

TNA Legislative Calendar of Bills for Week of March 5, 2018 and report of bills considered this week.

Monday, Monday 5, 2018

2:00pm - House Hearing Rm III, Joint Council on Pensions and Insurance -- CHAIR C. Sargent (R); VICE CHAIR B. Watson (R); T. Harper (D); K. Brooks (R); G. McCormick (R); T. Gardenhire (R); S. McDaniel (R); C. Fitzhugh (D); K. Camper (D); K. Calfee (R); M. Norris (R)

SB1778 Crowe R. **HEALTH CARE: Staffing of telehealth services at school site.** Amends language by adding licensed educational personnel trained in conducting the telecommunications encounter and equipped to engage in telehealth services at a school clinic. **TNA POSITION -- Monitoring**
HB1747 - M. Hill - 03/01/18 - Set for House Health Subcommittee 03/07/18.

SB2394 Briggs R. **HEALTH CARE: Expedited review of cases involving cancer patients.** Deems any request relating to a covered person's diagnosis of cancer to be treated as an urgent care request. Allows a covered person who does not receive the notification of the decision by the health carrier within 72 hours after the receipt of the request for the expedited review to have their recommended healthcare services or treatment approved and the health carrier's decision reversed. Requires the commissioner of commerce and insurance to determine if a request is eligible for external review. **TNA POSITION -- Monitoring**
HB2269 - J. Zachary - 02/05/18 - Referred to House Insurance & Banking Subcommittee.

SB1869 Lundberg J. **INSURANCE HEALTH: Assigning of benefits to a health care provider.** Authorizes insured persons to assign their benefits to the healthcare provider. Requires the insurer to distribute funds in names of the insured and healthcare provider as joint payees in cases of medical expense benefits. Authorizes the insurer to disregard an insured's assignment of benefits under certain circumstances including but not limited to when the assignment of benefits is to an out-of-network physician. Patients must be notified when the physician they see are out-of-network and must understand that they are responsible for the difference in fees. Prohibits out-of-network physicians from contacting consumer reporting agencies regarding amount owed by the insured if the amount is greater than \$200 and a payment plan has been finalized within 45 days. **TNA POSITION -- Monitoring**
HB1935 - J. Zachary - 03/01/18 - Set for House Insurance & Banking Subcommittee 03/07/18.

SB2185 Yarbro J. **HEALTH CARE: Health benefit plan coverage of contraceptives.** Requires a health benefit plan to provide coverage of contraceptive services and supplies as outlined in the section. Permits a religious employer to request a health benefit plan without coverage for FDA-approved contraceptive drugs, devices, products or procedures used for contraceptive purposes that are contrary to the religious employer's religious tenets. **TNA POSITION -- Monitoring**
HB2627 - J. Turner - 03/01/18 - Set for House Insurance & Banking Subcommittee 03/07/18.

SB2463 Roberts K. **INSURANCE HEALTH: Tennessee Right to Shop Act.** Beginning January 1, 2019, requires a carrier offering a health plan in this state to develop and implement a program that provides incentives for enrollees in a health plan who elect to receive a comparable healthcare service that is covered by the plan from providers that charge less than the average allowed amount paid by that carrier to network providers for that comparable healthcare service. Specifies that incentives may be calculated as a percentage of the difference between the amount actually paid by the carrier for a given service and the average allowed amount for that service, or by another reasonable methodology approved by the commissioner. Also specifies that incentives may be provided as a cash payment to the enrollee, or as credit toward the enrollee's annual in-network deductible and out-of-pocket limit. Requires the incentive program to provide enrollees with at least 50 percent of the carrier's saved costs for each comparable healthcare service resulting from shopping by enrollees. Requires the commissioner of commerce and insurance to promulgate rules to determine how to calculate the average allowed amount for a comparable healthcare service. Requires a carrier to provide notice to enrollees of their right to obtain information about the average allowed amount for a procedure or service and of the process for obtaining such information and requires the carrier to provide this notice on the carrier's website and in benefit

plan material. Requires an insurance carrier to make the incentive program available as a component of all health plans offered by the carrier in this state. Establishes other provisions regarding carriers offering health plans in this state. (13 pp.) **TNA POSITION – Neutral**
HB2539 - D. Howell - 03/01/18 - Set for House Insurance & Banking Subcommittee 03/07/18.

Tuesday, March 6, 2018

10:30am - House Hearing Rm II, House Agriculture & Natural Resources Committee --
CHAIR C. Halford (R); VICE CHAIR A. Holt (R); J. Windle (D); R. Tillis (R); J. Shaw (D); J. Reedy (R); B. Mitchell (D); S. McDaniel (R); J. Matheny (R); P. Marsh (R); R. Lollar (R); B. Hulsey (R); D. Hawk (R)

HB2288 Ramsey B. -- **Changes in veterinary licensing classifications.** Changes veterinary licensing classification from veterinary technician to veterinary nurse. Authorizes the board of veterinary medical examiners to adapt rules in accordance with the UAPA related the practice, application process, license renewal, license fee, and penalties. Requires that licensed veterinary technicians in good standing on or before January 1, 2019 be granted a registered veterinary nurse license upon renewal. SB2154 - M. Bell - 03/01/18 - Set for Senate Energy, Agriculture & Natural Resources Committee 03/08/18.

TNA STRONGLY OPPOSES HB2288 for the following reasons:

- ❖ **TNA believes the title registered nurse has always been linked to the provision of care of humans**
- ❖ **TNA believes the Registered Veterinary Nurse initiative would undermine the title “nurse”**
- ❖ **TNA believes in transparency of those who provide care for human beings and those who care for other forms of life and should remain distinctive.**
- ❖ **No other state has enacted such legislation**

The bill is scheduled for consideration by the House Agriculture & Natural Resources on Wednesday, March 7, 2018.

Rep. Halford, Curtis	rep.curtis.halford@capitol.tn.gov
Rep. David Hawk	rep.davis.hawk@capitol.tn.gov
Rep. Bud Hulsey	rep.bud.hulsey@capitol.tn.gov
Rep. Holt, Andy	rep.andy.holt@capitol.tn.gov
Rep. Par Marsh	rep.pat.marsh@capitol.tn.gov
Rep. Judd Matheny	rep.judd.matheny@capitol.tn.gov
Rep. Steve McDaniel	rep.steve.mcdaniel@capitol.tn.gov
Rep. Mitchell, Bo	rep.bo.mitchell@capitol.tn.gov
Rep. Reedy, Jay	rep.jay.reedy@capitol.tn.gov

Rep. Shaw, Johnny rep.johnny.shaw@capitol.tn.gov

Rep. Tillis , Rick rep.thomas.tillis@capitol.tn.gov

Rep. Lollar, Ron rep.ron.lollar@capitol.tn.gov

Rep. John Mark Windle rep.john.windle@capitol.tn.gov

TNA MEMBERS, WE NEED YOU TO PLEASE CONTACT MEMBERS OF THE HOUSE AGRICULTURE COMMITTEES and VOICE OPPOSITION AND CONCERNS OF HB2288

10:30am - House Hearing Rm I, House Health Committee -- CHAIR C. Sexton (R); VICE CHAIR S. Kumar (R); R. Williams (R); S. Whitson (R); B. Terry (R); R. Staples (D); P. Sherrell (R); B. Ramsey (R); J. Ragan (R); S. Jones (D); D. Jernigan (D); J. Holsclaw, Jr. (R); M. Hill (R); G. Hicks (R); R. Gant (R); J. Favors (D); J. Faison (R); J. Clemmons (D); S. Butt (R)

HB2251 Matlock J. -- **Use of state funds to support or promote elective abortions prohibited.** Establishes that is the policy of the state to favor childbirth and family planning services that do not include elective abortions or the promotion of elective abortions within the continuum of care or services and to avoid the direct or indirect use of state funds to promote or support elective abortions. Directs the commissioner of finance and administration to submit to the federal centers for medicare and medicaid services a waiver amendment to the existing TennCare II waiver to require the exclusion of a provide from the program if the bureau of TennCare finds that inclusion of the provider in the program would result in the direct or indirect use of state funds to promote or support elective abortion. Requires the commissioner to implement the waiver amendment within 10 business days if the waiver amendment is approved. **TNA POSITION -- Neutral**
SB2148 - M. Bell - 02/05/18 - Referred to Senate Health & Welfare Committee.

HB1695 Pitts J.-- **Honoring prescription for person displaced by natural disaster.** Permits a pharmacist to honor a valid prescription written by a physician in another state or territory for a person from another state or territory that has been displaced by a disaster. **Amendment Summary:** House Health Subcommittee amendment 1 (012842) rewrites the bill. Defines "patient" for purposes of this legislation to mean a patient from this state, or another state, who was displaced by a disaster when the patient is present in this state. Authorizes a pharmacist in this state, in good faith, to dispense to a patient without proper authorization or a valid prescription the number of dosages of a prescription drug necessary to allow the patient to secure proper authorization or a valid prescription from the patient's prescriber. Prohibits the amount of the prescription drug dispensed from exceeding a 30-day supply. Allows prescription information to be obtained from a prescription label, verbal medical order, verbal prescription order, or any other means determined to be legitimate in the professional judgement of the pharmacist. **TNA POSITION – Monitoring for amendment**
SB1670 - M. Green - 02/28/18 - Senate Health & Welfare Committee recommended with amendment 1 (012840). Sent to Senate Calendar Committee.

HB2606 Hardaway G. --- **Requires department of children's services to develop instruction guidelines for child safety programs.** Requires the department of children s services to develop instructional guidelines by January 1, 2019 for child safety training programs for members of professions that frequently deal with children who may be at risk of abuse. Requires the department to work with each licensing board to ensure that the child safety training program created by the board fully and accurately reflects the best practices for identifying and report child abuse and child sexual abuse as appropriate for each profession. **Amendment Summary:** House Health Subcommittee amendment 1 (013157) rewrites the bill. Requires the Department of Children's Services (DCS) to develop instructional guidelines for child safety training programs for members of professions that frequently deal with children who may be at risk of abuse, no later than January 1, 2019. Requires the Board of Medical Examiners, Board of Osteopathic Examination, Board of Nursing, and Board of Social Work Licensure to

work with DCS to create the child safety training programs.

SB2405 - S. Kyle - 02/05/18 - Referred to Senate Judiciary Committee. **TNA POSITION -- Neutral**

HB2122 Williams R. -- Enacts the New Healthcare Practitioner Act, which establishes a license for a new practitioner. Outlines the duties of the board of medical examiners in carrying out this act. Requires an applicant for this licensure to possess a doctor in medical science from a program that meets the criteria laid out in the section. Prohibits any person to function as a new healthcare practitioner unless the person holds a valid new healthcare practitioner license issued by the board. Requires every new healthcare practitioner to biennially pay a licensing renewal fee set by the board. Revokes a license at the expiration of 60 days after the registration was required if a new healthcare practitioner fails to renew their license and pay the biennial license fee within 60 days after license renewal becomes due. **Amendment Summary:** House Health Subcommittee amendment 1 (013513) rewrites the bill. Creates the Essential Access Practitioner Act. Requires the Board of Medical Examiners to establish an essential access practitioner license category. Requires that the essential access practitioner license be available no later than July 1, 2019.

SB1926 - R. Briggs - 02/28/18 - Senate Health & Welfare Committee recommended with amendment 1. Sent to Senate Finance.

Although the following statement was read into the legislative record by both Senate and House sponsors to address concern of TNA and the CRNA, in regards to future of Advanced Practice Nursing. **“The pathway outlined in this bill is not intended to serve as precedent or considered a model for other healthcare practitioners seeking other opportunities or broader authority.”**

TNA’s remains opposed to the legislation for the followings:

- The bill sponsors cite a lack of access to primary care in rural areas as rationale for the need for a new license and practice authority for select PAs (PAs who receive a practice doctoral degree; currently Tennessee has only one college that confers a practice doctoral degree for PAs).
 - If access to primary care is the focus problem, there are other solutions. Data shows that Tennessee Advanced Practice Registered Nurses (APRNs), including Nurse Practitioners, Certified Registered Nurse Anesthetists, and Certified Nurse Midwives, elect to practice in Tennessee rural areas at a higher rate than Tennessee physicians. We are not aware of data that support the premise that PAs would elect to practice in rural areas.
- Evidence is lacking which supports the creation of a new education model and license for PAs. This model is not in place in any other state **and is not** actively supported by national and state PA associations.
- The bill ignores APRN's who are already in place. There is an abundance of evidence supporting the quality, cost-effectiveness, and acceptability of their care. What is the basis for differentiating between APRNs and PAs?
- TNA has a concern about an approach that designates the provider's authority to practice based on geography.
- If passed, the bill would set precedents that TNA does not support. The bill has been touted as a model for APRN practice authority. However the bill includes terms that have been previously rejected by TNA as inappropriate for APRNs, including:
 - The bill limits new practitioners to practice only in a team care model with one or more physician leaders. TNA has previously-rejected the idea of team-based care that only

allows for physicians as team leaders. TNA opposes an idea that is not patient-centered

- o The bill specifies that the Board of Medical Examiners would set rules and regulations for the new practitioner.
- o The bill requires two additional years of training at a program at a medical school. TNA does not agree that APRNs need additional education or the notion that APRN education needs to be based on the same model used for medical education.
- The bill has been characterized as a "pathway to independent practice". TNA believes this bill actually further restricts current APRN practice.

HB2239 Faison J. -- **Redefines physicians and physician assistants' professional relationship.** Changes references to the professional relationship between physicians and physician assistants from "supervisory" to "collaborative." Makes similar changes to references to the professional relationship between physicians and advanced practice registered nurses. **Amendment Summary:** House Health Subcommittee amendment 1, Senate amendment 1 (013076) specifies that the activities of the physician assistant are appropriate in collaboration with the physician and that the prescriptive practices of physician assistance and the collaborating physicians with whom such physician assistants are rendering services will be monitored by the board and the committee.

SB1515 - B. Massey - 02/26/18 - Senate passed with amendment 1 (013076), which specifies that the activities of the physician assistant are appropriate in collaboration with the physician and that the prescriptive practices of physician assistance and the collaborating physicians with whom such physician assistants are rendering services will be monitored by the board and the committee. **TNA POSITION -- Neutral**

HB2220 Sexton C. -- **Report on the implementation of the Tennessee Prescription Safety Act of 2016.** Requires the commissioner of health to conduct a study on issues related to the impact of the Tennessee Prescription Safety Act of 2016 on healthcare access and healthcare status. Requires that the findings be reported to the health committee of the house of representatives and the health and welfare committee of the senate on or before January 15, 2019. **Amendment Summary:** House Health Subcommittee amendment 1 (013272) rewrites the bill. Authorizes a pharmaceutical manufacturer or its representatives to engage in truthful promotion of off-label uses. **TNA POSITION -- Neutral**

SB2361 - R. Crowe - 03/01/18 - Set for Senate Health & Welfare Committee 03/07/18.

Wednesday, March 7, 2018

9:30am - Senate Hearing Rm I, Senate Health & Welfare Committee -- CHAIR R. Crowe (R); VICE CHAIR F. Haile (R); 2ND VICE CHAIR J. Hensley (R); R. Briggs (R); B. Massey (R); S. Kyle (D); E. Jackson (R); B. Watson (R); A. Swann (R)

SB2257 Norris M. -- **Requirements for prescribing, dispensing, and reporting of opioids.** Authorizes commissioner of health to establish the morphine milligram equivalent calculation for an opioid drug. Requires use of the calculation established by the federal centers for disease control and prevention for that drug, given that there is no such existing rule. Changes requirements of healthcare practitioners to check a controlled substance database when prescribing and dispensing the substances to patients, and to check the database every six months, instead of annually, of the patient's treatment. Provides the health commissioner with control of this database. Forbids practitioners from providing more than a five-day supply of opiates to patients, a ten-day supply in situations where refilling the prescription would prove difficult for the patient. Restricts the use of opiates to the treatment of patients in severe conditions where traditional treatment methods have been tried, and only after consultation with the patient. Requires the health commissioner to file a report on the effect of these restrictions by no later than November 2021. Part of administration package. **TNA POSITION -- Monitoring for amendments**

HB1831 - D. Hawk - 03/01/18 - Set for House Health Subcommittee 03/07/18.

SB1258 Norris M. -- **Definition of device in the Tennessee Pharmacy Practice Act of 1996.** Adds a requirement to the definition of "device" as used in the Pharmacy Practice Act of 1996 that a device be used to administer a prescription drug. **TNA POSITION -- Neutral**
HB630 - C. Sexton - 03/01/18 - Set for House Health Subcommittee 03/07/18.

SB2498 Johnson J. -- **Tennessee Ultrasound Sonographer Act.** Enacts the Tennessee Ultrasound Sonographer Practice Act, which sets to establish minimum education, training, and certification guidelines and safety protocols for ultrasound sonographers in non-clinical 3D/4D ultrasound boutiques. Creates a board of ultrasound sonographers appointed by the governor and each member will serve without compensation but are entitled to reimbursement of any travel expenses incurred. Sets the guidelines and duties of the board. Permits the board to grant a license without examination to a person under certain circumstances. Requires the board to prescribe or develop the examinations to determine competence in the field for qualified applicants at least once each calendar year. Permits the board to impose a fine of no more than \$500 on a licensee or applicant for each violation of a law or rule relating to the profession regulated by the board.
HB2321 - C. Sargent - 02/28/18 - House Health Subcommittee deferred to last calendar.

SB2674 Bailey P. -- **Prescribing of opioids to non-pregnant women of child-bearing age.** Requires a specific prescriber who prescribes a five day supply of opioids to a non-pregnant women of child-bearing age to inform the patient of the risk of fetal injury and neonatal abstinence syndrome in the event of pregnancy while on therapy. **Amendment Summary:** House Health Committee amendment 1 (013387) rewrites the bill. Requires a health care prescriber, when prescribing more than a five-day supply of opioids to a non-pregnant woman of childbearing age, to inform the patient of the risk of fetal injury and neonatal abstinence syndrome in the event of pregnancy while the patient is being treated with opioids. Requires prescribers to assure that patients receive culturally and linguistically appropriate, patient-centered and non-coercive counseling that presents methods from all tiers of effectiveness and means to obtaining contraceptive services. Requires prescribers to document any counseling and the patient's reproductive life plan in the patient's medical record. Encourages the health care prescriber, if a pregnancy does occur during treatment, to minimize fetal exposure as much as possible and coordinate care with appropriate obstetric providers upon diagnosis of pregnancy.
HB2348 - R. Williams - 03/01/18 - Set for House Floor on 03/08/18. . **TNA POSITION -- Monitoring**

SB2190 Lundberg J. -- **Guidelines for testing for opioids for the treatment of chronic pain.** Requires the commissioner of health to develop guidelines for testing for opioids used to treat chronic pain by following the guidelines developed by the centers for disease control and prevention (CDC) as they relate to baseline drug testing and periodic follow up testing. **TNA POSITION -- Neutral**
HB1871 - C. Sexton - 03/01/18 - Set for House Health Subcommittee 03/07/18.

SB2095 Dickerson S.-- **Prescribing of buprenorphine by certain nurse practitioners.** Permits a licensed psychiatric nurse practitioner or physician assistant in this state for at least three years and has no limitations or conditions imposed on the practitioner s licensure within the prior three years by the board of nursing or the committee on physician assistants to prescribe buprenorphine. HB2510 - J. Favors - 03/01/18 - Set for House Health Subcommittee 03/07/18. **TNA POSITION - Support**

SB2359 Yarbro J.-- **Authorizes needle and hypodermic syringe exchange program.** Allows county and district health departments to petition for approval from county legislative bodies to create needle and hypodermic syringe exchange programs. **TNA POSITION - Neutral**
HB2675 - C. Fitzgugh - 03/01/18 - Set for House Health Subcommittee 03/07/18.

SB2704 Bowling J. -- **Written notice mailed or given to a patient if extremely dense breast tissue is found.** Clarifies that a physician must provide a written notice directly to the patient by either handing the written notice directly to the patient or mailing a written notice to the patient s home address if extremely dense breast if found in mammogram testing. **TNA POSITION - Neutral**
HB2634 - S. Kumar - 02/07/18 - Referred to House Health Subcommittee.

SB2482 Niceley F. -- **Informing patients before administering vaccinations.** Requires the prescribing practitioner or qualified healthcare provider to provide the patient with a list of the vaccine's ingredients, possible side effects, and information about the federal vaccine adverse event report system prior to administering the vaccination. **TNA POSITION -- Monitoring for amendment**
HB2488 - A. Holt - 03/01/18 - Set for House Health Subcommittee 03/07/18.

SB2361 Crowe R. -- Requires the commissioner of health to conduct a study on issues related to the impact of the Tennessee Prescription Safety Act of 2016 on healthcare access and healthcare status. Requires that the findings be reported to the health committee of the house of representatives and the health and welfare committee of the senate on or before January 15, 2019. **Amendment Summary:** House Health Subcommittee amendment 1 (013272) rewrites the bill. Authorizes a pharmaceutical manufacturer or its representatives to engage in truthful promotion of off-label uses. . **TNA POSITION -- Neutral**
HB2220 - C. Sexton - 03/01/18 - Set for House Health Committee 03/06/18.

SB2348 Swann A. -- **Healthcare Billing Collections Act of 2018.** Protects privately negotiated rate of reimbursement between a health insurance carrier and a healthcare provider as a trade secret and confidential commercial information. Prohibits non-participating healthcare providers from recovering certain billed charges in civil actions against an enrollee. . **TNA POSITION -- Neutral**
HB2259 - M. Curcio - 03/01/18 - Set for House Civil Justice Subcommittee 03/07/18.

SB2142 Haile F. -- **Certain controlled substances to be dispensed by a pharmacy in a lockable container.** Requires that drugs containing controlled substances included in schedule II be dispensed in a lockable container by the pharmacy. In cases where the prescription is for a person under the age of 18 the person's legal guardian is responsible for selecting the combination to the container. The pharmacy and personnel are not liable for providing an ultimate user's combination code. . **TNA POSITION -- Neutral**
HB2173 - T. Goins - 03/01/18 - Set for House Health Subcommittee 03/07/18.

SB1491 Kyle S. -- **Infant Mortality Reduction Program Act.** Requires the department of health to establish a program that provides for the distribution of baby boxes to parents at the birth of their child. Requires the department to coordinate with medical facilities to maintain, store, and distribute the baby boxes.
HB1506 - J. Powell - 03/01/18 - Set for House Health Subcommittee 03/07/18. . **TNA POSITION -- Neutral**

SB2322 Kyle S. -- Permits a physician to write a prescription for a drug that is not a Schedule II controlled substance that may be referred to and filled by a pharmacy in which the physician has an ownership interest.
HB2473 - H. Love Jr. - 02/07/18 - Referred to House Health Subcommittee. . **TNA POSITION -- Neutral**

SB2485 Briggs R. -- Requires a medical facility to provide certain information about the risks of opioids while pregnant, and options for contraceptives for women ages 15 to 44 before the prescription of opioids. . **TNA POSITION -- Neutral**
HB2459 - C. Johnson - 03/01/18 - Set for House Health Subcommittee 03/07/18.

SB2642 Watson B. -- Increases the civil penalty from \$500 per day to \$1,000 per day that any person performs, offers to perform, or holds such person out as performing an activity without possessing the valid certification needed to perform that health care activity. **TNA POSITION -- Neutral** HB2267 - G. Hicks - 02/05/18 - Referred to House Health Subcommittee.

10:30am - House Hearing Rm III, House Finance, Ways & Means Subcommittee --

CHAIR G. McCormick (R); R. Williams (R); C. Sargent (R); S. McDaniel (R); H. Love Jr. (D); G. Hicks (R); P. Hazlewood (R); D. Hawk (R); C. Fitzhugh (D); J. Coley (R); K. Camper (D); K. Brooks (R)

HB69 Smith E.-- **Expansion of TennCare waiver.** Directs the commissioner of finance and administration to submit a waiver request to the federal centers for medicare and medicaid services to enable the state to provide medical assistance to the existing TennCare II waiver population and persons with incomes below 138 percent of the federal poverty line by means of a block grant of federal funds. **Amendment Summary:** House Insurance and Banking Committee amendment 1 (004573) rewrites the bill to direct the Commissioner of the Department of Finance and Administration (F&A) to submit to the federal Centers for Medicare and Medicaid Services, if determined by the Commissioner of F&A to be in the best interest of the state, a waiver amendment to the existing TennCare II waiver or to submit a new waiver in order to provide medical assistance to the TennCare II waiver population and to secure medical assistance eligibility in this state to persons meeting federal eligibility guidelines by means of a block or per capita grant, utilizing a change in applicable federal law, or other approach utilizing regulatory flexibility provided by the federal government, within 180 days of the effective date of the legislation, and if approved, implement the waiver amendment or waiver. Requires the grant, if the waiver is by

means of a block or per capita grant, to convert the federal share of all medical assistance funding for this state into an allotment that is tailored to meet the needs of this state. Senate Commerce & Labor Amendment 1 (006270) deletes all language after the enacting clause. Directs the Commissioner of the Department of Finance and Administration (F&A), within 60 days of the effective date, to assess whether submitting a waiver amendment to the existing TennCare II waiver or a new waiver that would satisfy the requirements of this subsection (b) to the federal Centers for Medicare and Medicaid Services (CMS) is in the best interest of the state. Requires the Commissioner of F&A, if it is determined that a waiver satisfying the requirements of this subsection (b) is in the best interest of the state, within 120 days of making the determination, to submit an amendment to the existing TennCare II waiver or a new waiver that satisfies the requirements of this subsection (b) to the federal CMS. Requires the amendment or waiver to provide medical assistance to the TennCare II waiver population and secure medical assistance eligibility to persons in this state who meet federal eligibility guidelines; and serve eligible persons pursuant to a block or per capita grant, either by utilizing a change in applicable federal law or by other approach utilizing regulatory flexibility provided by the federal government that is tailored to meet the needs of this state. Requires the Commissioner of F&A, if the amendment or waiver is submitted pursuant to subdivision (b)(1) and is subsequently approved by the federal CMS to proceed pursuant to subsection (a). . **TNA**

POSITION -- Neutral

SB118 - R. Briggs - 04/04/17 - Taken off notice in Senate Commerce & Labor Committee.

HB1307 Turner J.---**Lupus education and awareness program.** **Amendment Summary:** Senate Amendment 1, House Health Committee Amendment 1 (006641) rewrites the bill. Creates the Tennessee Task Force on Lupus Education and Awareness. Specifies members of the task force, including members of the general assembly and various commissioners. Requires that the members of the task force serve without compensation. Specifies duties and responsibilities of the task force including developing recommendations for increasing awareness of lupus. Requires the task force to submit a report to the governor and the general assembly. Authorizes the task force to solicit and accept donations. **Position:** Support

SB1387 - R. Tate - 04/10/17 - Senate passed with amendment 1.

HB1510 Whitson S. -- **Tennessee Public Safety Behavioral Health Act.** Requires public safety employers to provide not less than ten visits or sessions with a mental health service provider for the purpose of treating PTSD through the employee's health benefits or otherwise, in addition to any other behavioral or mental health benefits offered. Prohibits public safety employers from engaging in the retaliatory treatment of public safety employees seeking or utilizing mental health service providers or behavioral health programs. **Amendment Summary:** House Health Committee amendment 1, Senate Health & Welfare Committee amendment 1 (013054) adds language to the original bill to include occupational therapists licensed by the Board of Occupational Therapy as mental health providers for the purposes of this legislation. . **TNA POSITION -- Neutral**

SB1797 - B. Ketron - 02/28/18 - Senate Health & Welfare Committee recommended with amendment 1 (013054) and amendment 2. Sent to Senate Calendar Committee.

12:00pm - House Hearing Rm I, House Criminal Justice Committee -- CHAIR W. Lamberth (R); VICE CHAIR M. Curcio (R); J. VanHuss (R); P. Sherrell (R); A. Parkinson (D); M. Littleton (R); S. Jones (D); T. Goins (R); A. Farmer (R); J. Coley (R); R. Akbari (D)

HB1749 Faison J. -- **Medical Cannabis Act.** Enacts the "Medical Cannabis Act," which establishes the medical cannabis commission for regulation of cannabis-related health care. Specifies that the commission shall consist of nine members and specifies appointing process for members. Specifies that the official domicile for the commission is Nashville and that all meetings of the commission are to be held in Nashville. Specifies compensation for members of commission and specifies duties of commission. Defines "medical cannabis establishment" to mean a cultivation facility, testing facility, processing facility, dispensary, wholesaler, or other medical cannabis entity licensed by the commission. Establishes licensure process for medical cannabis establishments and specifies grounds for the commission to immediately revoke a medical cannabis establishment license. Requires each medical cannabis establishment to have the capability to send data to and receive data from the electronic verification system established by the commission. Also requires each dispensary to check the electronic verification system established by the commission prior to dispensing any cannabis product. Establishes process for voters of a municipality or county to permit the retail sale of medical cannabis product at a licensed dispensary within the territorial limits of such county or municipality, by a majority vote, at a local option election. Requires the medical cannabis commission to promulgate rules governing the

transportation of cannabis and cannabis products on public highways in the state and requires the commission to consult with the commissioner of safety in promulgating these rules. Establishes other provisions regarding medical cannabis. (74 pp.) **Amendment Summary:** House Criminal Justice Subcommittee amendment 1 (013041) adds sickle cell anemia to list of debilitating medical conditions. House Criminal Justice Subcommittee amendment 2 (013564) adds language to the definition of cannabis to include any clones of the plant. Ensures that location requirements for medical cannabis establishments do not apply to facilities operated by public or private colleges conducting research in the state. Adds an appeal process for the denial of licenses. SB1710 - S. Dickerson - 01/24/18 - Referred to Senate Judiciary Committee. . **TNA POSITION -- Neutral**

12:00pm - House Hearing Rm III, House Government Operations Committee --
CHAIR J. Faison (R); VICE CHAIR J. Ragan (R); R. Williams (R); M. Stewart (D); B. Mitchell (D); C. Johnson (R); D. Howell (R); C. Halford (R); C. Fitzhugh (D); G. Casada (R); K. Calfee (R)

HB2167 Ramsey B. -- **Recognition of hospitals with stroke-related designations.** Requires the board for licensing health care facilities to establish a procedure for recognizing hospitals that have stroke-related designations. Recognizes a hospital as a stroke-related designation if the hospital has an active certification as a comprehensive stroke center, primary stroke center, or acute stroke-ready hospital capable of providing neuroendovascular treatment. Authorizes the board to remove reference to facility's stroke-related designation if a hospital does not comply with board establish procedures. Establishes guidelines for pre-hospital assessment, treatment, education, and transport of patients. **Amendment Summary:** House Health Committee amendment 1 (013370) changes the term emergency medical "responders" to emergency medical "providers" in Section 2 subsection (a). . **TNA POSITION -- Neutral**
SB2513 - B. Ketron - 02/28/18 - Senate Health & Welfare Committee recommended with amendment 1 (013370). Sent to Senate Calendar Committee.

12:00pm - House Hearing Rm II, House Insurance & Banking Subcommittee -- CHAIR
K. Keisling (R); J. Zachary (R); R. Travis (R); J. Towns Jr. (D); D. Thompson (D); T. Rudd (R); D. Powers (R); J. Matheny (R); T. Hill (R); R. Gant (R)

HB2355 Terry B. -- **Prescribed claim form by healthcare providers on the department's website.** Authorizes the commissioner of commerce and insurance to make available to healthcare providers on the department's website any prescribed claim form for reporting by healthcare providers. Broadly captioned. **TNA POSITION -- Monitoring for amendment.**
SB2165 - M. Green - 02/05/18 - Referred to Senate Commerce & Labor Committee.

HB2299 Moon J. -- **Allocation of health care resources and services in the treatment of cancer patients.** Requires that utilization review agents intending to make changes to preauthorization requirements or restrictions that impact health care resources and services for cancer patients to provide contracted health care provider with written notice. Requires the health care providers be notified no less than 30 days prior to the requirement of restriction is implemented. **TNA POSITION -- Neutral**
SB2198 - A. Swann - 02/05/18 - Referred to Senate Commerce & Labor Committee.

HB1935 Zachary J. -- **Assigning of benefits to a health care provider.** Authorizes insured persons to assign their benefits to the healthcare provider. Requires the insurer to distribute funds in names of the insured and healthcare provider as joint payees in cases of medical expense benefits. Authorizes the insurer to disregard an insured s assignment of benefits under certain circumstances including but not limited to when the assignment of benefits is to an out-of-network physician. Patients must be notified when the physician they see are out-of-network and must understand that they are responsible for the difference in fees. Prohibits out-of-network physicians from contacting consumer reporting agencies regarding amount owed by the insured if the amount is greater than \$200 and a payment plan has been finalized within 45 days. **TNA POSITION -- Neutral**
SB1869 - J. Lundberg - 01/31/18 - Referred to Senate Commerce & Labor Committee.

1:30pm - House Hearing Rm III, House Civil Justice Subcommittee -- : CHAIR M. Carter (R); B. Beck (D); G. Casada (R); M. Daniel (R); A. Farmer (R); G. Hardaway (D); D. Moody (R)

HB2259 Curcio M. -- **Healthcare Billing Collections Act of 2018.** Protects privately negotiated rate of reimbursement between a health insurance carrier and a healthcare provider as a trade secret and confidential commercial information. Prohibits non-participating healthcare providers from recovering certain billed charges in civil actions against an enrollee. **TNA POSITION -- Neutral**

SB2348 - A. Swann - 03/01/18 - Set for Senate Health & Welfare Committee 03/07/18.

3:00pm - House Hearing Rm III, House Health Subcommittee -- CHAIR B. Terry (R); J. Clemmons (D); J. Faison (R); J. Favors (D); M. Hill (R); S. Kumar (R); C. Sexton (R); P. Sherrell (R); J. Ragan (R)

HB2459 Johnson C.-- **Risk assessment regarding the prescription of opioids.** Requires a medical facility to provide certain information about the risks of opioids while pregnant, and options for contraceptives for women ages 15 to 44 before the prescription of opioids. **TNA POSITION -- Neutral**

SB2485 - R. Briggs - 03/01/18 - Set for Senate Health & Welfare Committee 03/07/18.

HB2173 Goins T. -- **Certain controlled substances to be dispensed by a pharmacy in a lockable container.** Requires that drugs containing controlled substances included in schedule II be dispensed in a lockable container by the pharmacy. In cases where the prescription is for a person under the age of 18 the person's legal guardian is responsible for selecting the combination to the container. The pharmacy and personnel are not liable for providing an ultimate user's combination code. **TNA POSITION -- Neutral**

SB2142 - F. Haile - 03/01/18 - Set for Senate Health & Welfare Committee 03/07/18.

HB1506 Powell J.-- **Infant Mortality Reduction Program Act.** Requires the department of health to establish a program that provides for the distribution of baby boxes to parents at the birth of their child. Requires the department to coordinate with medical facilities to maintain, store, and distribute the baby boxes.

SB1491 - S. Kyle - 03/01/18 - Set for Senate Health & Welfare Committee 03/07/18. **TNA POSITION -- Neutral**

HB2510 Favors J.-- **Prescribing of buprenorphine by certain nurse practitioners.** Permits a licensed psychiatric nurse practitioner or physician assistant in this state for at least three years and has no limitations or conditions imposed on the practitioner's licensure within the prior three years by the board of nursing or the committee on physician assistants to prescribe buprenorphine **TNA POSITION -- Support** SB2095 - S. Dickerson - 03/01/18 - Set for Senate Health & Welfare Committee 03/07/18.

HB1831 Hawk D.-- **Requirements for prescribing, dispensing, and reporting of opioids.** Authorizes commissioner of health to establish the morphine milligram equivalent calculation for an opioid drug. Requires use of the calculation established by the federal centers for disease control and prevention for that drug, given that there is no such existing rule. Changes requirements of healthcare practitioners to check a controlled substance database when prescribing and dispensing the substances to patients, and to check the database every six months, instead of annually, of the patient's treatment. Provides the health commissioner with control of this database. Forbids practitioners from providing more than a five-day supply of opiates to patients, a ten-day supply in situations where refilling the prescription would prove difficult for the patient. Restricts the use of opiates to the treatment of patients in severe conditions where traditional treatment methods have been tried, and only after consultation with the patient. Requires the health commissioner to file a report on the effect of these restrictions by no later than November 2021. Part of administration package. **TNA POSITION -- Monitoring for amendment**

SB2257 - M. Norris - 03/01/18 - Set for Senate Health & Welfare Committee 03/07/18.

HB1746 Hill M. -- **Abortion - information provided to woman regarding physician.** Requires specified information about the physician performing an abortion be made available to the woman prior to the procedure.

SB2365 - R. Crowe - 02/05/18 - Referred to Senate Judiciary Committee. **TNA POSITION -- Neutral**

HB1747 Hill M.-- **Staffing of telehealth services at school site.** Amends language by adding licensed educational personnel trained in conducting the telecommunications encounter and equipped to engage in telehealth services at a school clinic. **TNA POSITION -- Neutral**
SB1778 - R. Crowe - 01/25/18 - Referred to Senate Commerce & Labor Committee.

HB2488 Holt A.-- **Informing patients before administering vaccinations.** Requires the prescribing practitioner or qualified healthcare provider to provide the patient with a list of the vaccine's ingredients, possible side effects, and information about the federal vaccine adverse event report system prior to administering the vaccination. **TNA POSITION -- Monitoring for amendment**
SB2482 - F. Niceley - 03/01/18 - Set for Senate Health & Welfare Committee 03/07/18.

HB2564 Johnson C. -- **Pilot program for military medical veterans to practice under supervision of a physician.** Requires the department of veterans services, in collaboration with the department of health, to establish a pilot program in which military medical personnel may practice and perform certain delegated acts under the supervision of an active physician or podiatrist. Requires the department of veterans services to establish general requirements for participating military medical personnel, licensees, and employers.
SB2620 - M. Norris - 02/05/18 - Referred to Senate State & Local Government Committee. **TNA POSITION -- Neutral**

HB2675 Fitzhugh C.-- **Authorizes needle and hypodermic syringe exchange program.** Allows county and district health departments to petition for approval from county legislative bodies to create needle and hypodermic syringe exchange programs. **TNA POSITION -- Neutral**
SB2359 - J. Yarbro - 03/01/18 - Set for Senate Health & Welfare Committee 03/07/18.

HB2379 Sexton J.-- **Use of oxycodone by enrollees in medical assistance.** Prohibits medical assistance programs from covering any drugs containing oxycodone on any preferred drug lists. Requires the bureau of TennCare to remove any drug containing oxycodone from the preferred drug list within 90 days.
SB2112 - F. Niceley - 02/05/18 - Referred to Senate Health & Welfare Committee. **TNA POSITION -- Neutral**

HB630 Sexton C. -- **Definition of device in the Tennessee Pharmacy Practice Act of 1996.** Adds a requirement to the definition of "device" as used in the Pharmacy Practice Act of 1996 that a device be used to administer a prescription drug. **TNA POSITION -- Neutral**
SB1258 - M. Norris - 03/01/18 - Set for Senate Health & Welfare Committee 03/07/18.

HB1871 Sexton C.-- **Guidelines for testing for opioids for the treatment of chronic pain.** Requires the commissioner of health to develop guidelines for testing for opioids used to treat chronic pain by following the guidelines developed by the centers for disease control and prevention (CDC) as they relate to baseline drug testing and periodic follow up testing. **TNA POSITION -- Neutral**
SB2190 - J. Lundberg - 03/01/18 - Set for Senate Health & Welfare Committee 03/07/18.

Thursday, March 8, 2018

10:00am - Senate Hearing Rm I, Senate Energy, Agriculture & Natural Resources Committee -- CHAIR S. Southerland (R); VICE CHAIR F. Niceley (R); 2ND VICE CHAIR M. Pody (R); M. Bell (R); S. Dickerson (R); M. Green (R); D. Gresham (R); L. Harris (D); K. Yager (R)

SB2154 Bell M.-- **Changes in veterinary licensing classifications.** Changes veterinary licensing classification from veterinary technician to veterinary nurse. Authorizes the board of veterinary medical examiners to adapt rules in accordance with the UAPA related the practice, application process, license renewal, license fee, and penalties. Requires that licensed veterinary technicians in good standing on or before January 1, 2019 be granted a registered veterinary nurse license upon renewal.
HB2288 - B. Ramsey - 03/01/18 - Set for House Agriculture & Natural Resources Committee 03/06/18.

TNA STRONGLY OPPOSES SB2154 for the following reasons:

- ❖ TNA believes the title registered nurse has always been linked to the provision of care of humans
- ❖ TNA believes the Registered Veterinary Nurse initiative would undermine the title “nurse”
- ❖ TNA believes in transparency of those who provide care for human beings and those who care for other forms of life and should remain distinctive.
- ❖ No other state has enacted such legislation

TNA MEMBERS, WE NEED YOU TO PLEASE CONTACT MEMBERS OF THE HOUSE AND AGRICULTURE COMMITTEES and VOICE OPPOSITION AND CONCERNS OF SB2154/HB2288.

Sen. Steve Southerland	sen.steve.southerland@capitol.tn.gov
Sen. Frank Niceley	sen.frank.niceley@capitol.tn.gov
Sen. Mark Pody	sen.mark.pody@capitol.tn.gov
Sen. Mike Bell	sen.mike.bell@capitol.tn.gov
Sen. Steven Dickerson	sen.steven.dickerson@capitol.tn.gov
Sen, Mark Green	sen.mark.green@capitol.tn.gov
Sen. Dolores Gresham	sen.dolores.gresham@capitol.tn.gov
Sen. Lee Harris	sen.lee.harris@capitol.tn.gov
Sen. Ken Yager	sen.Ken.yager@capitol.tn.gov

Save the Date!!!

TNA Legislative Summit

April 4, 2018

War Memorial Auditorium, Nashville, TN.

