90%

Total number of active licensees as of July 31, 2025:

Osteopathic Physicians 3,647

Osteopathic Physicians with a Tennessee mailing address 1,869

Special Training 16

Telemedicine 30

Osteopathic X-Ray Operators 4

Professional Midwives 107

REPORT FROM THE OFFICE OF GENERAL COUNSEL

Michael Varnell was present to give the report.

Mr. Varnell began his report by reviewing the Board Conflict of Interest Policy.

Mr. Varnell informed the Board the emergency rules for the Graduate Physician Act, PC470, was currently in effect until February 2026. The permanent rules for this Act related to the Graduate Physician Act had gone through a rule making hearing earlier in this meeting and would move forward. Mr. Varnell said the Board retrospective Rule review pursuant to Public Chapter 328 was currently in the internal review process with the Office of General Counsel.

Litigation- No updates since the last meeting.

Discipline:

The total number of Osteopathic Physicians being monitored for discipline is 11.

The total number on reprimand is 2.

The total number on probation is 7.

The total number on suspension is 0.

The total number that has had their license revoked or surrendered is 2.

The total number of Osteopathic X-Ray Technicians being monitored is 0.

RATIFICATION OF NEW LICENSES

Dr. Garabedian made a motion to approve the list of new licensees. Ms. Judd seconded and the motion passed.

UPDATE ON IV HYDRATION TASKFORCE

Ms. Tarr a taskforce was being created containing representatives from the Board of Osteopathic Examination, Board of Medical Examiners, Board of Physician Assistants, Board of Nursing and Board of Pharmacy to discuss regulation of IV Hydration. This taskforce could potentially meet electronically and the Board discussed delegating a member to be part of this taskforce. Ms. Judd motioned for Dr. Wieting to be the delegate based on his knowledge and interest in the topic. Dr. Zieren seconded and the motion passed.

OFFICE BASED SURGERY COMMITTEE UPDATE

Ms. Tarr explained both the Osteopathic and Medical Boards have three members on the six person Office Based Surgery Committee. This Committee has been meeting all together to work on the OBS rules and now those rules had been approved by the Committee and were working through the rule making process. With the rules ready for full Board approval, the three members of each Board could meet separately, but were still required to meet once per year. This would mean that the three OBS members from the Osteopathic Board could meet on their own on a regularly scheduled meeting day but begin an hour early. Ms. Tarr also stated the Board would need to appoint a member to take Dr. Rickman's place alongside the two other members, Ms. Judd and Dr. Bernui. Ms. Judd nominated Dr. Garabedian to join the OBS committee. Dr. Bernui seconded and the motion passed.

The Board reviewed minutes from the Office Based Surgery Committee Meetings from March 6, 2024 and November 13, 2024. Dr. Zieren motioned to approve both sets of minutes, Dr. Bernui seconded and the motion passed.

The Board then reviewed the redline of the OBS rules the Committee had approved so they could continue with the rule making process. Dr. Bernui motioned to approve the OBS redline. Dr. Garabedian seconded and the motion passed.

PUBLIC COMMENTS – No public comments

Meeting adjourned at 12:15 p.m.