

Tennessee Board of Respiratory Care Policy Statement on Lapsed Licenses

The Board of Respiratory Care recognizes that an individual may inadvertently allow his/her license to expire. However, statute prohibits an individual from working as a Respiratory Therapist unless he/she has an active and unrestricted license. While the Board does not condone an individual working on an expired license, recognition is given to the fact that the problem does exist. As such, the Board has adopted the following procedures for reinstatement of an expired or administratively revoked license:

- Immediately upon recognition that his/her license has expired, the individual must stop practicing and contact the board's administrative office to request a reinstatement application.
- Upon receipt of the reinstatement application, the licensee is to complete the application in its entirety, providing a detailed work history subsequent to the license expiration date. The application is to be signed, notarized, and returned to the board's administrative office along with any additional information and all fees specified in the instructions.
 - **If the reinstatement application reflects in the work history that the individual has worked on a lapsed license for less than three months**, then upon receipt of a completed reinstatement application and supporting documentation, including continuing education and fees, the board administrator may immediately reinstate that person's license, with no disciplinary action.
 - **If the reinstatement application reflects in the work history that the individual has worked for more than three months but less than six months on an expired license**, then the Department will assess a one hundred dollar (\$100.00) civil penalty against the licensee for every month worked in excess of three months from the expiration date, up to a maximum of \$300.00. Such civil penalty will be assessed via Agreed Citation, which will detail the licensee's rights and obligations under the Uniform Administrative Procedures Act, T.C.A. §§ 4-5-301, *et seq.* The discipline assessed in accordance with this Lapsed License Policy constitutes formal discipline against a practitioner's license, and as such it is reportable on the Department's Disciplinary Action Report ("DAR") and will be noted on the practitioner's licensure profile.
 - **If the reinstatement application reflects in the work history that the individual has worked for more than six months on an expired license**, then this Lapsed License Policy does not apply, and the matter will be referred as a formal complaint to be prosecuted in accordance with the Uniform Administrative Procedures Act, T.C.A. §§ 4-5-301, *et seq.*

Adopted by the Board Respiratory Care on the 13th day November, 2002, and revised the 13th day of November, 2008.

For further information, please use the contact information provided below:

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