



# Consistent Words Inconsistent Interpretations

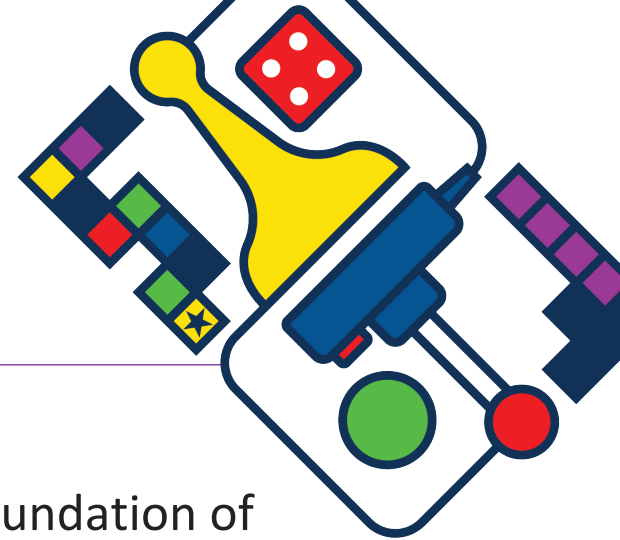
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MAY 3, 2024

1:30PM – 2:30PM

# Consistent words, inconsistent interpretations: Uniformity and a healthy respect for state and provincial rights

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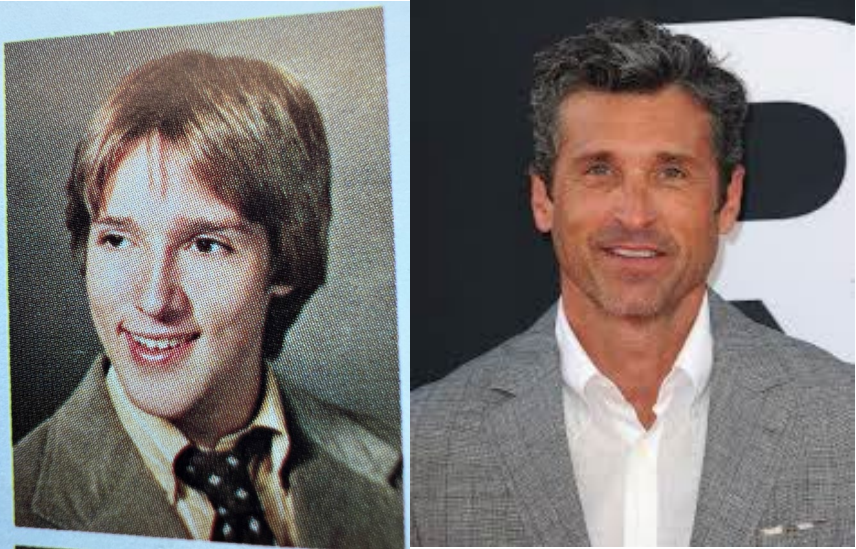
Educations, examination, and experience (the three Es) have long been the foundation of consistent regulation across professions. This session will take a look at how jurisdictions work to maintain consistent regulation while navigating the inconsistencies and interpretations that emerge from varying laws and regulations in North America.

1. Participants will better understand state and provincial rights.
2. Participants will better understand the three Es and their importance in regulatory consistency.
3. Participants will better understand regulatory consistencies and inconsistencies in North America.

# Dale Atkinson, Esq.



***MINDS SHARED***



18 years old

Now



- ASWB
- FCLB
- ARBO
- ASPPB
- FSBPT
- AAVSB
- FSMTB
- ICFSEB
- NMTCB
- LEARN
- JRCERT
- NWRP
- JFCFSF

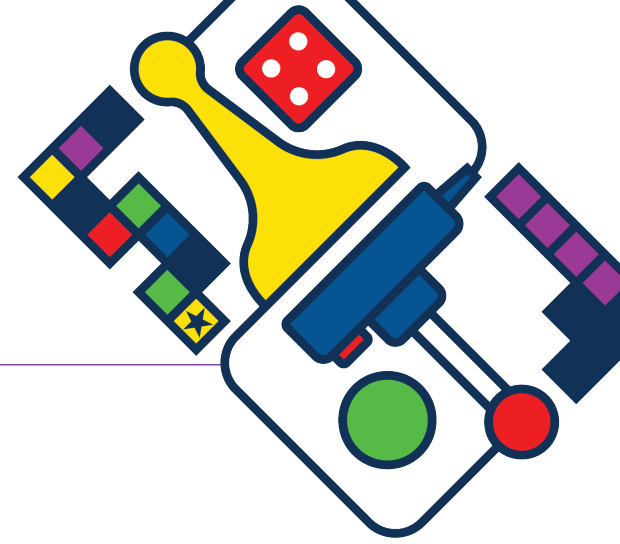


27 YEARS OLD

57 YEARS OLD

# Topic:

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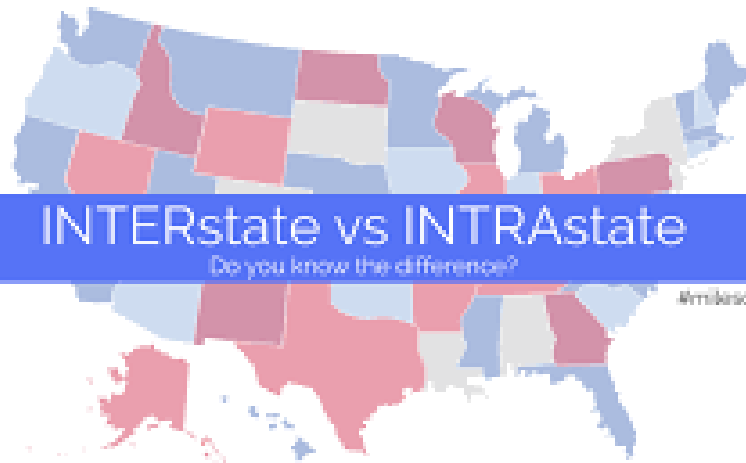
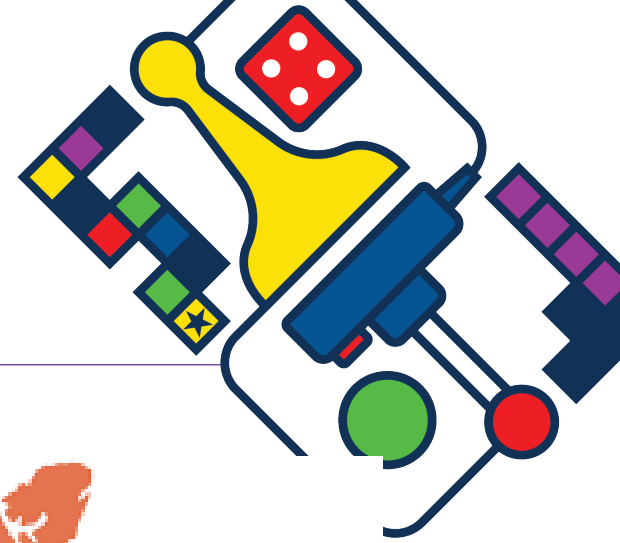
Consistent Words:  
Inconsistent Interpretations

Inconsistent Words:  
Consistent Interpretations

Notice the puzzle theme??!!



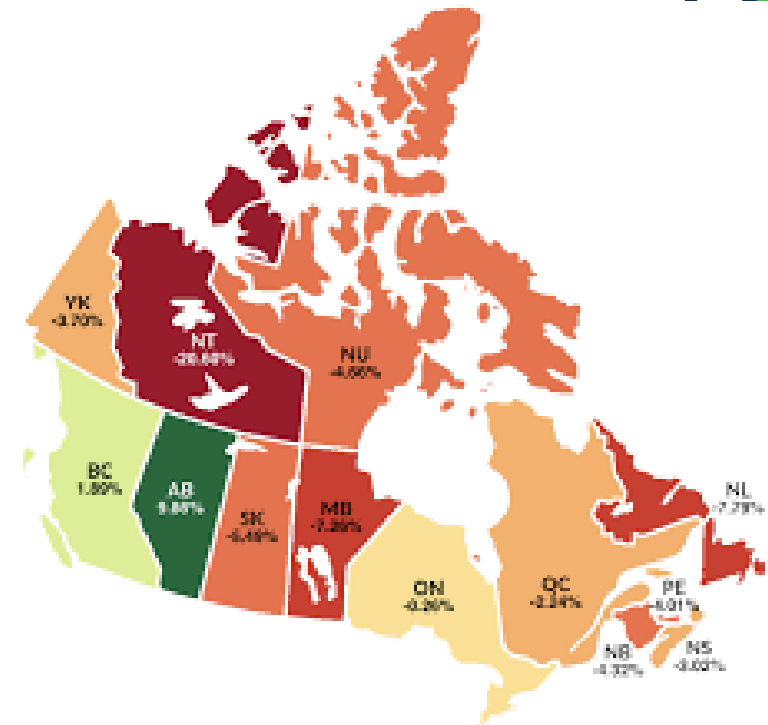
# Intrastate/Intraprovincial



INTERstate vs INTRAstate

Do you know the difference?

#miksofttraining



YK  
-1.70%

NT  
-28.88%

NU  
-4.60%

BC  
1.85%

AB  
9.88%

SK  
-6.44%

MB  
-7.28%

ON  
-6.26%

QC  
-13.14%

NB  
-4.33%

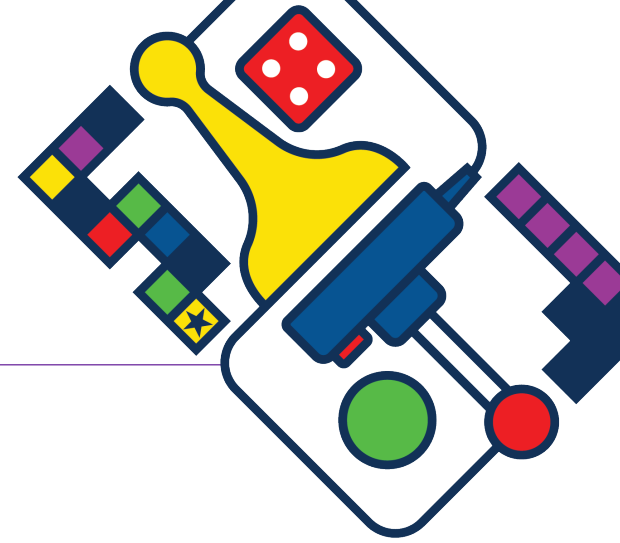
NS  
-6.02%

PE  
-6.01%

NL  
7.78%

# Legislative Declaration Statement of Purpose

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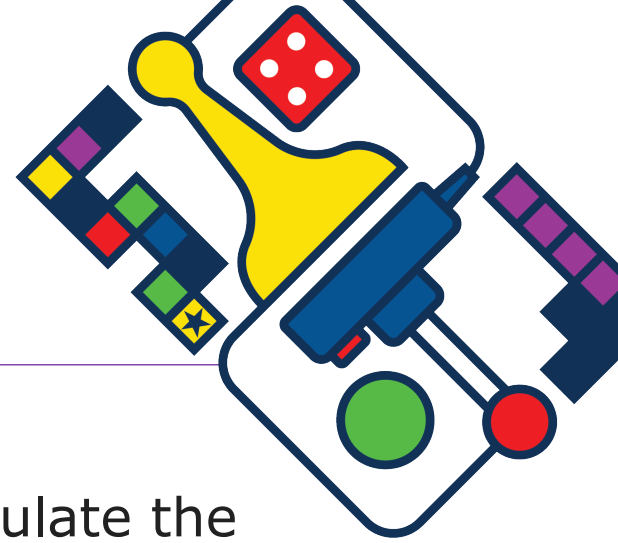


*Be it enacted by the General Assembly of the State of Colorado:*

**SECTION 1. Legislative declaration.** (1) The general assembly finds that:

# Tennessee Pharmacy Practice Act

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63-10-203. Statement of purpose.

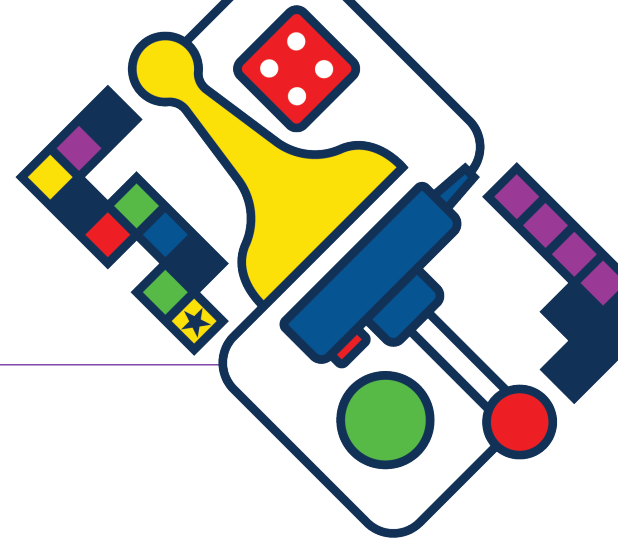
**(a)** The purpose of parts 2-5 of this chapter is to define and regulate the practice of pharmacy to protect the health, safety and welfare of the people of Tennessee.

**(b)** The persons engaged in the practice of pharmacy shall be pharmacists, duly recognized by the state as necessary health care providers, and shall be entrusted through parts 4-6 of this chapter with a provision of care intended to enhance patients' wellness, prevent illness and optimize outcomes.



# Tennessee Veterinary Practice Act

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63-12-102. Purpose of chapter.

It is hereby declared that the practice of veterinary medicine is a privilege that is granted by legislative authority in the interest of the public health, safety and welfare. To protect the public from being misled by incompetent, unscrupulous and unauthorized practitioners and from unprofessional or illegal practices by persons licensed to practice veterinary medicine, this chapter is enacted in the interest of the health, safety and welfare of the animal population and the citizens of Tennessee.

# Tennessee Social Work Practice Act

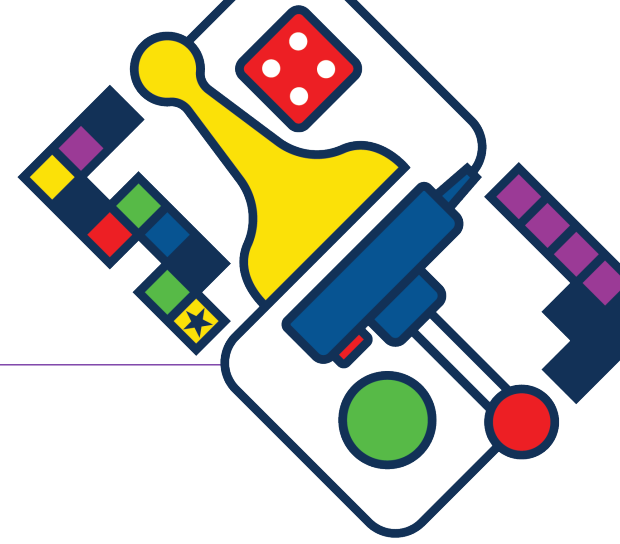
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No statement of purpose or legislative declaration



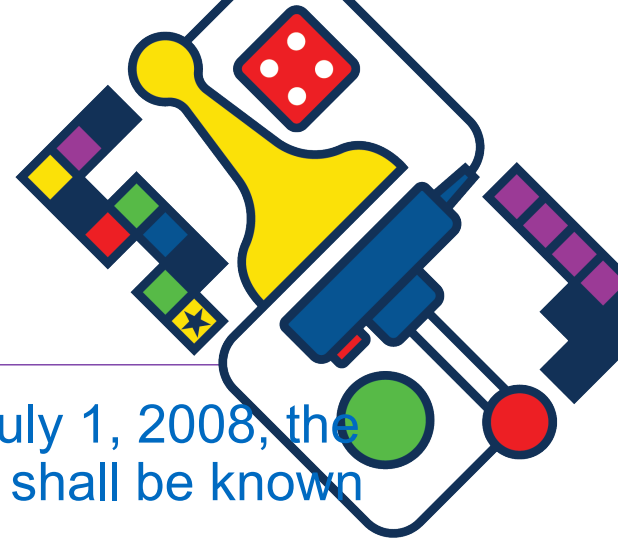
# Board Composition

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# Tennessee Social Work Practice Act

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(a) There is created the board of social worker licensure. On and after July 1, 2008, the former board of social worker certification and licensure is renamed and shall be known as the board of social worker licensure.

(b)

(1) On and after July 1, 2008, the board shall consist of eleven (11) members, one (1) of whom shall be a representative of the public, having neither a direct nor an indirect association with the social work profession, and each of the remainder shall be social workers who possess the qualifications specified in §§ 63-23-102 — 63-23-105. **The board shall at all times be composed of two (2) licensed baccalaureate social workers, two (2) licensed master's social workers, three (3) licensed advanced practice social workers and three (3) licensed clinical social workers, all of whom shall be residents of the state, and who shall be appointed by the governor.**

# Tennessee Nursing Practice Act

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63-7-202. Composition — Candidates — Qualifications — Vacancies.

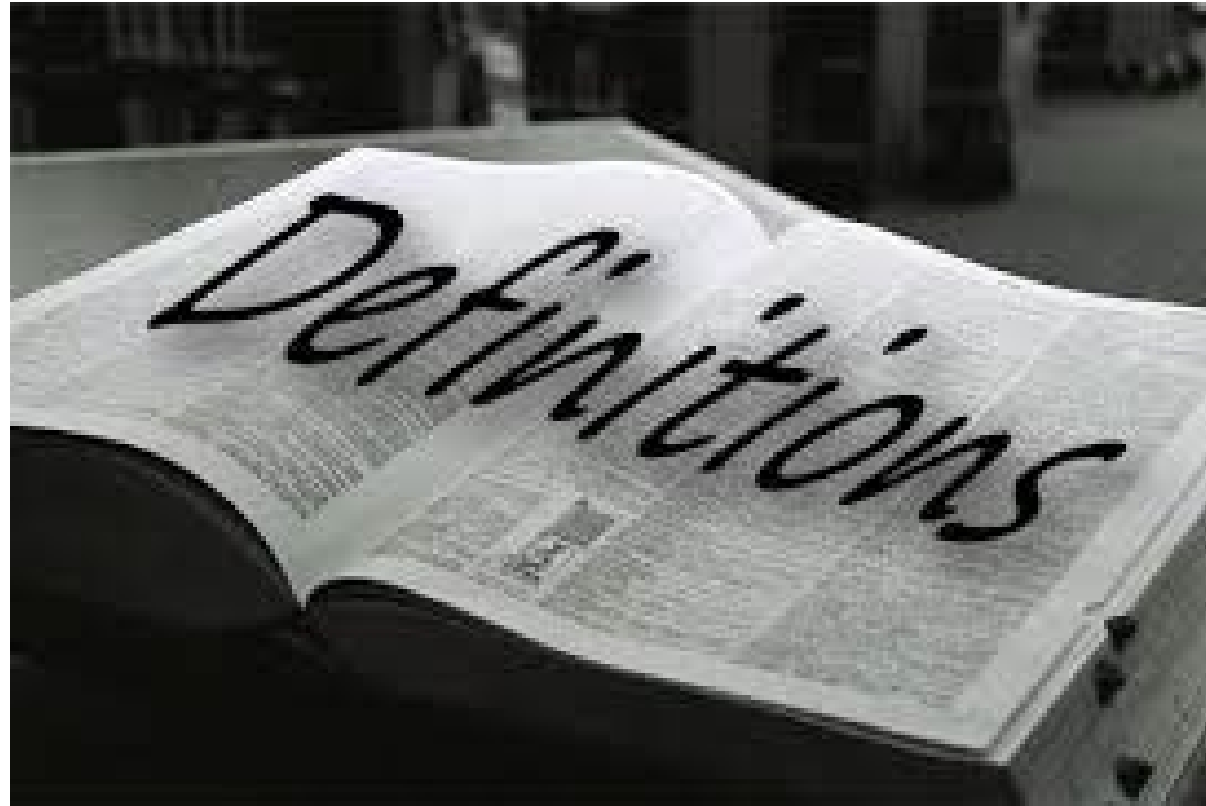
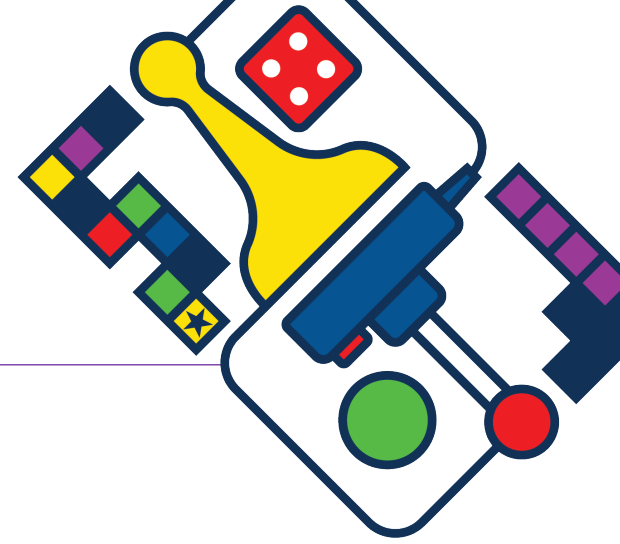
(a) **The governor shall appoint eleven (11) members to the board**, as follows:

- (1) Nine (9) members, one (1) from each congressional district, who are either an advanced practice registered nurse or a registered nurse at the time of their appointment. At least two (2) members shall be registered nurses. At least three (3) members shall be advanced practice registered nurses. For the purposes of this section, an advanced practice registered nurse shall not include registered nurses;
- (2) One (1) member who is a licensed practical nurse at the time of such nurse's appointment; and
- (3) One (1) consumer member.



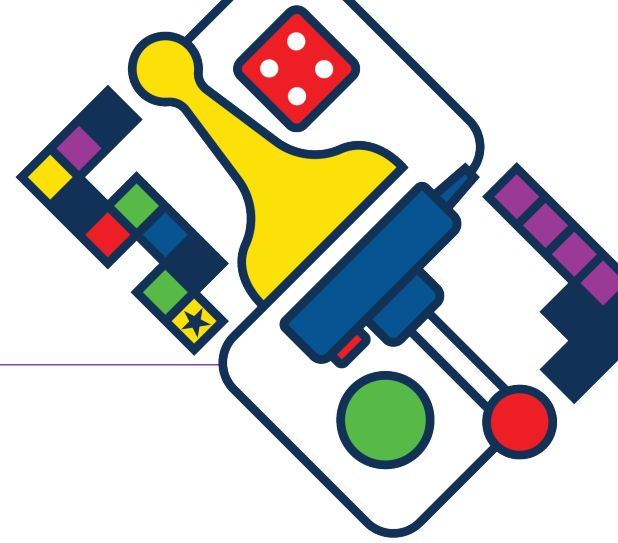
# Definitions

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# Tennessee Optometry Practice Act

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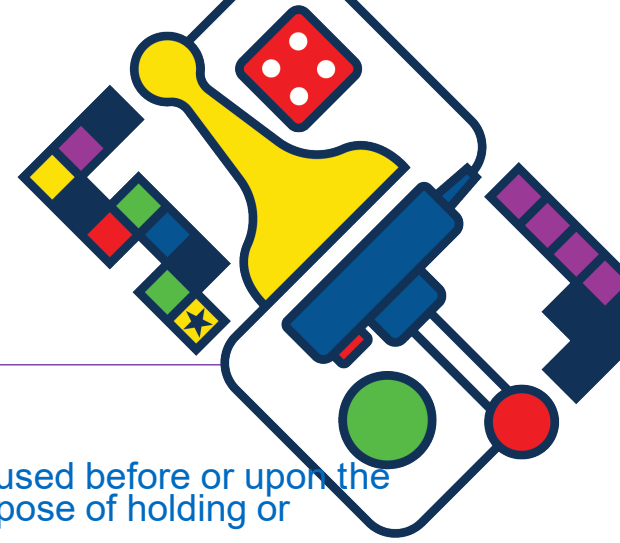
63-8-102. Chapter definitions.

As used in this chapter unless the context otherwise requires:

- (1) “Board” means the board of optometry created by this chapter or similar boards created by the optometry law of other states;
- (2) “Certificate of fitness” means the certificate issued by the board certifying to the division that the person therein named has met the requirements of this chapter and passed the standard examination given by the board;
- (3) “Certificate of registration” means the certificate issued by the division of health related boards under chapter 1 of this title;
- (4) “Division” means the division of health related boards in the department of health;
- (5) “Itinerant certificate” means a certificate issued to an itinerant optometrist;
- (6) “Itinerant optometrist” means an optometrist who maintains an office at a location other than such optometrist's principal office;
- (7) “Muscular anomalies” means any deviation from the normal standard;
- (8) “Objective method” means examination for observing symptoms and/or signs with various instruments and techniques that the optometrist finds by means of one (1) or more of the optometrist's five (5) senses; an examination of the eye or eyes conducted by an optometrist, independent of the patient's statements;

# Optometry — CONT.

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63-8-102. Chapter definitions.

- (9) “Ophthalmic materials” means any lens that has a spherical, cylindrical or prismatic power or value used before or upon the eye, any contact lens that has no prescription power and any frame or other appliance used for the purpose of holding or positioning any ophthalmic lenses before the eyes;
- (10) “Optometrist” means a person who is engaged in the practice of optometry as defined;
- (11) “Orthoptic training” means any ocular exercise for the correction or relief of abnormal muscles or functions of the eyes;
- (12) “Practice of optometry as a profession” means:
- (A) The employment of objective or subjective methods, either or both, for the purpose of ascertaining defects of vision or muscular anomalies or other abnormal conditions of the eyes;
  - (B) The prescribing of ophthalmic lenses or prisms to remedy or relieve defects of vision or muscular anomalies and the prescribing of contact lenses, including those with prescription power and those without prescription power which are worn for cosmetic purposes;
  - (C) The orthoptic training, the adjusting or fitting or adapting of lenses or prisms or eyeglasses or spectacles to remedy or relieve defects of vision or muscular anomalies; or
  - (D) The supplying, replacement or duplication of an ophthalmic lens or frame; and



# Optometry – CONT.

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63-8-102. Chapter definitions.

(i) One who is engaged in the practice of optometry as a profession as defined in this subdivision (12) and who has sufficient education and professional competence, as determined by the board, is authorized to examine, diagnose, manage and treat conditions and diseases of the eye and eyelid including:

(a) The administration and prescribing of pharmaceutical agents rational to the diagnosis and treatment of conditions or diseases of the eye or eyelid;

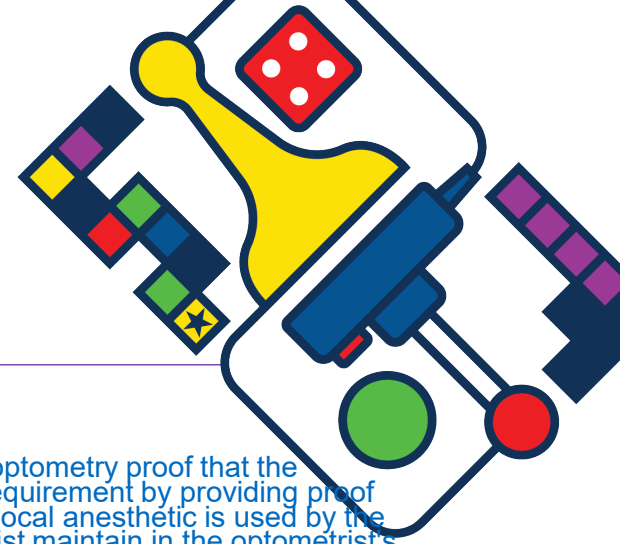
(b) The performance of primary eye care procedures rational to the treatment of conditions or diseases of the eye or eyelid as determined by the board;

(c) The performance or ordering of procedures and laboratory tests rational to the diagnosis of conditions or diseases of the eye or eyelid;

(d) Additionally, the authority to administer benadryl, epinephrine or equivalent medication to counteract anaphylaxis or anaphylactic reaction; and

(1) The use of a local anesthetic in conjunction with the primary care treatment of an eyelid lesion; provided, however, that no optometrist shall use a local anesthetic for this purpose unless that optometrist has met the certification requirements set forth in § 63-8-112(4) and in the rules of the board of optometry for the administration of pharmaceutical agents in the performance of primary eye care procedures. Nothing in this subdivision (12)(E)(i)(e) shall be construed as allowing an optometrist to perform any reconstructive surgical procedure on the eyelid. Nothing in this subdivision (12)(E)(i)(e) shall be construed as allowing an optometrist to perform any procedure not approved by the board of optometry prior to April 8, 2014;

# Optometry — CONT.



63-8-102. Chapter definitions.

(3) An optometrist who uses a local anesthetic in the manner allowed by this subdivision (12)(E)(i)(e) shall provide to the board of optometry proof that the optometrist has current CPR certification by an organization approved by the board; provided, that the optometrist may meet this requirement by providing proof to the board that another person who has current CPR certification will be present in the office of the optometrist at all times that a local anesthetic is used by the optometrist in conjunction with the treatment of an eyelid lesion. Compliance with this provision shall also require that the optometrist maintain in the optometrist's office an AED at all times that a local anesthetic is administered by the optometrist;

(ii) All optometrists practicing in this state are prohibited from using nondiagnostic ophthalmic lasers. All optometrists practicing in this state are also prohibited from performing cataract surgery or any surgical procedure requiring other than a topical anesthetic. All optometrists practicing in this state are also prohibited from performing radial keratotomy;

(iii) Any optometrist practicing under the authority of this section shall be held to the same standards of care as that of other physicians providing similar services. No optometrist shall practice under this section unless and until the optometrist has submitted to the board evidence of satisfactory completion of all education requirements of § 63-8-112 and has been certified by the board as educationally qualified;

(iv) One who is engaged in the practice of optometry as a profession, as hereinabove defined, and who has sufficient education and professional competence, as determined by the board, and who has transcript credit of at least six (6) quarter hours in a course or courses in general and ocular pharmacology, with particular emphasis on diagnostic pharmaceutical agents applied topically to the eye, from a college or university accredited by a regional or professional accreditation organization that is recognized or approved by the board, is authorized to utilize in connection therewith diagnostic pharmaceutical agents (miotics, mydriatics, cycloplegics and anesthetics) applied topically only;

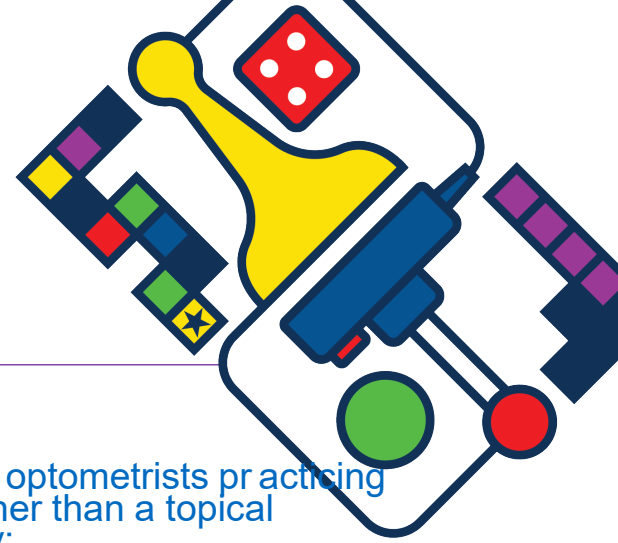
(13) "Principal office" means the office location so designated by the optometrist involved; provided, that such office is the location at which the optometrist engages in the majority of the optometrist's practice;

(14) "Standard examination" means the examination prescribed by § 63-8-115; and

(15) "State" means any of the fifty (50) states of the union, the District of Columbia and territories of the United States.

# Optometry – CONT.

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63-8-102. Chapter definitions.

- (ii) All optometrists practicing in this state are prohibited from using nondiagnostic ophthalmic lasers. All optometrists practicing in this state are also prohibited from performing cataract surgery or any surgical procedure requiring other than a topical anesthetic. All optometrists practicing in this state are also prohibited from performing radial keratotomy;
- (iii) Any optometrist practicing under the authority of this section shall be held to the same standards of care as that of other physicians providing similar services. No optometrist shall practice under this section unless and until the optometrist has submitted to the board evidence of satisfactory completion of all education requirements of § 63-8-112 and has been certified by the board as educationally qualified;
- (iv) One who is engaged in the practice of optometry as a profession, as hereinabove defined, and who has sufficient education and professional competence, as determined by the board, and who has transcript credit of at least six (6) quarter hours in a course or courses in general and ocular pharmacology, with particular emphasis on diagnostic pharmaceutical agents applied topically to the eye, from a college or university accredited by a regional or professional accreditation organization that is recognized or approved by the board, is authorized to utilize in connection therewith diagnostic pharmaceutical agents (miotics, mydriatics, cycloplegics and anesthetics) applied topically only;
- (13) “Principal office” means the office location so designated by the optometrist involved; provided, that such office is the location at which the optometrist engages in the majority of the optometrist's practice;
- (14) “Standard examination” means the examination prescribed by § 63-8-115; and
- (15) “State” means any of the fifty (50) states of the union, the District of Columbia and territories of the United States.

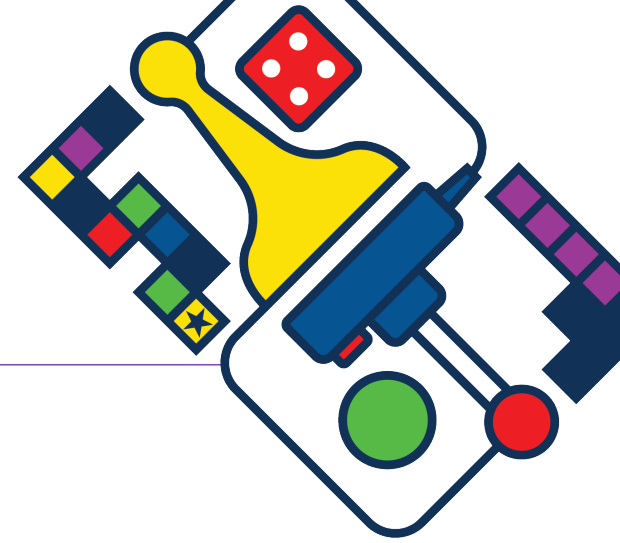
# Tennessee Podiatric Practice Act

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63-3-102. Chapter definitions.

As used in this chapter, unless the context otherwise requires:

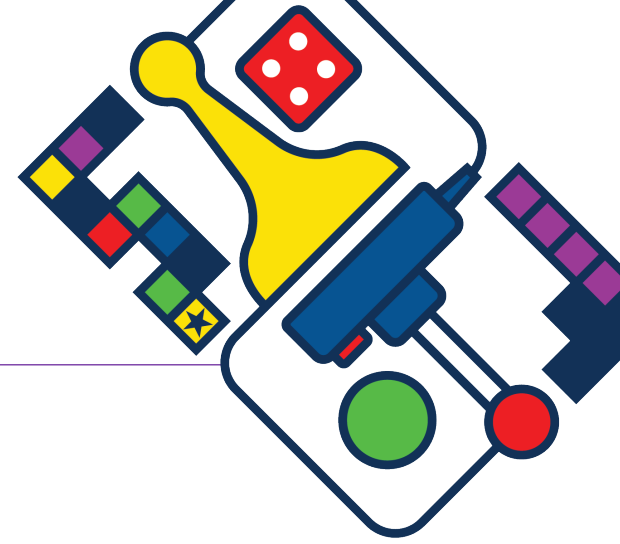
- (1) “Board” means the board of podiatric medical examiners; and
- (2) “Division” means the division of health related boards of the department of health.



# Tennessee Social Work Practice Act

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No definitions section



# Consistency/Consistent

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Intrastate-Why are the practice acts so different?

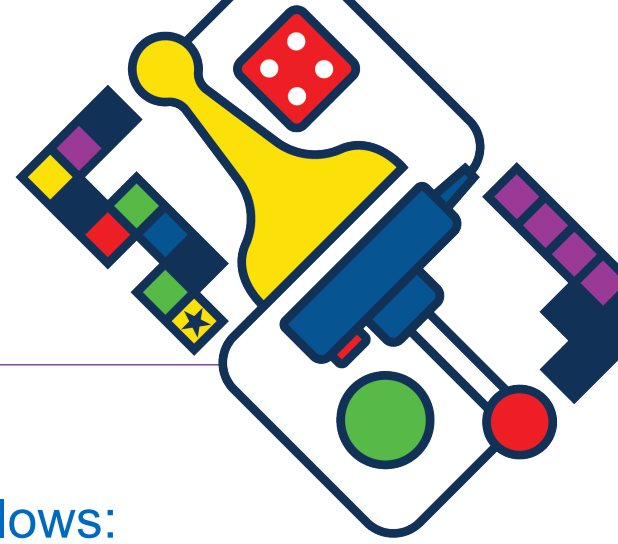
# ASWB Model Social Work Practice Act

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# Tennessee Nursing Practice Act

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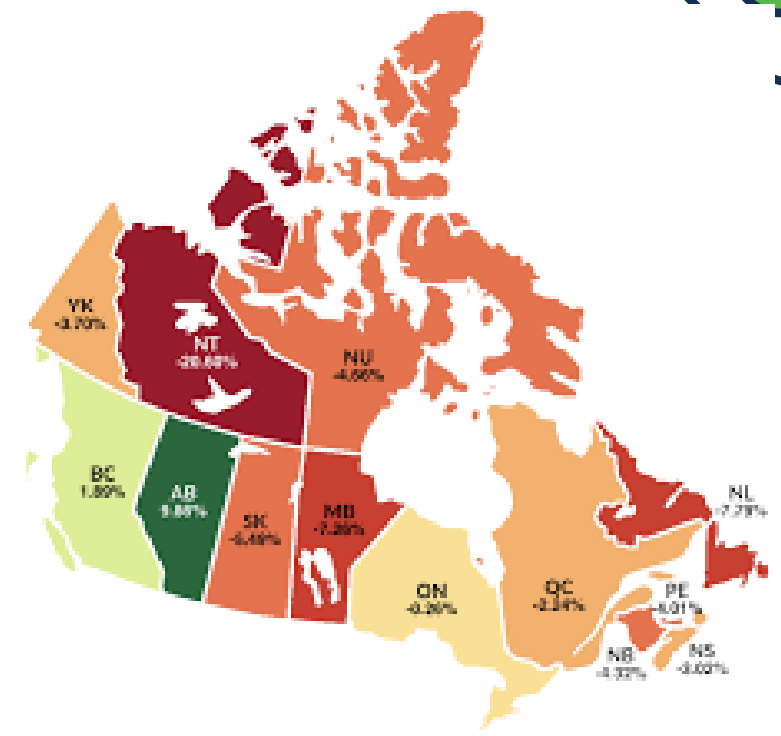
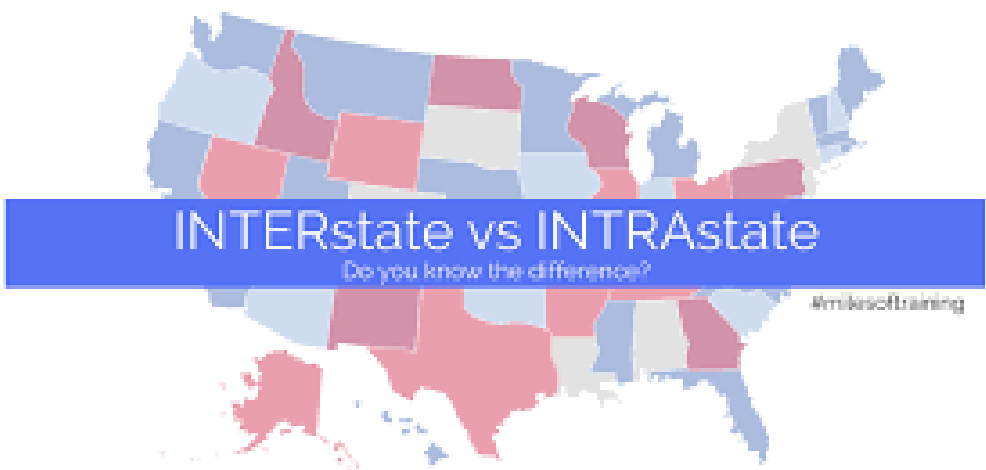
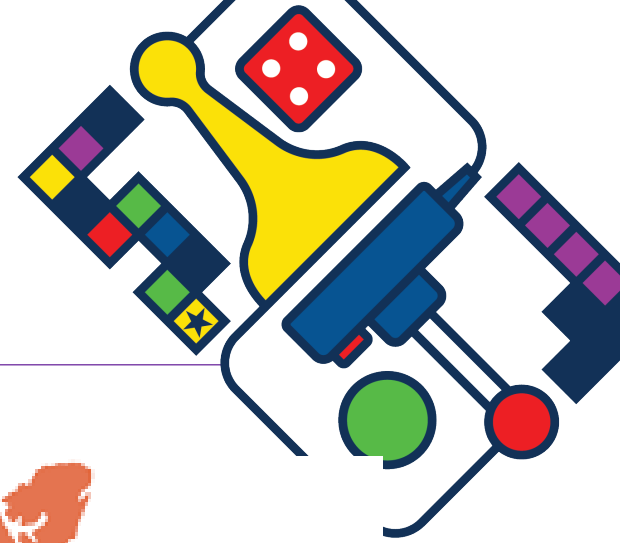
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- (3) One (1) consumer member.



# Interstate/Interprovincial



# ASWB Model Social Work Practice Act

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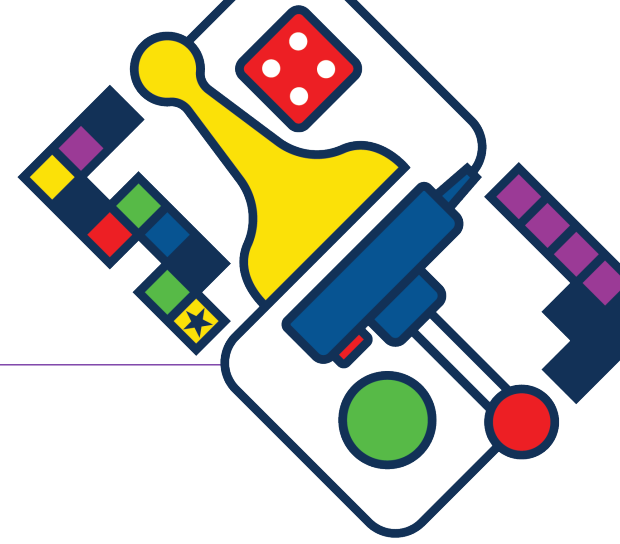
Read it.

Resource for Member Boards

Use it to your advantage

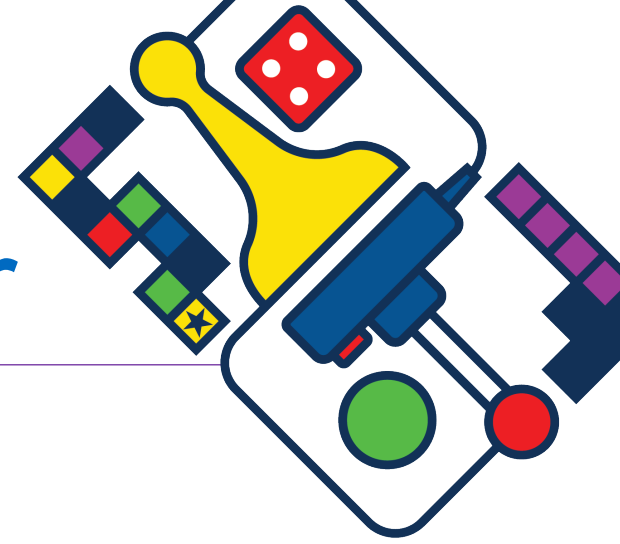
# Revocation

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# Surrender/Voluntary Surrender

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THERE'S  
NO SUCH  
THING

G I V E  
B A C K



# Endorsement/Reciprocity

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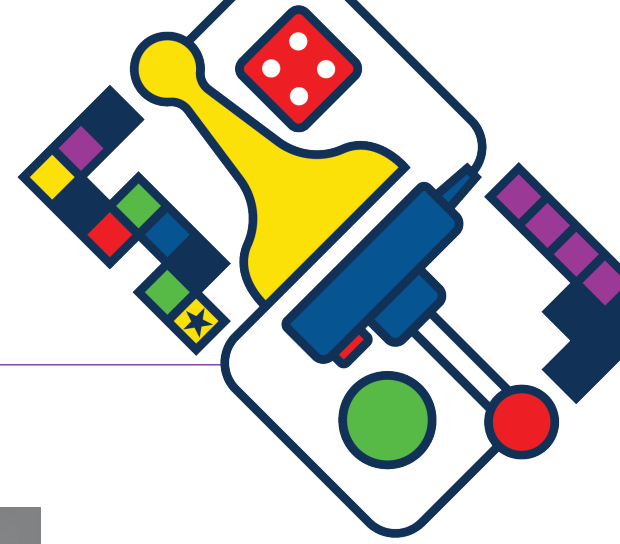


ENDORSEMENT



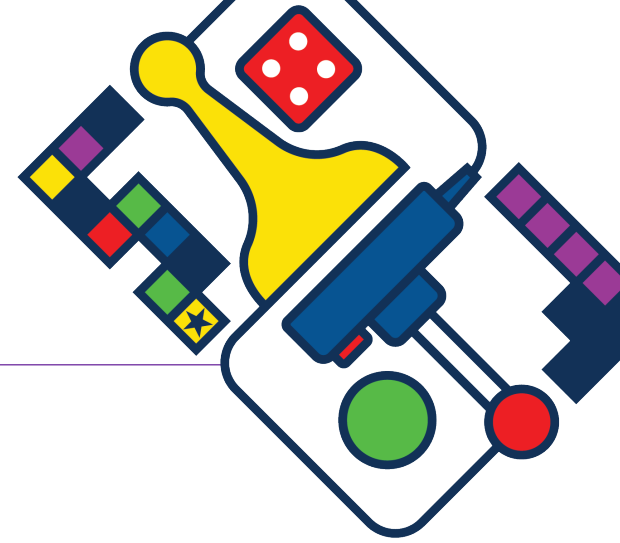
# Unprofessional Conduct

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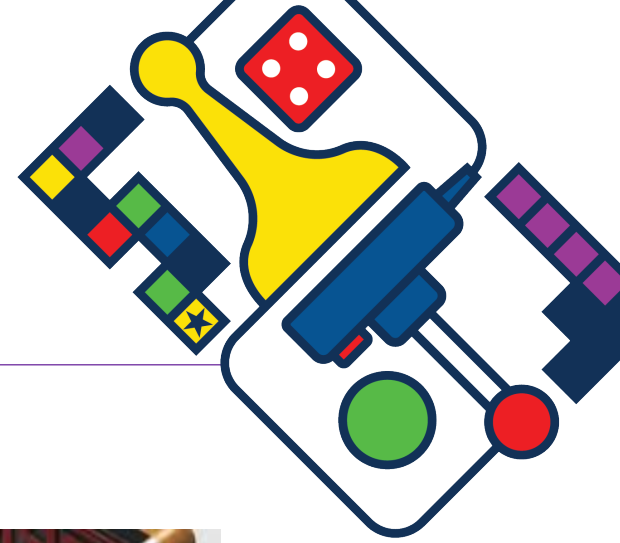
# Good Moral Character

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# Lapsed/Expired/Terminated....

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**EXPIRED**

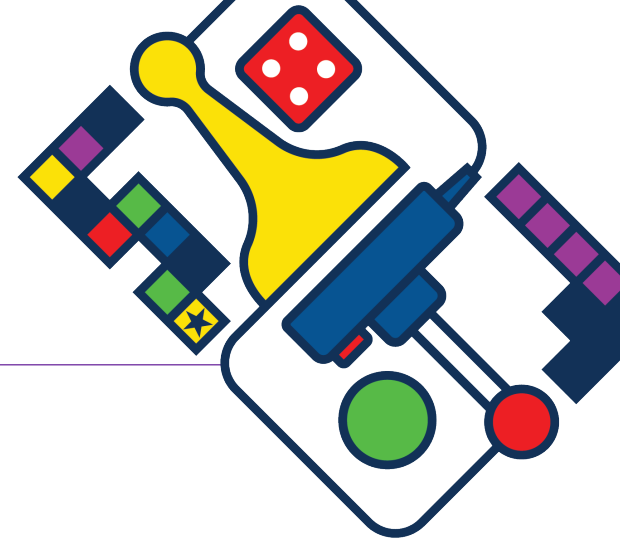


Lapsed



# Speaking of lapsed.....

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many  
thanks

