

**FILED**  
AUG -4 2022  
Clerk of the Appellate Courts  
Rec'd By *LM*

**IN THE SUPREME COURT OF TENNESSEE,  
AT NASHVILLE**

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**IN RE: PROPOSED RULE 55 TO THE RULES OF THE TENNESSEE SUPREME  
COURT**

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**NO. ADM 2022-00797**

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**TENNESSEE COMMISSION ON AGING AND DISABILITY'S MOTION IN  
OPPOSITION TO PROPOSED RULE 55**

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The Tennessee Commission on Aging and Disability ("TCAD"), by and through the undersigned, hereby opposes Proposed Rule 55 to the Tennessee Rules No. ADM2022-00797.

Proposed Rule 55 seeks to mandate training requirements whereby conservators must complete court-approved training prior to a letter of guardianship or conservatorship being issued. Pursuant to TCA 34-7-101, et seq., TCAD administers a statewide public guardianship program for the elderly. In implementing this program, TCAD is statutorily required to contract with the nine (9) development districts across the state of Tennessee who hire staff to serve as district public guardians in their respective areas. As a component of this program, TCAD already requires district public guardians and assistant district public guardians to complete various training requirements. These requirements include: (1) Completing the National Guardianship Fundamental Series within forty-five (45) days of hire; (2) Completing Tennessee guardianship and conservatorship law training with TCAD within one (1) month of being hired and prior to exercising the duties and powers of a district public guardian or assistant district public guardian; (3) Attending mandatory annual training sponsored by TCAD; and (4) Obtaining certification as a registered guardian through the Center for Guardianship Certification within two (2) years from

the date of employment.. Additionally, all district public guardians are required to have a bachelor's degree in human services or a related field and have at least two (2) years of successful employment in a field related to public guardianship.

Proposed Rule 55 would add training requirements to the public guardianship program that already has an established training process. In effect, time and resources that would ordinarily be allocated to serving individuals in the public guardianship program would instead be spent on satisfying superfluous training requirements. Therefore, TCAD respectfully requests for this Honorable Court to deny Proposed Rule 55. In the alternative, TCAD requests to be exempted from the requirements of the proposed rule.

Tennessee Commission on Aging and Disability



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CERTIFICATE OF SERVICE

The undersigned certifies that a true and correct copy of the foregoing has been served upon the individuals and organizations identified in Exhibit "A" by regular U.S. Mail, postage prepaid within seven (7) days of filing with the Court.

  
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**appellatecourtclerk - Response to Proposed Rule 55 - ADM2022-00797**

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**Subject:** Response to Proposed Rule 55 - ADM2022-00797  
**Attachments:** TCAD Response to Proposed Rule 55, No. ADM2022-00797.pdf

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Good afternoon,

Attached is the Tennessee Commission on Aging and Disability's filing of a motion in response to proposed Rule 55, No. ADM2022-00797. Please verify receipt and if anything else is required to effectuate filing.

Thanks,  
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