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Sequence Number: 09-26-23
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File Date: 9/25/2023

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 Podiatric Medical Examiners
Division:
Contact Person: Ashley L. Fine, Senior Associate Counsel
Address: 665 Mainstream Drive, Nashville, TN 37243
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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
710 James Robertson Parkway,
Address: 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: MetroCenter
Address 2: 665 Mainstream Drive, Poplar Conference Room
City: Nashville, TN
Zip: 37243
Hearing Date: 11/17/2023
Hearing Time: 9:00 A.M. X CST/CDT EST/EDT

Additional Hearing Information:

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 Please make sure that **ALL** new rule and repealed rule numbers are listed in the chart below.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
1155-02	General Rules and Regulations Governing the Practice of Podiatry
Rule Number	Rule Title
1155-02-.06	Fees
1155-02-.11	Retirement and Reactivation of License

Chapter Number	Chapter Title
1155-03	General Rules Governing Podiatry X-Ray Operators
Rule Number	Rule Title
1155-03-.06	Fees

Chapter Number	Chapter Title
1155-04	General Rules Governing Orthotists, Prosthetists, and Pedorthists
Rule Number	Rule Title
1155-04-.09	Fees

Chapter 1155-02
General Rules and Regulations Governing the Practice of Podiatry

Amendments

Rule 1155-02-.06 Fees is amended by deleting subparagraph (4)(c) in its entirety and substituting instead the following language, so that as amended, the new subparagraph shall read:

(4)	Fee Schedule:	Amount
	(c) Renewal (biennial)	\$140.00

Authority: T.C.A. §§ 63-3-106, 63-3-109, 63-3-111, 63-3-112, and 63-3-115.

Rule 1155-02-.11 Retirement and Reactivation of License is amended by deleting subparagraph (3)(a) in its entirety and substituting instead the following language, so that as amended, the new subparagraph shall read:

- (3) (a) Obtain, complete, and submit to the Board's administrative office a reactivation/reinstatement application.

Authority: T.C.A. §§ 63-3-106, 63-3-115, and 63-3-116.

Chapter 1155-03
General Rules Governing Podiatry X-Ray Operators

Amendments

Rule 1155-03-.06 Fees is amended by deleting paragraph (2) in its entirety and substituting instead the following language, so that as amended, the new paragraph shall read:

		Amounts
(2)	Renewal (biennial)	\$15.00

Authority: T.C.A. §§ 63-3-106 and 63-3-125.

Chapter 1155-04
General Rules Governing Orthotists, Prosthetists, and Pedorthists

Amendments

Rule 1155-04-.09 Fees is amended by deleting paragraph (2) in its entirety and substituting instead the following language, so that as amended, the new paragraph shall read:

(2)	Renewal (biennial)	\$80.00
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Authority: T.C.A. §§ 63-3-106, 63-3-202, and 63-3-205.

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: 9/25/2023

Signature: Ashley L. Fine

Name of Officer: Ashley L. Fine

Title of Officer: Senior Associate Counsel, Department of Health

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Filed with the Department of State on: 9/25/2023

Tre Hargett

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Secretary of State

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1155-02-.06 FEES

- (1) The fees are as follows:
 - (a) Academic License fee - A non-refundable fee to be paid by all applicants for an academic license. This fee pays for licensure during the postgraduate training period and the initial period of full licensure.
 - (b) Application fee - A non-refundable fee to be paid by all applicants for licensure except applicants for an academic license, and must be paid each time an application for licensure is filed.
 - (c) Late Renewal fee - A non-refundable fee to be paid when an individual fails to timely renew a license.
 - (d) Renewal fee - A non-refundable fee to be paid by all licensees. This fee also applies to individuals who reactivate a retired or lapsed license.
 - (e) Replacement license fee - A non-refundable fee to be paid when an individual requests a replacement for a lost or destroyed "artistically designed" license.
 - (f) State Regulatory fee - To be paid by all individuals at the time of application and with all renewal applications.
- (2) All fees shall be established by the Board. Fees may be reviewed and changed at the discretion of the Board.
- (3) All fees must be submitted to the board's administrative office by certified, personal check or money order. Checks or money orders are to be made payable to the Board of Registration in Podiatry.
- (4) Fee Schedule:

	Amount
(a) Academic License	\$440.00
(b) Application	\$440.00
(c) Renewal (biennial)	\$275.00 <u>\$140.00</u>
(d) Late Renewal	\$150.00
(e) Replacement License	\$ 25.00
(f) State Regulatory (biennial)	\$ 10.00

Authority: T.C.A. §§ ~~4-3-1011, 4-5-202, 4-5-204, 63-1-103, 63-1-107,~~ 63-3-106, ~~63-3-106(1),~~ 63-3-109, 63-3-111, 63-3-112, ~~63-3-114, 63-3-115,~~ and 63-3-115~~63-3-116.~~

1155-02-.11 RETIREMENT AND REACTIVATION OF LICENSE

- (1) A person who holds a current license and does not intend to practice as a "licensed podiatrist" may apply to convert an active license to inactive ("retired") status. An individual who holds a retired license will not be required to pay the renewal fee.
- (2) A person who holds an active license may apply for retired status in the following manner:

- (a) Obtain, complete, and submit to the Board's administrative office an affidavit of retirement form.
 - (b) Submit any documentation which may be required to the Board's administrative office.
- (3) A licensee whose license has been retired may re-enter active status by doing the following:
- (a) Obtain, complete, and submit to the Board's administrative office a reactivation/reinstatement application.
 - (b) Pay the licensure renewal fees and state regulatory fees as provided in rule 1155-02-.06. If retirement reactivation is requested prior to the expiration of one year from the date of retirement, the Board will require payment of the late renewal fee and past due renewal fees.
 - (c) Submit verification of successful completion of continuing medical education hours, pursuant to rule 1155-02-.12.
 - (d) Retake and pass the Board's oral exam if the license has been retired for five (5) years or more.
 - (e) An individual who has a podiatry license that has been retired for at least twelve (12) months shall submit to a criminal background check and cause the results to be submitted to the Board office before the license can be reactivated.
- (4) Licensure reactivation applications shall be treated as licensure applications, and review decisions shall be governed by rule 1155-02-.07.

Authority: T.C.A. §§ ~~4-5-202, 4-5-204~~, 63-3-106, 63-3-115, and 63-3-116.

1155-03-.06 FEES

	Amounts
(1) Application	\$50.00
(2) Renewal (biennial)	\$ 30.00 <u>15.00</u>
(3) Late Renewal	\$20.00
(4) State Regulatory (biennial)	\$10.00

Authority: T.C.A. §§ ~~4-3-1011, 4-5-202, 4-5-204~~, 63-3-106, and 63-3-125.

1155-04-.09 FEES

All fees except the State Regulatory fee are non-refundable.

(1) Application	\$300.00
(2) Renewal (biennial)	\$ 160.00 <u>80.00</u>
(3) Late Renewal	\$100.00

(4)	Reinstatement	\$300.00
(5)	Duplicate or Replacement License	\$25.00
(6)	Continuing Education Course Accreditation	\$50.00
(7)	State Regulatory (biennial)	\$10.00
(8)	Orthotic/Prosthetic Residency Registration	\$10.00

Authority: T.C.A. §§ ~~4-5-202~~, ~~4-5-204~~, 63-3-106, ~~63-3-106(1)~~, 63-3-202, ~~63-3-203~~, ~~63-3-205~~, and [63-3-205](#)~~63-3-214~~.