

MINUTES
RULEMAKING HEARING by TELECONFERENCE
TENNESSEE BOARD OF DENTISTRY

Date: October 2, 2009

Location: Tennessee Department of Health
227 French Landing, Iris Room
Heritage Place Metro Center
Nashville TN 37243

Members Connected: Ruth Bailey, Vice-Chair
John M. Douglass, D.D.S.,
Katherine H. Cherry, R.D.H.
Isaac Fordjour, D.D.S.
Lawrence Hsia, D.M.D.
Betty Gail Fox, R.D.A.
James L. Smith, D.D.S.
Marlene Fullilove, R.D.H.
Agnes S. Young, Consumer Member

Staff Present: Alison Cleaves, Chief Deputy General Counsel
Miryam Kasee, Office of General Counsel
Sue Kerley, Board Administrator

Dr. Ruth Bailey determined that a quorum was present by teleconference to conduct a rulemaking hearing. The meeting was called to order at 12:05 p.m. to reconsider the promulgation of amendments to rules pursuant to Public Chapter 1035 of the Public Acts of 2008. Under consideration was Board of Dentistry Rule 0460-02-.14 Tamper-Resistant Prescriptions.

Ms. Marline Fullilove made a motion that the subject matter required timely action, that the physical presence of all members was not possible considering the period of time required for action, and that the participation by the members of the Board by electronic or other means was necessary. Second was given by Ms. Fox. The motion carried.

Alison Cleaves presented comments from the Tennessee Medical Association (TMA) regarding the definition of "prescriber" in section (2)(b) of Rule 0460-02-.14. The TMA requested the Board change the definition as it specifically relates to "advanced practice nurse with a certificate of fitness to prescribe" to "nurse practitioner with certificate of fitness to prescribe".

After discussion, Dr. John Douglass made a motion to maintain the verbage as presented and voted on at the Rulemaking Hearing held July 31, 2009, with no changes. Second was given by Ms. Fox. The motion carried by role call vote.

The Rulemaking Hearing adjourned at 12:15 p.m.