

**63-3-201. Part definitions.**

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

- (1) "Board" means the board that licenses and regulates podiatrists in Tennessee in part 1 of this chapter;
- (2) "Commissioner" means the commissioner of health;
- (3) "Custom fabricated and fitted device" means an orthosis, prosthesis or pedorthic device that is fabricated to original measurements or to a mold for use by a patient in accordance with a prescription from a health care practitioner authorized by law to write such prescriptions and that requires substantial clinical and technical judgment in its design and fitting;
- (4) "Custom fitted device" means a prefabricated orthosis, prosthesis or pedorthic device sized or modified for use by the patient in accordance with a prescription from a health care practitioner authorized by law to write such prescriptions that requires substantial clinical judgment and substantive alteration for appropriate use;
- (5) "Department" means the department of health;
- (6) "Director" means the director of the division of health related boards;
- (7) "Division" means the division of health related boards;
- (8) "Facility" means the business location where orthotic, prosthetic or pedorthic care is provided. In the case of an orthotic/prosthetic facility, the orthotic/prosthetic facility has the appropriate clinical and laboratory space and equipment to provide comprehensive orthotic or prosthetic care; and, in the case of a pedorthic facility, the pedorthic facility has the appropriate clinical space and equipment to provide pedorthic care. Licensed orthotists, prosthetists and pedorthists must be available to either provide care or to supervise the provision of care by nonlicensed staff;
- (9) "Licensed orthotist" means a person who is licensed under this part to practice orthotics and who represents the person to the public by title or description of services that includes the term "orthotic," "orthotist," "brace" or a similar title or description of services;
- (10) "Licensed pedorthist" means a person who is licensed under this part to practice pedorthics and who represents the person to the public by the title or description of services that includes the term "pedorthic," "pedorthist" or a similar title or description of services;
- (11) "Licensed prosthetist" means a person who is licensed under this part to practice prosthetics and who represents the person to the public by title or description of services that includes the term "prosthetic," "prosthetist," "artificial limb" or a similar title or description of services;
- (12) "Off-the-shelf device" means a prefabricated prosthesis or orthosis sized or modified for use by the patient in accordance with a prescription from a health care practitioner authorized by law to write such prescriptions that

does not require substantial clinical judgment and substantive alteration for appropriate use;

**(13)** "Orthosis" means a custom designed, fabricated, fitted or modified device to correct, support or compensate for a neuro-musculoskeletal disorder or acquired condition. "Orthosis" does not include fabric or elastic supports, corsets, arch supports, low-temperature plastic splints, trusses, elastic hoses, canes, crutches, soft cervical collars, dental appliances or other similar devices that are carried in stock and sold without modification as over-the-counter items by a drug store, department store, corset shop or surgical supply facility;

**(14)** "Orthotic and prosthetic education program" means a course of instruction accredited by the Commission on Accreditation of Allied Health Education Programs (CAAHEP), consisting of:

**(A)** An adequate curriculum of college level training and instruction in math, physics, biology, chemistry and psychology; and

**(B)** A specific curriculum in orthotic or prosthetic courses, including:

**(i)** Lectures covering pertinent anatomy, biomechanics, pathomechanics, prosthetic-orthotic components and materials, training and functional capabilities, prosthetic or orthotic performance evaluation, prescription considerations, etiology of amputations and disease processes necessitating prosthetic or orthotic use and medical management;

**(ii)** Subject matter related to pediatric and geriatric problems;

**(iii)** Instruction in acute care techniques, such as immediate and early post-surgical prosthetics and fracture bracing techniques; and

**(iv)** Lectures, demonstrations and laboratory experiences related to the entire process of measuring, casting, fitting, fabricating, aligning and completing prostheses or orthoses;

**(15)** "Orthotics" means the science and practice of evaluating, measuring, designing, fabricating, assembling, fitting, adjusting or servicing an orthosis, under an order from a licensed health care practitioner authorized by law to issue such an order, for the correction or alleviation of neuromuscular or musculoskeletal dysfunction, disease, injury or deformity;

**(16)** "Orthotist" means an allied health professional who is specifically trained and educated to provide or manage the provision of a custom-designed, fabricated, modified and fitted external orthosis to an orthotic patient, based on a clinical assessment and a prescription from a health care practitioner authorized by law to write such prescriptions, to restore physiological function or cosmesis;

**(17)** "Over-the-counter device" means a prefabricated, mass-produced device that is prepackaged and requires no professional advice or judgment in either size selection or use, including fabric or elastic supports, corsets, generic arch supports and elastic hose;

**(18)** "Pedorthic device" means therapeutic footwear, foot orthoses for use at the ankle or below and modified footwear made for therapeutic purposes, as prescribed by a licensed health care practitioner authorized by law to issue such prescription. "Pedorthic device" does not include nontherapeutic accommodative inlays or nontherapeutic accommodative footwear, regardless of method of manufacture, shoe modifications made for nontherapeutic purposes, unmodified, over-the-counter shoes or prefabricated foot care products;

**(19)** "Pedorthic education program" means a course of instruction accredited by the Board for Certification in Pedorthics, consisting of:

**(A)** A basic curriculum of instruction in foot-related pathology of diseases, anatomy and biomechanics;

**(B)** A specific curriculum in pedorthic courses, including lectures covering shoes, foot orthoses and shoe modifications, pedorthic components and materials, training and functional capabilities, pedorthic performance evaluation, prescription considerations, etiology of disease processes necessitating use of pedorthic devices, medical management and subject matter related to pediatric and geriatric problems; and

**(C)** Lectures, demonstrations, and laboratory experiences related to the entire process of measuring and casting, fitting, fabricating, aligning and completing pedorthic devices;

**(20)** "Pedorthics" means the science and practice of evaluating, measuring, designing, fabricating, assembling, fitting, adjusting or servicing a pedorthic device, under an order from a licensed health care practitioner authorized by law to issue such order for the correction or alleviation of neuromuscular or musculoskeletal dysfunction, disease, injury or deformity;

**(21)** "Pedorthist" means a person who measures, designs, fabricates, fits or services pedorthic devices and assists in the formulation of the order of pedorthic devices, as ordered by a licensed health care practitioner authorized by law to issue such order for the support or correction of disabilities caused by neuro-musculoskeletal diseases, injuries or deformities;

**(22)** "Person" means a natural person;

**(23)** "Prosthesis" means a custom designed, fabricated, fitted or modified device to replace an absent external limb, for the purpose of restoring physiological function or cosmesis. "Prosthesis" does not include artificial eyes, ears or dental appliances, cosmetic devices such as artificial breasts, eyelashes or wigs or other devices that do not have a significant impact on the musculoskeletal functions of the body;

**(24)** "Prosthetics" means the science and practice of evaluating, measuring, designing, fabricating, assembling, fitting, adjusting or servicing a prosthesis, under an order from a licensed health care practitioner authorized by law to issue such order;

**(25)** "Prosthetist" means an allied health professional who is specifically trained and educated to provide or manage the provision of a custom designed, fabricated, modified and fitted external limb prosthesis to a prosthetic patient, based on a clinical assessment and a prescription from a health care practitioner authorized to write such prescriptions, to restore physiological function or cosmesis;

**(26)** "Prosthetist/Orthotist" means a person who practices both disciplines of prosthetics and orthotics and who represents the person to the public by title or by description of services; and

**(27)** "Resident" means a person who has completed an education program in either orthotics or prosthetics and is continuing such person's clinical education in a residency program approved by the board.

**HISTORY:** Acts 2005, ch. 380, § 1.