



CAPITOL & 5TH

PUBLIC STRATEGIES

TNOTA Bill Report

Week of February 10th, 2023

COVID-19

SB381/HB836 Termination provision for title addressing COVID-19 pandemic.

Sen. Niceley, Frank
Rep. Lynn, Susan

Summary: Deletes the termination provision for the title addressing the COVID-19 pandemic, which would have terminated July 1, 2023. Broadly captioned.

Fiscal Note: (Dated January 26, 2023) NOT SIGNIFICANT

Intro Dates: S: 01/25/23, H: 02/01/23

Senate Status: 01/26/23 - Referred to Senate Health & Welfare Committee.

House Status: 02/01/23 - Introduced in the House

SB911/HB837 Extends certain COVID protections for healthcare providers.

Sen. Niceley, Frank
Rep. Lynn, Susan

Summary: Extends certain COVID protections for healthcare providers including limiting mandates, monoclonal antibodies to a patient as a treatment, and liability protections. Broadly captioned.

Intro Dates: S: 02/02/23, H: 02/01/23

Senate Status: 02/06/23 - Referred to Senate Health & Welfare Committee.

House Status: 02/02/23 - Caption bill held on House clerk's desk.

SB1148/HB1257 COVID-19 provisions to be made permanent.

Sen. Niceley, Frank
Rep. Lynn, Susan

Summary: Makes various provisions regarding COVID-19 permanent by removing language specifying termination dates for such provisions.

Fiscal Note: (Dated February 5, 2023) NOT SIGNIFICANT

Intro Dates: S: 02/02/23, H: 02/01/23

Senate Status: 02/06/23 - Referred to Senate Health & Welfare Committee.

House Status: 02/02/23 - Caption bill held on House clerk's desk.

COMMERCIAL LAW

HB16 Sale of food containing vaccine or vaccine material.

Rep. Cepicky, Scott

Summary: Prohibits the manufacture, sale, or delivery, holding, or offering for sale of any food that contains a vaccine or vaccine material unless the food labeling contains a conspicuous notification of the presence of the vaccine or vaccine material in the food.

Intro Dates: H: 01/10/23

House Status: 01/10/23 - Introduced in the House

CRIMINAL LAW

SB168/HB85 Free All Cannabis for Tennesseans Act.

Sen. Campbell, Heidi

Rep. Freeman, Bob

Summary: Enacts the "Free All Cannabis for Tennesseans Act" or "FACT Act," which establishes a regulatory structure for the cultivation, processing, and retail sale of marijuana and marijuana products in this state to be administered by the department of agriculture. Authorizes an adult to use, possess, and transport not more than 60 grams of marijuana, except that not more than 15 grams of that amount may be in the form of marijuana concentrate. Defines "marijuana concentrate" to mean the cannabinoid-rich oil or extract from marijuana extracted from plant material or the resin created from the plant by physical or chemical means and includes water-based marijuana concentrate, food-based marijuana concentrate, solvent-based marijuana concentrate, and heat- or pressure-derived marijuana concentrate. Authorizes an adult to transfer without remuneration to another adult not more than 60 grams of marijuana, except that not more than 15 grams of that amount may be in the form of marijuana concentrate. Specifies that the transfer must not be advertised or promoted to the public. Authorizes an adult to cultivate for personal use no more than 12 marijuana plants in an area on the premises of the adult's private residence. Allows a person to prohibit or restrict the possession, consumption, cultivation, distribution, manufacture, sale, or display of marijuana or marijuana products on property the person owns, occupies, or manages. Authorizes a county, by resolution of the county legislative body, or an incorporated municipality, by ordinance of its governing body, to levy a local sales tax in a rate not to exceed five percent on the sale of marijuana and marijuana products within such county or municipality. Also imposes a 15 percent tax on each sale of marijuana or a marijuana product by a marijuana dispensary. Requires the department of revenue to allocate the revenue derived from the marijuana tax and specifies allocation (37 pp.).

Intro Dates: S: 01/20/23, H: 01/11/23

Senate Status: 01/21/23 - Referred to Senate Judiciary Committee.

House Status: 01/12/23 - Held on House clerk's desk.

GOVERNMENT ORGANIZATION

SB32/HB198 Sunset - board of medical examiners.

Sen. Roberts, Kerry

Rep. Ragan, John

Summary: Extends the board of medical examiners to June 30, 2027.

Fiscal Note: (Dated January 10, 2023) NOT SIGNIFICANT

Intro Dates: S: 01/10/23, H: 01/20/23

Senate Status: 01/20/23 - Referred to Senate Government Operations Committee.

House Status: 01/21/23 - Referred to House Government Operations Committee.

SB34/HB200 Sunset - board of pharmacy.

Sen. Roberts, Kerry
Rep. Ragan, John

Summary: Extends the board of pharmacy to June 30, 2027.
Fiscal Note: (Dated February 5, 2023) NOT SIGNIFICANT
Intro Dates: S: 01/10/23, H: 01/20/23
Senate Status: 01/20/23 - Referred to Senate Government Operations Committee.
House Status: 02/09/23 - Set for House Consent on 02/13/22.

SB36/HB202 Sunset - controlled substance database committee.

Sen. Roberts, Kerry
Rep. Ragan, John

Summary: Extends the controlled substance database committee to June 30, 2027.
Fiscal Note: (Dated January 22, 2023) NOT SIGNIFICANT
Intro Dates: S: 01/10/23, H: 01/20/23
Senate Status: 02/08/23 - Set for Senate Government Operations Committee 02/15/23.
House Status: 02/09/23 - Set for House Consent on 02/13/22.

SB38/HB204 Sunset - department of commerce and insurance.

Sen. Roberts, Kerry
Rep. Ragan, John

Summary: Extends the department of commerce and insurance to June 30, 2027.
Fiscal Note: (Dated January 10, 2023) NOT SIGNIFICANT
Intro Dates: S: 01/10/23, H: 01/20/23
Senate Status: 02/06/23 - Senate passed.
House Status: 02/08/23 - Set for House Government Operations Committee 02/13/23.

SB40/HB206 Sunset - department of health.

Sen. Roberts, Kerry
Rep. Ragan, John

Summary: Extends the department of health to June 30, 2027.
Fiscal Note: (Dated January 10, 2023) NOT SIGNIFICANT
Intro Dates: S: 01/10/23, H: 01/20/23
Senate Status: 01/20/23 - Referred to Senate Government Operations Committee.
House Status: 01/21/23 - Referred to House Government Operations Committee.

HEALTH CARE

SB72/HB1195 Practice of physical therapy.

Sen. Watson, Bo
Rep. Williams, Ryan

Summary: Allows the practice of physical therapy to be under the written or oral referral of a nurse practitioner or physician assistant. Allows a licensed physical therapist to treat a patient without a referral when certain conditions are met.
Fiscal Note: (Dated January 22, 2023) NOT SIGNIFICANT
Intro Dates: S: 01/10/23, H: 02/01/23
Senate Status: 02/09/23 - Set for Senate Consent 2 02/13/23.
House Status: 02/07/23 - Referred to House Health Subcommittee.

SB140/HB109 Healthcare provider furnishing patient's medical records.

Sen. Hensley, Joey
Rep. Helton-Haynes, Esther

Summary: Increases the number of days a healthcare provider has to furnish a patient's medical records from 10 working days to 20 working days from the date of the record's request.

Fiscal Note: (Dated January 12, 2023) NOT SIGNIFICANT

Intro Dates: S: 01/12/23, H: 01/12/23

Senate Status: 01/20/23 - Referred to Senate Health & Welfare Committee.

House Status: 01/20/23 - Caption bill held on House clerk's desk.

SB162/HB614 Notice required for healthcare institution opposing certificate of need.

Sen. Watson, Bo
Rep. Hawk, David

Summary: Increases from 15 to 20 the number of days before the health facilities commission meeting at which an application for a certificate of need is originally scheduled that a healthcare institution wishing to oppose the application must file written notice with the commission. Broadly captioned.

Fiscal Note: (Dated January 12, 2023) NOT SIGNIFICANT

Intro Dates: S: 01/20/23, H: 01/30/23

Senate Status: 01/21/23 - Referred to Senate Health & Welfare Committee.

House Status: 02/01/23 - Caption bill held on House clerk's desk.

SB196/HB1455 Updates requirements for prescription writing for nurse practitioners.

Sen. Lundberg, Jon
Rep. Faison, Jeremy

Summary: Removes a reference to a repealed section that required the division of health related boards to provide to the board of pharmacy the names of all nurse practitioners and physician assistants who are authorized to write and sign prescriptions or issue legend drugs in Tennessee and the names of their supervising physicians.

Fiscal Note: (Dated January 17, 2023) NOT SIGNIFICANT

Intro Dates: S: 01/20/23, H: 02/01/23

Senate Status: 01/21/23 - Referred to Senate Commerce & Labor Committee.

House Status: 02/01/23 - Introduced in the House

SB219/HB271 Chronic disease prevention taskforce removed.

Sen. Crowe, Rusty
Rep. Terry, Bryan

Summary: Removes language from the Chronic Disease Prevention Act that created a taskforce to study methods on how to prevent cardiovascular disease, hypertension, and diabetes to ceased to exist on December 15, 2020.

Fiscal Note: (Dated January 22, 2023) NOT SIGNIFICANT

Intro Dates: S: 01/20/23, H: 01/20/23

Senate Status: 01/21/23 - Referred to Senate Commerce & Labor Committee.

House Status: 01/21/23 - Caption bill held on House clerk's desk.

SB220/HB272 Removes a task force contracted by the department of intellectual and developmental disabilities.

Sen. Crowe, Rusty
Rep. Terry, Bryan

Summary: Removes a section of the code that created a twenty-five member task force to review the regulations of the residential and day provider agencies contracted by the department of intellectual and developmental disabilities. The task force was required to have completed its

duties and made its final report to the governor and the general assembly by June 30, 2014.
Broadly captioned.

Fiscal Note: (Dated January 22, 2023) NOT SIGNIFICANT
Intro Dates: S: 01/20/23, H: 01/20/23
Senate Status: 01/21/23 - Referred to Senate Commerce & Labor Committee.
House Status: 01/21/23 - Caption bill held on House clerk's desk.

SB277/HB325 Opioid prescription limitations.

Sen. Johnson, Jack
Rep. Lamberth, William

Summary: Permanently extends the present law, which is set to terminate on July 1, 2023, that establishes limitations on the prescription of opioids and authorizes the promulgation of rules related to the calculation of those limitations. Part of Administration Package.

Fiscal Note: (Dated February 2, 2023) NOT SIGNIFICANT
Intro Dates: S: 01/20/23, H: 01/21/23
Senate Status: 02/09/23 - Set for Senate Consent 2 02/13/23.
House Status: 01/30/23 - Caption bill held on House clerk's desk.

SB291/HB566 Overdose Fatality Review Act.

Sen. Briggs, Richard
Rep. Carringer, Michele

Summary: Enacts the "Overdose Fatality Review Act," which creates a legislative framework for establishing county or regional multidisciplinary overdose fatality review teams in this state. Specifies composition of overdose fatality review teams and duties and responsibilities of overdose fatality review teams, including recommending prevention and intervention strategies to improve coordination of services among member agencies to reduce overdose deaths. Requires the coordinator of the local team to report to the local or regional county health officer. Specifies other responsibilities of coordinator of local team. Specifies that local team meetings in which confidential information is discussed are closed to the public. Specifies that all information and records acquired by a local team are confidential and are not subject to subpoena, discovery, or introduction into evidence in a civil or criminal proceeding or disciplinary action (14 pp.).

Intro Dates: S: 01/21/23, H: 01/30/23
Senate Status: 01/26/23 - Referred to Senate Health & Welfare Committee.
House Status: 02/01/23 - Referred to House Health Subcommittee.

SB296/HB779 Licensure decisions on applications of persons licensed in another state.

Sen. Gardenhire, Todd
Rep. Helton-Haynes, Esther

Summary: Requires the board of medical examiners, board of osteopathic examination, board of nursing and board of physician assistants to render a decision within 45 days of receiving an application for Tennessee licensure from a person who is licensed in another state or territory of the United States or the District of Columbia. Requires the board to either issue the license or inform the applicant of its decision to deny licensure and the reasons for the denial. Stipulates that this requirement takes effect upon becoming law and applies to applications on or after that date.

Intro Dates: S: 01/21/23, H: 02/01/23
Senate Status: 02/08/23 - Set for Senate Health & Welfare Committee 02/15/23.
House Status: 02/07/23 - Referred to House Health Subcommittee.

SB299/HB653 Access to persons in health-related facilities.

Sen. Hensley, Joey
Rep. Fritts, Monty

Summary: Requires healthcare facilities and long-term care facilities to permit in-person visitation of a patient or resident by family members and community pastoral care members. Allows the facilities to place limitations on the frequency and duration of visitation in certain areas and to require the visitors to comply with safety protocols. Broadly captioned.

Fiscal Note: (Dated January 22, 2023) NOT SIGNIFICANT

Intro Dates: S: 01/21/23, H: 01/30/23

Senate Status: 01/26/23 - Referred to Senate Health & Welfare Committee.

House Status: 02/01/23 - Referred to House Health Subcommittee.

SB431/HB469 Individuals license in another state allowed to practice telehealth in this state.

Sen. Lundberg, Jon
Rep. Crawford, John

Summary: Allows an individual licensed in another state who would qualify as a healthcare provider if licensed in this state to practice telehealth if the patient cannot otherwise receive the services that the healthcare provider will provide as long as the healthcare provider has filed a limited waiver request with the appropriate licensing authority.

Intro Dates: S: 01/25/23, H: 01/30/23

Senate Status: 01/26/23 - Referred to Senate Health & Welfare Committee.

House Status: 02/01/23 - Referred to House Health Subcommittee.

SB458/HB496 Application process for occupational licenses.

Sen. Watson, Bo
Rep. Martin, Brock

Summary: Directs health related boards to promulgate rules that expedite the application process for occupational licenses by requiring the boards to make a determination on applications within 60 days of the date they are submitted. Authorizes health related boards to request the department to replace or transfer administrative staff or the attorney assigned to the board by the division of health related boards.

Intro Dates: S: 01/26/23, H: 01/30/23

Senate Status: 01/30/23 - Referred to Senate Health & Welfare Committee.

House Status: 02/01/23 - Referred to House Health Subcommittee.

SB560/HB584 Employment of medical professionals.

Sen. Walley, Page
Rep. Gant, Ron

Summary: Authorizes a hospital or an affiliated entity of the hospital to employ an emergency physician to treat patients at a satellite emergency department, or a physician to treat patients at a primary care clinic or urgent care clinic, which are located in this state if the hospital is located in a neighboring state in a county contiguous to this state and holds a valid certificate of need for a satellite emergency department in this state, and other conditions are satisfied. Broadly captioned.

Intro Dates: S: 01/26/23, H: 01/30/23

Senate Status: 01/30/23 - Referred to Senate Health & Welfare Committee.

House Status: 02/01/23 - Referred to House Health Subcommittee.

SB585/HB377 Patient Rights Act.

Sen. Pody, Mark
Rep. Warner, Todd

Summary: Enacts the "Patient Rights Act" which allows medical patients the right to administration of treatments procedures, the right to alternative treatment available under emergency use authorization, the right to release or transfer of care, the right of an advocate on their behalf, the right to room with family members, the right to transplants, the right of no discrimination in

admission or treatment, the right of medical record privacy, and the notification of rights to the patient, if the patient is not incapacitated or to the advocate, if the patient is incapacitated. Details penalties if rights are violated (15 pp). Broadly captioned.

Intro Dates: S: 01/26/23, H: 01/30/23

Senate Status: 01/30/23 - Referred to Senate Commerce & Labor Committee.

House Status: 02/01/23 - Referred to House Health Subcommittee.

SB597/HB1205 Timeframe requirement to provide full medical record to a person with power of attorney.

Sen. Pody, Mark

Rep. Capley, Kip

Summary: Requires a full medical record to be provided within 24 hours of a written request submitted by a person with power of attorney for health care to make health care decisions for a patient; grants 24-hour patient visitation rights to a person with a durable power of attorney for health care, with certain exceptions such as visitation during an invasive procedure. Prohibits a health care provider from continuing treatment after the patient or a person with power of attorney for health care of the patient demanded the health care provider to discontinue or not administer the treatment. Prohibits the termination or suspension of visitation rights by the hospital, state health departments or the governor during the declaration of a disaster or state of emergency.

Intro Dates: S: 01/26/23, H: 02/01/23

Senate Status: 01/30/23 - Referred to Senate Judiciary Committee.

House Status: 02/07/23 - Referred to House Health Subcommittee.

SB675/HB667 Prescription drug donation repository program.

Sen. Reeves, Shane

Rep. Hicks, Tim

Summary: Makes various changes to the prescription drug donation repository program operated by the department of health including who may benefit as patients, the types of drugs involved, how pharmacists must repackage and distribute the donated drugs, and liabilities concerning violations of this act. Details record keeping with regards to timeline and possession of the donated and distributed donated drugs. (10pp). Broadly captioned.

Intro Dates: S: 01/30/23, H: 01/30/23

Senate Status: 02/02/23 - Referred to Senate Commerce & Labor Committee.

House Status: 02/01/23 - Referred to House Health Subcommittee.

SB691/HB266 Updates to the undispensed inventory of opioids and benzodiazepines.

Sen. Reeves, Shane

Rep. Terry, Bryan

Summary: Removes the "within 10 days after January 1, 2015" factor from the requirement that each medical practitioner, unless the practitioner meets an exception, must ensure that the undispensed inventory of opioids and benzodiazepines purchased under the prescriber's drug enforcement administration number for dispensing is returned to a licensed third party reverse distributor or turned into local law enforcement. Broadly captioned.

Fiscal Note: (Dated January 22, 2023) NOT SIGNIFICANT

Intro Dates: S: 01/30/23, H: 01/20/23

Senate Status: 02/02/23 - Referred to Senate Judiciary Committee.

House Status: 01/21/23 - Caption bill held on House clerk's desk.

SB699/HB269 Info provided by department of health on reversing the effects of a chemical abortion.

Sen. Crowe, Rusty

Rep. Terry, Bryan

Summary: Requires the department of health to publish on its website information on the possibility of reversing the effects of a chemical abortion in any language that is the primary language

spoken by 1 percent or more of this state's population, rather than 2 percent or more. Broadly captioned.

Fiscal Note: (Dated January 22, 2023) NOT SIGNIFICANT

Intro Dates: S: 01/30/23, H: 01/20/23

Senate Status: 02/02/23 - Referred to Senate Judiciary Committee.

House Status: 01/21/23 - Caption bill held on House clerk's desk.

SB747/HB283 Immunizations for hospital patients over 50 years of age.

Sen. Haile, Ferrell
Rep. Baum, Charlie

Summary: Requires a hospital to offer immunization for influenza disease prior to discharging a patient who is 50 years of age or older from the hospital between October 1 and March 1. Requires a hospital to offer an inpatient who is 65 years of age or older an immunization for pneumococcal disease prior to discharging the patient from the hospital.

Fiscal Note: (Dated January 22, 2023) NOT SIGNIFICANT

Intro Dates: S: 02/02/23, H: 01/20/23

Senate Status: 02/06/23 - Referred to Senate Health & Welfare Committee.

House Status: 01/24/23 - Referred to House Health Subcommittee.

SB862/HB1163 Standardized insurance claim forms to be available on websites.

Sen. Reeves, Shane
Rep. Todd, Chris

Summary: Requires the commissioner of commerce and insurance to make the standardized forms for health care insurance claims, developed by the commissioner along with the commissioner of health, available to insurance companies for free on the department of commerce and insurance's website. Broadly captioned.

Fiscal Note: (Dated January 31, 2023) NOT SIGNIFICANT

Intro Dates: S: 02/02/23, H: 02/01/23

Senate Status: 02/06/23 - Referred to Senate Commerce & Labor Committee.

House Status: 02/02/23 - Caption bill held on House clerk's desk.

SB937/HB1311 Graduate Physicians Act.

Sen. Briggs, Richard
Rep. Kumar, Sabi

Summary: Enacts the "Graduate Physicians Act" which states that a graduate physician collaborative practice arrangement must limit the graduate physician to providing primary care services. Requires that the graduate physician be licensed by the board of medical examiners and met all requirements to receive the license. Requires that a licensed graduate physician must enter into a graduate physician collaborative practice arrangement within six months of receiving licensure. Sets limits on the use of graduate physician collaborative practice arrangements for graduate physicians. Specifies the duties and ability to prescribe drugs of the graduate physicians. (12pp). Broadly captioned.

Intro Dates: S: 02/02/23, H: 02/01/23

Senate Status: 02/06/23 - Referred to Senate Health & Welfare Committee.

House Status: 02/07/23 - Referred to House Health Subcommittee.

SB1020/HB1501 Prescribing healthcare practitioner to discuss risks associated with prescribed Schedule II controlled substance.

Sen. Campbell, Heidi
Rep. Hakeem, Yusuf

Summary: Requires a prescribing healthcare practitioner to discuss certain risks associated with a prescribed Schedule II controlled substance prior to an initial prescription and following the third

prescription of the drug during a course of treatment. Requires the practitioner to document the discussion of such risks in the patient's medical record. Broadly captioned.

Intro Dates: S: 02/02/23, H: 02/01/23

Senate Status: 02/06/23 - Referred to Senate Health & Welfare Committee.

House Status: 02/07/23 - Referred to House Health Subcommittee.

SB1093/HB966 Requirement to obtain certificate of need to establish or relocate certain healthcare facilities.

Sen. Bowling, Janice

Rep. Hulsey, Bud

Summary: Removes the requirement to obtain a certificate of need to establish or relocate certain healthcare facilities or initiate certain healthcare services, except for the initiation of services for a burn unit or organ transplantation. (10pp). Broadly captioned.

Intro Dates: S: 02/02/23, H: 02/01/23

Senate Status: 02/06/23 - Referred to Senate Health & Welfare Committee.

House Status: 02/07/23 - Referred to House Health Subcommittee.

SB1111/HB1380 Mature Minor Doctrine Clarification Act.

Sen. Bowling, Janice

Rep. Ragan, John

Summary: Prohibits a healthcare provider from providing a vaccination to a minor unless the healthcare provider first receives written informed consent from a parent or legal guardian of the minor. Requires the healthcare provider to document receipt of, and include in the minor's medical record proof of, such prior informed consent. Prohibits an employee or agent of this state from providing or facilitating the vaccination of a minor child who is in the custody of this state unless a parent or guardian has provided prior written or the parental rights of each of the minor's parents or legal guardians have been terminated by a court. Requires the department of health to establish a registry database for the reporting of vaccinations of minors by healthcare providers in this state.

Intro Dates: S: 02/02/23, H: 02/01/23

Senate Status: 02/06/23 - Referred to Senate Judiciary Committee.

House Status: 02/07/23 - Referred to House Health Subcommittee.

SB1168/HB913 Practitioner to discuss addiction and overdose risks associated with certain prescription drugs.

Sen. Taylor, Brent

Rep. Rudder, Iris

Summary: Requires a practitioner to discuss with patients the addiction and overdose risks associated with certain prescription drugs, alternative treatments that may be available, and the reasons why the prescription is necessary prior to issuing an initial prescription and prior to issuing a third prescription for certain controlled substances in a course of treatment for acute or chronic pain. Broadly captioned.

Fiscal Note: (Dated February 5, 2023) NOT SIGNIFICANT

Intro Dates: S: 02/02/23, H: 02/01/23

Senate Status: 02/06/23 - Referred to Senate Judiciary Committee.

House Status: 02/07/23 - Referred to House Health Subcommittee.

SB1171/HB1272 Expanded practice for physician assistants.

Sen. Swann, Art

Rep. Cochran, Mark

Summary: Expands the scope of practice for physician assistants, subject to increased regulatory oversight by the board of physician assistants as part of such expanded practice. Provides that

the board will consist of nine Tennessee resident members appointed by the governor comprised of a licensed physician, seven physician assistants and one non licensed public member. Outlines procedures a physician assistant may perform and defines relevant terms.

Intro Dates: S: 02/02/23, H: 02/01/23

Senate Status: 02/08/23 - Referred to Senate Health & Welfare Committee.

House Status: 02/07/23 - Referred to House Health Subcommittee.

SB1312/HB1108 Prohibition on employment of radiologists, anesthesiologists, pathologists, and emergency physicians by hospitals.

Sen. Bailey, Paul

Rep. Travis, Ron

Summary: Removes the prohibition on the employment of radiologists, anesthesiologists, pathologists, or emergency physicians by hospitals and hospital affiliates.

Intro Dates: S: 02/02/23, H: 02/01/23

Senate Status: 02/06/23 - Referred to Senate Health & Welfare Committee.

House Status: 02/07/23 - Referred to House Health Subcommittee.

SB1428/HB925 Licensing requirements for healing arts practice.

Sen. Roberts, Kerry

Rep. Martin, Brock

Summary: Requires a person who is licensed to practice a healing art, who was an officer in the commissioned medical corps of the army, the navy, the air force or the public health service of the United States, and who was subsequently discharged, instead of honorably discharged, to register with the appropriate board licensing that profession.

Intro Dates: H: 02/01/23

Senate Status: 02/06/23 - Referred to Senate Health & Welfare Committee.

House Status: 02/02/23 - Caption bill held on House clerk's desk.

SB1461/HB172 Tennessee Medical Cannabis Act.

Sen. Lamar, London

Rep. Chism, Jesse

Summary: Enacts the Tennessee Medical Cannabis Act to enable citizens of the state of Tennessee to legally access and utilize cannabis for certain medical purposes under certain conditions. Clarifies that government medical assistance programs and private insurers are not required to reimburse a person for costs associated with medical use of cannabis. Allows a person, property owner or employer to prohibit its use by guests, clients, customers or other visitors on that property. States that employers are not obligated to exempt an employee from discipline for ingesting cannabis in the workplace or for working under its influence. Allows a landlord to prohibit the cultivation of cannabis on the rental property. Equates the authorized use of medical cannabis with any other prescribed medication for the purposes of prohibiting discrimination in certain situations such as organ transplants, custody and visitation rights and certain employment practices. Outlines qualification requirements of patients and practitioners and defines relevant terms and conditions for the authorized use of medical cannabis. Includes a list of debilitating medical conditions which qualify a patient for medical cannabis. (46 pp.)

Intro Dates: H: 01/20/23

Senate Status: 02/06/23 - Referred to Senate Judiciary Committee.

House Status: 01/24/23 - Referred to House Health Subcommittee.

INSURANCE GENERAL

SB411/HB718 Increase in insurance company's premiums.

Sen. Hensley, Joey
Rep. Sparks, Mike

Summary: Increases, from 30 to 35, the number of days in advance that an insurance company is required to provide notice of an increase to the insurance company's premiums to a customer who has an account paid by bank draft or preauthorized check. Broadly captioned.

Fiscal Note: (Dated January 26, 2023) NOT SIGNIFICANT

Intro Dates: S: 01/25/23, H: 01/30/23

Senate Status: 01/26/23 - Referred to Senate Commerce & Labor Committee.

House Status: 02/01/23 - Caption bill held on House clerk's desk.

INSURANCE HEALTH

SB266/HB314 Assignment of benefits to a healthcare provider.

Sen. Johnson, Jack
Rep. Lamberth, William

Summary: Removes language outlining benefits and billing statement requirements by healthcare providers. Part of Administration Package.

Amendment Summary: House Insurance Subcommittee amendment 1 (003567) clarifies collection procedures for out-of-network charges by healthcare facilities.

Fiscal Note: (Dated February 2, 2023) NOT SIGNIFICANT

Intro Dates: S: 01/20/23, H: 01/21/23

Senate Status: 02/08/23 - Set for Senate Commerce & Labor Committee 02/14/23.

House Status: 02/08/23 - Set for House Insurance Committee 02/14/23.

SB460/HB607 Timeframe for utilization review agents to notify enrollees for more information.

Sen. Watson, Bo
Rep. Hawk, David

Summary: Lowers, from five to four business days, the amount of time a utilization review agents must notify the enrollee and the healthcare provider in writing or electronic portals of the need for additional information in order to make a determination on a request for authorization.

Fiscal Note: (Dated January 26, 2023) NOT SIGNIFICANT

Intro Dates: S: 01/26/23, H: 01/30/23

Senate Status: 01/30/23 - Referred to Senate Commerce & Labor Committee.

House Status: 02/01/23 - Caption bill held on House clerk's desk.

SB1287/HB188 Managed health insurer prohibited from contacting patient of physician's practice to change referral for services to another provider.

Sen. Bailey, Paul
Rep. Kumar, Sabi

Summary: Removes a reference to a repealed provision of law that established an exception to the prohibition of managed health insurance issuers contacting or employing an agent to directly contact a patient of a physician's practice in an effort to change a referral for services to another provider if the managed health insurance issuer has contracted with the physician directly. Broadly captioned.

Intro Dates: S: 02/02/23, H: 01/20/23

Senate Status: 02/06/23 - Referred to Senate Commerce & Labor Committee.

House Status: 01/21/23 - Caption bill held on House clerk's desk.

SB1297/HB887 Electronic delivery of notices and documents by insurer.

Sen. Bailey, Paul
Rep. Hawk, David

Summary: Authorizes an insurer that offers a health benefit plan to deliver notices and documents related to health, vision, and dental coverage electronically to its insureds with consent. Broadly captioned.

Fiscal Note: (Dated February 8, 2023) NOT SIGNIFICANT

Intro Dates: S: 02/02/23, H: 02/01/23

Senate Status: 02/08/23 - Set for Senate Commerce & Labor Committee 02/14/23.

House Status: 02/07/23 - Referred to House Insurance Subcommittee.

SB1345/HB1503 Surprise Billing Consumer Protection Act.

Sen. Watson, Bo
Rep. Rudder, Iris

Summary: Enacts the "Surprise Billing Consumer Protection Act," which makes changes to the law regarding network adequacy of managed health insurance issuers including all emergency procedures, nonemergency procedures, and previously documented procedures that may result from an occurrence in which charges arise from a covered person receiving healthcare services from an out-of-network provider at an in-network facility. Details on how to submit a claim, arbitrate, and a proposed agreed final offer with supporting paperwork. Excludes ambulance transportation. (18pp). Broadly captioned.

Intro Dates: S: 02/02/23, H: 02/01/23

Senate Status: 02/06/23 - Referred to Senate Commerce & Labor Committee.

House Status: 02/07/23 - Referred to House Insurance Subcommittee.

SB1392/HB1213 Covered person paying out-of-pocket for healthcare services.

Sen. McNally, Randy
Rep. Sexton, Cameron

Summary: Requires a healthcare entity to send documentation to a carrier if a covered person negotiates for a lower cost for healthcare services than the average allowed amount paid by the carrier to network providers for a comparable healthcare service, and the covered person pays out-of-pocket for healthcare services that are included under the covered person's health plan. Requires a carrier that receives documentation of a covered person paying out-of-pocket for healthcare services that are included under the covered person's health plan to count the amount paid by the covered person toward the covered person's deductible, coinsurance, copayment, or another cost-sharing amount. Broadly captioned.

Intro Dates: S: 02/02/23, H: 02/01/23

Senate Status: 02/06/23 - Referred to Senate Commerce & Labor Committee.

House Status: 02/08/23 - Set for House Insurance Subcommittee 02/14/23.

HB55 Assignment of benefits to healthcare providers.

Rep. Lamberth, William

Summary: Removes the ability of a health insurance carrier to disregard an insured's assignment of health insurance benefits to an out-of-network facility-based physician under certain conditions.

Intro Dates: H: 01/10/23

House Status: 01/20/23 - Withdrawn in House.

LABOR LAW

SB254/HB73 Maximum potential penalties for OSHA violations to match federal law.

Sen. Johnson, Jack
Rep. Lamberth, William

Summary: Updated the maximum potential penalties for violations of the Tennessee Occupational Safety and Health Act to match those allowed under federal law. Part of Administration Package.

Intro Dates: S: 01/20/23, H: 01/10/23
Senate Status: 01/21/23 - Referred to Senate Commerce & Labor Committee.
House Status: 01/12/23 - Caption bill held on House clerk's desk.

LOCAL GOVERNMENT

SB1432/HB1389 Public inspection of a report regarding a nonprofit organization's desire for financial assistance.

Sen. Roberts, Kerry
Rep. Capley, Kip

Summary: Deletes the limitation that a report regarding a nonprofit organization's desire for financial assistance from a county with a metropolitan form of government filed with the clerks is only open for public inspection during regular business hours of the clerk's office. Broadly captioned.

Fiscal Note: (Dated February 1, 2023) NOT SIGNIFICANT

Intro Dates: H: 02/01/23

Senate Status: 02/06/23 - Referred to Senate State & Local Government Committee.

House Status: 02/02/23 - Caption bill held on House clerk's desk.

TENNCARE

SB128/HB576 Doula services under TennCare.

Sen. Lamar, London
Rep. Hemmer, Caleb

Summary: Requires the bureau of TennCare to establish a pilot program during the 2024-2025 fiscal year to provide payment for doula care services for pregnant women enrolled in the TennCare program who are pregnant and whose healthcare provider determines she has an increased likelihood of experiencing a high-risk pregnancy based on certain factors. Stipulates that doula care services to eligible women must be provided for up to 12 months postpartum as determined by a healthcare provider. Authorizes the director to seek a federal waiver to implement the pilot program. Defines relevant terms.

Intro Dates: S: 01/12/23, H: 01/30/23

Senate Status: 01/20/23 - Referred to Senate Health & Welfare Committee.

House Status: 02/01/23 - Referred to House Insurance Subcommittee.

SB289/HB152 Annual Coverage Assessment Act of 2023.

Sen. Haile, Ferrell
Rep. Hazlewood, Patsy

Summary: Enacts the "Annual Coverage Assessment Act of 2023" which updates the year of coverage from FY2022-2023 to FY2023-2024. Establishes the annual coverage assessment for FY2023-2024 of 4.87% of a covered hospital's annual coverage assessment base.

Intro Dates: S: 01/21/23, H: 01/12/23

Senate Status: 02/08/23 - Set for Senate Health & Welfare Committee 02/15/23.

House Status: 02/08/23 - Set for House Insurance Subcommittee 02/14/23.

SB308/HB332 Contracting with managed care organizations.

Sen. Hensley, Joey
Rep. Cepicky, Scott

Summary: Requires the bureau to contract with at least one managed care organization that is partnered with a provider participation entity. Establishes eligibility requirements for such entities to contract with TennCare. Prohibits TennCare from choosing managed care organizations

through a request for proposal or competitive bidding process beginning January 1, 2024. Makes other various changes including eligibilities for contracts with TennCare, financial risk factors, characteristics of the governing body of the provider participation entity involved with TennCare, and report submission for TennCare eligibility qualifications and standards. Broadly captioned.

Intro Dates: S: 01/21/23, H: 01/21/23

Senate Status: 01/26/23 - Referred to Senate Commerce & Labor Committee.

House Status: 01/30/23 - Referred to House Insurance Subcommittee.

SB546/HB553 Mailing documentation of material change by TennCare applicant.

Sen. Briggs, Richard
Rep. Littleton, Mary

Summary: Reduces from 30 days to 15 days the time within which an applicant is responsible for mailing documentation of any material change affecting any information given to the bureau or in the applicant's application. Broadly captioned.

Fiscal Note: (Dated January 26, 2023) NOT SIGNIFICANT

Intro Dates: S: 01/26/23, H: 01/30/23

Senate Status: 01/30/23 - Referred to Senate Health & Welfare Committee.

House Status: 02/01/23 - Caption bill held on House clerk's desk.

SB1178/HB1314 Final study concerning annual actuarial study of TennCare and participating MCOs.

Sen. Swann, Art
Rep. Kumar, Sabi

Summary: Authorizes the comptroller to report, in electronic format, the final study, and the oral and written comments, concerning the annual actuarial study of TennCare and participating managed care organizations to the finance, ways and means committees of the senate and the house of representatives, the office of legislative budget analysis, and the fiscal review committee of the general assembly. Broadly captioned.

Fiscal Note: (Dated February 5, 2023) NOT SIGNIFICANT

Intro Dates: S: 02/02/23, H: 02/01/23

Senate Status: 02/06/23 - Referred to Senate Commerce & Labor Committee.

House Status: 02/02/23 - Caption bill held on House clerk's desk.

SB1404/HB1001 TennCare annual report - copy to legislative librarian.

Sen. Watson, Bo
Rep. Helton-Haynes, Esther

Summary: Adds the legislative librarian as a party to whom the bureau must send a copy of its annual report that describes the nature and purpose of requests to utilize data from the all payer claims database that were submitted to the bureau or the health information committee. Broadly captioned.

Fiscal Note: (Dated January 31, 2023) NOT SIGNIFICANT

Intro Dates: H: 02/01/23

Senate Status: 02/06/23 - Referred to Senate Commerce & Labor Committee.

House Status: 02/02/23 - Caption bill held on House clerk's desk.

SB1414/HB1087 Directs the bureau to establish a temporary TennCare benefits program.

Sen. Yarbro, Jeff
Rep. Baum, Charlie

Summary: Directs the bureau to establish a temporary TennCare benefits program to provide medical assistance on a temporary basis to certain individuals who do not qualify for enrollment in TennCare, CoverKids, or a successor program. Requires the bureau to submit a waiver to the federal Centers for Medicare and Medicaid Services by December 31, 2023.

Intro Dates: H: 02/01/23
Senate Status: 02/06/23 - Referred to Senate Health & Welfare Committee.
House Status: 02/07/23 - Referred to House Insurance Subcommittee.

WELFARE

SB334/HB704 Medicaid fraud unit duties expanded.

Sen. Jackson, Ed
Rep. Doggett, Clay

Summary: Authorizes the Tennessee bureau of investigation's medicaid fraud control unit to investigate and refer for prosecution laws pertaining to provider or vender fraud and abuse related to the administration of the medicaid program. Provides that the unit is also authorized to investigate medicare fraud, abuse, neglect and misappropriation of funds or property in healthcare facilities receiving payments under the state medicaid plan and complains of abuse, neglect and financial exploitation of medicaid recipients. Requires a summary of the unit's work be included in an annual report submitted to the governor, the senate judiciary committee and the criminal justice committee of the house of representatives. Creates three new divisions of the TBI: the criminal investigation division, the forensic services division and the narcotics investigation division.

Fiscal Note: (Dated January 25, 2023) NOT SIGNIFICANT

Intro Dates: S: 01/24/23, H: 01/30/23

Senate Status: 02/09/23 - Set for Senate Consent 2 02/13/23.

House Status: 01/30/23 - Introduced in the House