

**Department of State****Division of Publications**

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**For Department of State Use Only**

Sequence

Number: 07-20-09

Rule ID(s): 4261-4262

File Date: 07/28/2009

Effective Date: 10/26/2009

**Rulemaking Hearing Rule(s) Filing Form****Agency/Board/Commission:** Tennessee Department of Finance and Administration**Division:** Bureau of TennCare**Contact Person:** George Woods**Address:** Bureau of TennCare  
310 Great Circle Road  
Nashville, Tennessee**Zip:** 37243**Phone:** (615)507-6446**Email:** George.woods@state.tn.us**Revision Type (check all that apply):**☒ Amendments☐ New☐ Repeal**Chapter Number Chapter Title**

1200-13-13 TennCare Medicaid

**Rule Number Rule Title**

1200-13-13-.10 Exclusions

**Chapter Number Chapter Title**

1200-13-14 TennCare Standard

**Rule Number Rule Title**

1200-13-14-.10 Exclusions

Chapter 1200-13-13

TennCare Medicaid

Amendment

Subparagraph (b) of paragraph (3) of rule 1200-13-13-.10 Exclusions is amended by adding a new part 57. and the current part 57. is renumbered as part 58. and subsequent parts are renumbered accordingly so as amended the new part 57. shall read as follows:

57. Prophylactic use of stainless steel crowns

Statutory Authority: T.C.A. §§ 4-5-202, 71-5-105, 71-5-109.

Chapter 1200-13-14  
TennCare Standard

Amendment

Subparagraph (b) of paragraph (3) of rule 1200-13-14-.10 Exclusions is amended by adding a new part 57. and the current part 57. is renumbered as part 58. and subsequent parts are renumbered accordingly so as amended the new part 57. shall read as follows:

57. Prophylactic use of stainless steel crowns

Statutory Authority: T.C.A. §§ 4-5-202, 71-5-105 and 71-5-109.

GW1019131

Signature of the agency officer or officers directly responsible for proposing and/or drafting these rules.

Darin J. Gordon  
Darin J. Gordon  
Director, Bureau of TennCare  
Tennessee Department of Finance and Administration

I certify that this is an accurate and complete copy of rulemaking hearing rules, lawfully promulgated and adopted by the Tennessee Department of Finance and Administration on 6/4/09 (mm/dd/yyyy), and is in compliance with the provisions of T.C.A 4-5-222.

I further certify the following:

Notice of Rulemaking Hearing filed with the Department of State on: 03/09/09

Notice published in the Tennessee Administrative Register on: 04/15/09

Rulemaking Hearing(s) Conducted on: (add more dates). 05/18/09

Date: 6/4/09

Signature: M. D. Goetz

Name of Officer: M. D. Goetz, Jr.

Title of Officer: Commissioner

Subscribed and sworn to before me on: 6-4-09

Notary Public Signature: Pat Pentecost

My commission expires on: 1-3-2011



All rulemaking hearing rules provided for herein have been examined by the Attorney General and Reporter of the State of Tennessee and are approved as to legality pursuant to the provisions of the Administrative Procedures Act, Tennessee Code Annotated, Title 4, Chapter 5.

Robert E. Cooper, Jr.  
Robert E. Cooper, Jr.  
Attorney General and Reporter  
7-26-09  
Date

Department of State Use Only

Filed with the Department of State on: 7/28/09

Effective on: 10/26/09

SECRETARY OF STATE  
PUBLICATIONS

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Tre Hargett  
Tre Hargett  
Secretary of State

Rules 1200-13-13-.10(3)(b)57. Exclusions – TennCare Medicaid; 1200-13-14-.10(3)(b)57. Exclusions – TennCare Standard

Statement of Economic Impact to Small Businesses

1. Name of Bureau: Bureau of TennCare
2. Rulemaking Hearing Date: May 18, 2009
3. Types of small Businesses that will be directly affected by, bear cost of, and or directly benefit from the proposed rules: None
4. A description of how small businesses will be adversely impacted: Not Applicable
5. Whether, and to what extent, alternative means exist for accomplishing the objectives of the proposed rule that might be less burdensome to small businesses, and why such alternatives are not being proposed: Not Applicable
6. A comparison of the proposed rule with federal or state counterparts: These rules are being promulgated to point out that prophylactic use of stainless steel crowns are excluded from coverage because it does not satisfy the criteria for coverage under TennCare's medical necessity criteria. There are no federal or state counterparts.

GW1029061

## Agency Rule Review

Rule 1200-13-13-.10(3)(b)57. Exclusions – TennCare Medicaid; 1200-13-14-.10(3)(b)57. Exclusions – TennCare Standard.

1. These rules are being promulgated to point out that prophylactic use of stainless steel crowns are excluded from coverage because it does not satisfy the criteria for coverage under TennCare's medical necessity criteria.
2. Rules 1200-13-13-.10(3)(b)57.; 1200-13-14-.10(3)(b)57. are lawfully promulgated and adopted by the Department of Finance and Administration in accordance with Tennessee Code Annotated §§ 4-5-202, 71-5-105 and 71-5-109.
3. The persons or entities most directly affected by these rules are the recipient, the provider and the Tennessee Department of Finance and Administration.
4. Rules 1200-13-13-.10(3)(b)57.; 1200-13-14-.10(3)(b)57. were reviewed and approved by the Tennessee Attorney General. No additional opinion was given or requested.
5. The promulgation of these rules is not anticipated to have an effect on state and local government revenues and expenditures.
6. Agency representative shall be:  
  
Name:       Darin J. Gordon  
              Director, Bureau of TennCare  
              310 Great Circle Road  
              Nashville, TN 37243  
              Phone (615) 507-6443
7. Person explaining rule at GOC:  
  
Name:       Darin J. Gordon  
              Director, Bureau of TennCare  
              310 Great Circle Road  
              Nashville, TN 37243  
              Phone (615) 507-6443
8. None.

GW1019134

Summary of Public Comments  
Rules 1200-13-13-.10(3)(b)57. Exclusions – TennCare Medicaid and 1200-13-14-.10(3)(b)57.  
Exclusions - TennCare Standard

There were no public comments on these rules.