



TNA's Legislative Interests Week of March 25th

Mon 3/25/19 1:00pm - House Hearing Rm II, Joint Council on Pensions and Insurance

MEMBERS: CHAIR B. Watson (R); VICE CHAIR S. Lynn (R); P. Hazlewood (R); B. Ogles (R); P. Bailey (R); B. Gilmore (D); T. Gardenhire (R); J. Johnson (R); J. Hensley (R); J. Stevens (R); W. Lamberth (R); A. Holt (R); G. Hicks (R); R. Staples (D)

2. SB1345 Massey B. **INSURANCE HEALTH: Notice that the treating physician is out of network.** Includes a person who is receiving medical services through a mental health facility to those who are not required until such person is stabilized to receive notice that the treating physician is out of network of the person's insurer. **Fiscal Note:** (Dated February 11, 2019) NOT SIGNIFICANT
HB421 - R. Smith - 02/06/19 - Referred to House Life & Health Insurance Subcommittee.
4. SB343 Watson B. **HEALTH CARE: Decreases the time period a health insurance entity paid a claim and may recoup reimbursement.** Decreases the time period after the date that a health insurance entity paid a claim submitted by the healthcare provider by which a health insurance entity may recoup reimbursements to the provider, other than in cases of fraud committed by the healthcare provider from 18 to 12 months. **Fiscal Note:** (Dated February 11, 2019) NOT SIGNIFICANT
HB534 - T. Hill - 02/07/19 - Caption bill held on House clerk's desk.
8. SB510 Roberts K. **INSURANCE HEALTH: Tennessee Right to Shop Act.** Requires a carrier offering a health plan in this state, beginning upon approval of the next health insurance rate filing on or after January 1, 2020, to implement an incentive program that provides incentives for enrollees in a health plan who elect to receive a comparable healthcare service from a network provider that is covered by the health plan and that is paid less than the average allowed amount paid by that carrier to network providers for that comparable healthcare service before and after an enrollee's out-of-pocket limit has been met. Allows incentives to be calculated as a percentage of the difference between the amount actually paid by the carrier for a given comparable healthcare service and the average allowed amount for that service, or by another reasonable methodology approved by the commissioner of commerce and insurance. Also allows incentives to be provided as a cash payment to the enrollee, a credit toward the enrollee's annual in-network deductible and out-of-pocket limit, or a credit or reduction of a premium, a copayment, cost sharing, or a deductible. Requires the incentive program to provide each enrollee with at least 50 percent of the carrier's saved costs for each comparable healthcare service resulting from shopping by the enrollee. 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 requirements for incentive programs.
HB419 - R. Smith - 03/21/19 - Set for House Life & Health Insurance Subcommittee 03/27/19.
9. SB1215 Crowe R. **INSURANCE HEALTH: Restrictions on coverage of off-label drugs by insurers.** Removes that some insurers will deny payment for drugs approved by the FDA when used for off-label use, while other insurers do pay for off-label use. Deletes clause of coverage of off-label drugs will not apply to a governmentally funded health care program, if the program requires the provision of medically necessary services. Deletes definitions of medical literature and standard reference compendia, in regards to insurance coverage on off-label drugs. Deletes clause on an insurer excluding coverage on an FDA non-approved drug if the drug is recognized for treatment of the indication in one of the standard reference compendia, or in the medical literature. Deletes clause that coverage for off-label uses of approved drugs shall not be constructed to alter existing law with regard to provisions limiting the coverage of drugs that have not been approved by the FDA. **Fiscal Note:** (Dated March 9, 2019)

Increase State Expenditures - \$15,685,400 Increase Federal Expenditures - \$101,300 Increase Local Expenditures Exceeds \$2,462,900*

HB1010 - M. Hill - 03/21/19 - Set for House Life & Health Insurance Subcommittee 03/27/19.

Mon 3/25/19 2:00pm - House Hearing Rm I, House Government Operations Committee

MEMBERS: CHAIR M. Daniel (R); VICE CHAIR I. Rudder (R); R. Williams (R); M. Stewart (D); C. Sexton (R); J. Reedy (R); J. Ragan (R); W. Lamberth (R); J. Lafferty (R); D. Howell (R); G. Hardaway (D); C. Halford (R); B. Dunn (R); K. Camper (D); K. Calfee (R)

1. HB304 **PROFESSIONS & LICENSURE: Exempts armed forces members and their spouses from licensure requirements.** Exempts armed forces members stationed within this state and their spouses from licensure requirements to practice professions and occupations regulated by the department of commerce and insurance and the department of health, subject to meeting certain requirements to practice. **Amendment Summary:** House Commerce Committee amendment 1 (005769) deletes and rewrites all language after the enacting clause such that the substantive changes are as follows: (1) a qualifying person must register with the state agency administering the profession and subject themselves in writing to the jurisdiction of such agency in respect to harms or violations of statutes and rules; (2) a qualifying individual must apply for licensure if such license expires in the state of issuance, or within one year of practicing in Tennessee, whichever comes first; (3) regulatory boards under the Department of Health (DOH) are not required to provide license exemption under this legislation; and (4) deletes prerequisite that a person must have left employment to accompany a spouse to this state in order to qualify for an expedited full license under a DOH regulatory board. **Fiscal Note:** (Dated February 28, 2019) Decrease State Revenue Exceeds \$1,000/Health Regulatory Boards Exceeds \$1,000/Commerce Regulatory Boards SB384 - J. Lundberg - 03/19/19 - Senate Commerce & Labor Committee recommended with amendment 1. Sent to Senate Calendar Committee.

Mon 3/25/19 2:30pm - House Hearing Rm II, House Consumer & Human Resources Committee

HEADER: Final Calendar MEMBERS: CHAIR C. Boyd (R); VICE CHAIR R. Bricken (R); D. Thompson (D); M. Sparks (R); L. Russell (R); J. Holsclaw, Jr. (R); D. Hawk (R); B. Freeman (D); B. Cooper (D); J. Coley (R); M. Cochran (R)

5. HB986 **LABOR LAW: Tennessee Pregnant Workers Fairness Act.** Defines reasonable accommodations in respect to employees who are pregnant. Declares that an employer is not required to construct a permanent, dedicated space for pressing milk. Establishes what an employer is not required to do unless the same accommodations are made for other employees including creating a light duty position and compensate an employee for more frequent or longer break periods. Declares it to be discriminatory based on sex for an employer to fail to make reasonable accommodations for pregnant employees, require an employee to take leave if a reasonable accommodation can be made, and take adverse action against an employee for requesting reasonable accommodations. **Amendment Summary:** House Employee Affairs Subcommittee amendment 1 (006245) requires the department of labor and workforce development to provide online educational materials explaining existing employer responsibilities, under both federal and state law, and all rights of employees who have a pregnancy-related health condition. The attorney general must investigate complaints related to the federal Pregnancy Discrimination Act or Americans with Disabilities Act and annually report finding to the general assembly and the governor. **Fiscal Note:** (Dated February 24, 2019) NOT SIGNIFICANT SB758 - J. Yarbro - 02/07/19 - Referred to Senate Commerce & Labor Committee.

Tue 3/26/19 8:00am - House Hearing Rm I, House Judiciary Committee

HEADER: The committee will meet on March 26th to take up three bills rolled from March 20th and if time allows, bills that belong to members of the committee. The committee will meet again at their regularly scheduled time (March 27th at 12:30 pm) to take up the remainder of the calendar. MEMBERS: CHAIR M. Curcio (R); VICE CHAIR J. Garrett (R); A. Farmer (R); M. Littleton (R); B. Mitchell (D); B. Ogles (R); A. Parkinson (D); J. Potts (D); I. Rudder (R); B. Sanderson (R);

P. Sherrell (R); J. Towns Jr. (D); J. VanHuss (R); W. Lamberth (R); C. Johnson (R); B. Hulseley (R); B. Beck (D); K. Camper (D); M. Carter (R); M. Daniel (R); C. Doggett (R); R. Eldridge (R); J. Faison (R); B. Griffey (R); D. Howell (R)

9. HB901 Jernigan D. **CRIMINAL LAW: Aggravated assault of utility employees as Class A misdemeanor.** Designates offense of knowingly committing aggravated assault of a utility employee as a Class A misdemeanor and sets an enhanced maximum fine of \$15,000. **Amendment Summary:** Senate amendment 1 (005098) enhances the maximum fine for an aggravated assault offense committed against an identifiable employee or contractor of a utility who is discharging or attempting to discharge their official duties to \$15,000. **Fiscal Note:** (Dated February 28, 2019) NOT SIGNIFICANT SB481 - T. Gardenhire - 03/18/19 - Senate passed with amendment 1 (005098), which enhances the maximum fine for an aggravated assault offense committed against an identifiable employee or contractor of a utility who is discharging or attempting to discharge their official duties to \$15,000.
24. HB574 Faison J. **CRIMINAL LAW: Reporting sexual abuse of a minor.** Changes the age that triggers the requirement that a physician report suspected sexual abuse of a minor who is seeking an abortion from under 13 years of age to under 18 years of age. **Amendment Summary:** House Criminal Justice Subcommittee amendment 1 (005642) rewrites the bill to require a physician who performs elective abortion services as part of their practice to report suspected child sexual abuse if a minor between the ages of 13 and 17 requests the physician to perform an abortion and the physician has reasonable cause to believe there is child sexual abuse involved. **Fiscal Note:** (Dated February 28, 2019) NOT SIGNIFICANT SB487 - J. Bowling - 02/07/19 - Referred to Senate Judiciary Committee.
26. HB1001 Beck B. **CRIMINAL LAW: Medical amnesty - person seeking aid for someone experiencing a drug overdose.** Exempts any person who seeks medical assistance for a person experiencing a drug or alcohol overdose from arrest, charge, or prosecution for a drug or alcohol violation unless the person has a restraining order or violates probation. **Amendment Summary:** Criminal Justice Subcommittee amendment 1 (005602) removes the manufacture, delivery, sale, or possession of a controlled substance from the definition of a drug or alcohol violation. SB465 - J. Yarbro - 02/06/19 - Referred to Senate Judiciary Committee.

Tue 3/26/19 9:00am - House Hearing Rm I, House Health Committee

MEMBERS: CHAIR B. Terry (R); VICE CHAIR E. Helton (R); S. Whitson (R); K. Vaughan (R); J. VanHuss (R); R. Smith (R); P. Sherrell (R); J. Sexton (R); C. Sexton (R); L. Miller (D); T. Leatherwood (R); S. Kumar (R); D. Jernigan (D); M. Hill (R); M. Hall (R); R. Gant (R); V. Dixie (D); B. Cooper (D); D. Byrd (R)

1. HB496 Hurt C. **PROFESSIONS & LICENSURE: Exemptions to licensure and certification requirements for participation in federal Innovative Readiness Training programs.** Creates exemptions to licensure and certification requirements for various health professionals who are participating in federal Innovative Readiness Training programs, including chiropractors, dentists, physicians, and nurses. (17pp.) **Amendment Summary:** House Facilities, Licensure & Regulations Subcommittee amendment 1, Senate amendment 3 (004270) deletes all language after the enacting clause such that the only substantive change is exempting any military health professional licensed to practice in another state, as opposed to various military health professionals, from licensure and certification requirements in Tennessee while participating in an IRT Civil-Military partnership program. **Fiscal Note:** (Dated February 2, 2019) NOT SIGNIFICANT SB53 - B. Kelsey - 02/14/19 - Senate passed with amendment 3 (004270).
5. HB1462 Casada G. **HEALTH CARE: Timeframe for notification of an applicant for the need of a nonresidential substitution-based treatment center for opiate addiction.** Changes the period within which an applicant for a certificate of need for a nonresidential substitution-based treatment center for opiate addiction must notify the chief executive officer of the county or municipality of the filing of the application if it involves a healthcare facility in which the county or municipality is the lessor of the facility or real property on which it sits from 10 days to 10 business days. **Amendment Summary:** House Facilities, Licensure & Regulations Subcommittee amendment 1 (005505) rewrites the bill and declares a certificate of need is not required for a hospital to operate an opioid treatment program if the program is located on the same campus as the hospital and the hospital is licensed and operates 100 or more psychiatric beds. **Fiscal Note:** (Dated February 27, 2019) NOT SIGNIFICANT

SB637 - J. Johnson - 03/21/19 - Set for Senate Health & Welfare Committee Regular Calendar 03/27/19.

6. HB296 Hill M. **PROFESSIONS & LICENSURE: Exempts certain medical professionals from massage licensure requirements when employing licensed massage therapists.** Exempts certain medical professionals from massage licensure requirements when massages are performed in their office by licensed massage therapists. **Fiscal Note:** (Dated March 6, 2019) Decrease State Revenue \$16,900/Massage Licensure Board Other Fiscal Impact Pursuant to Tenn. Code Ann. 4-29-121, all health related boards are required to be self-supporting over a two-year period. The Massage Licensure Board had an annual deficit of \$118,594 in FY16-17, an annual deficit of \$52,294 in FY17-18, and a cumulative reserve balance of \$912,043 on June 30, 2018.
SB467 - K. Roberts - 03/21/19 - Set for Senate Health & Welfare Committee Regular Calendar 03/27/19.
7. HB657 Hill M. **HEALTH CARE: Permits dental hygienists prescribe certain oral health agents under certain conditions.** Permits dental hygienists to prescribe fluoride agents, topical oral anesthetic agents, and nonsystemic oral antimicrobials if they are not controlled substances, do not require a license from the FDA, and if the prescriptive authority is exercised under general supervision from a dentist or authorized public health program. Requires the board of dentistry to set educational and training requirements by rule. Requires board determine allowable percentages of certain active ingredients in medications that may be prescribed by dental hygienists. **Amendment Summary:** House Facilities, Licensure & Regulations Subcommittee amendment 1 (004967) rewrites the bill and authorizes a dental hygienist to have prescriptive authority for fluoride agents, topical oral anesthetic agents, and nonsystemic oral antimicrobials that are not controlled substances and do not require a license from the FDA to prescribe. The prescriptive authority of a dental hygienist must be exercised under the general supervision of a licensed dentist. Requires a prescription written by a dental hygienist to be reviewed by a licensed dentist within 30 days. **Fiscal Note:** (Dated February 20, 2019) NOT SIGNIFICANT
SB609 - B. Massey - 03/21/19 - Set for Senate Health & Welfare Committee Regular Calendar 03/27/19.
8. HB656 Hill M. **PROFESSIONS & LICENSURE: Adds a timeline for each board to post guidelines and standards.** Adds that within ten days of the nonresidential buprenorphine guidelines and standards being received, each board must post them on the licensing board's website. Broadly captioned. **Amendment Summary:** House Mental Health & Substance Abuse Subcommittee amendment 1 (005261) rewrites the bill and allows buprenorphine product for treatment of opioid use disorder to be prescribed by certain nurse practitioners and assistant physicians. **Fiscal Note:** (Dated February 9, 2019) NOT SIGNIFICANT
SB1060 - S. Dickerson - 02/11/19 - Referred to Senate Health & Welfare Committee.
10. HB97 Howell D. **CRIMINAL LAW: Limitations on usage of vape products.** Adds products that can be used to produce or emit a visible or non-visible vapor to the definition of "vapor product" under the "Prevention of Youth Access to Tobacco and Vapor Products Act." Limits the places in which one may use vapor products under the "Children's Act for Clean Indoor Air" to those places where smoking is currently prohibited, including child care centers, group care homes, and public schools. **Fiscal Note:** (Dated January 29, 2019) NOT SIGNIFICANT
SB26 - T. Gardenhire - 03/04/19 - Senate passed.
11. HB1388 Williams R. **HEALTH CARE: Adds neonatal care to department of health's plan.** Obligates the department of health in developing their plan to consider the feasibility of assisting in the regional development, expansion, and maintenance of specialty level II birthing centers in every health region with certified obstetricians and pediatricians available who are trained in the prevention, early diagnoses, treatment, and stabilization of complications of pregnancy and childbirth. Requires the bureau of TennCare, in consultation with the perinatal advisory committee and with the assistance of relevant state agencies, to report on quality and outcomes in perinatal care for the last two available fiscal years or calendar years to the health committee of the house of representatives and the health and welfare committee of the senate on or before March 1 of each year. Specifies the report must include a description of any initiatives by the managed care organizations to improve key performance indicators of perinatal care outcomes and a determination of the effectiveness of organizations' initiatives toward improving perinatal care outcomes to residents in each health region.
SB1470 - P. Bailey - 02/11/19 - Referred to Senate Health & Welfare Committee.

12. HB159 **HEALTH CARE: Extends Suicide Prevention Act.** Extends the Suicide Prevention Act of 2018. Requires the department of health to compile data on the medications that were prescribed to persons who died from suicide. Requires that a report recommending any necessary programs or policies to prevent suicide deaths in this state be made to the health committee of the house of representatives and the health and welfare committee of the senate no later than June 30, 2020, and by June 30 every two years thereafter. **Amendment Summary:** Senate Health and Welfare Committee amendment 1 (006132) deletes and rewrites all language after the enacting clause such that the only substantive change is to require healthcare professionals licensed by the health related boards (HRB) and all licensed health facilities to submit any records requested by the members of the Suicide Prevention Program that may be necessary to complete the review of a specific fatality. **Fiscal Note:** (Dated February 20, 2019) Increase State Expenditures \$12,900/One-Time \$321,400/Recurring
SB1465 - P. Bailey - 03/20/19 - Senate Health & Welfare Committee recommended with amendment 1 (006132). Sent to Senate Finance.
13. HB1135 **HEALTH CARE: Review of charts for practice site visits at a community mental health center.** Allows physicians assistants authorized to prescribe drugs and advanced practice registered nurses with a certificate of fitness to arrange for the required personal review of the advanced practice registered charts by a collaborating physician in the office, practice site, or a remote site. Authorizes HIPAA-compliant electronic means rather than at the site of the clinic as an option of collaborating physicians by both means as well. Specifies both the physicians assistant and the advanced practice registered nurse must provide services in a community mental health center to be eligible to arrange for the required personal review. **Amendment Summary:** House Facilities, Licensure & Regulations amendment 1, Senate amendment 1 (004610) corrects an incorrect statutory reference from "45 C.F.R. 64.312" to "45 C.F.R. 164.312" without making any substantive changes to the legislation. House Facilities, Licensure & Regulations amendment 2, Senate amendment 3 (005579) specifies that a physician must have the authority to make the prescriptions that the advanced practice registered nurse or physician assistant, as applicable, can make in order to be a collaborating physician for purposes of this bill's authorization for collaborating physicians to review charts in-person or via HIPAA-compliant electronic means. **Fiscal Note:** (Dated February 21, 2019) NOT SIGNIFICANT
SB972 - E. Jackson - 03/11/19 - Senate passed with amendment 1 (004610) and amendment 3 (005579).

Tue 3/26/19 9:30am - Senate Hearing Rm I, Senate Finance Revenue Subcommittee

HEADER: The subcommittee will meet at 9:30 am or immediately following Senate Finance, Ways & Means Committee. MEMBERS: CHAIR J. Hensley (R); VICE CHAIR T. Gardenhire (R); B. Gilmore (D); F. Haile (R); K. Yager (R)

21. SB988 **PUBLIC FINANCE: Notification regarding estimate of board fees.** Requires each board to notify the commissioner of finance and administration when the estimate of board fees for a fiscal year is more than the certified amount of board fees required by the board for that fiscal year. **Fiscal Note:** (Dated February 8, 2019) NOT SIGNIFICANT
HB1024 - S. Lynn - 02/11/19 - Caption bill held on House clerk's desk.

Tue 3/26/19 10:30am - House Hearing Rm IV, House Higher Education Subcommittee

HEADER: The subcommittee will have budget hearing by the University of Memphis, Middle TN State University and TN State University. MEMBERS: CHAIR J. Coley (R); M. Cochran (R); C. Hurt (R); A. Parkinson (D); K. Vaughan (R); M. White (R)

3. HB783 **HEALTH CARE: Requires in-state medical students receive priority when scheduling rotations at healthcare facilities receiving state funding.** Requires medical students in good academic standing at accredited in state medical colleges receive priority consideration over medical students out of state attending medical colleges when assigning clinical rotations to a healthcare facility accepting state funding.
SB508 - B. Massey - 02/07/19 - Referred to Senate Health & Welfare Committee.

Tue 3/26/19 10:30am - House Hearing Rm II, House State Committee

MEMBERS: CHAIR K. Keisling (R); VICE CHAIR R. Eldridge (R); C. Todd (R); R. Tillis (R); R. Staples (D); J. Shaw (D); B. Sanderson (R); B. Ramsey (R); J. Powell (D); H. Love Jr. (D); M. Littleton (R); J. Lafferty (R); B. Hulsey (R); G. Hicks (R); D. Hawk (R); C. Halford (R); A. Farmer (R); R. Bricken (R); B. Beck (D)

13. HB894
Smith R. **PROFESSIONS & LICENSURE: Study on direct primary care.** Requires the department of finance and administration to study the feasibility of adding direct primary care as a covered benefit under one or more of the basic health plans approved by the state insurance committee for eligible state employees and to report its findings and recommendations no later than December 31, 2019. **Fiscal Note:** (Dated February 19, 2019) NOT SIGNIFICANT
SB696 - K. Roberts - 02/07/19 - Referred to Senate State & Local Government Committee.
14. HB252
Freeman B. **GOVERNMENT REGULATION: Requires accommodations for dyslexic applicants for certain licenses.** Requires reasonable accommodations to be made for a person applying for a license to engage in an occupation, trade, or profession who is diagnosed with dyslexia. **Amendment Summary:** House Departments & Agencies Subcommittee amendment 1 (006297) moves the effective date from July 1, 2019 to July 1, 2020 and makes technical changes. **Fiscal Note:** (Dated February 20, 2019) NOT SIGNIFICANT
SB759 - J. Yarbro - 03/21/19 - Set for Senate State & Local Government Committee 03/26/19.
19. HB129
Love Jr. H. **CORRECTIONS: Providing of feminine hygiene products to women prisoners.** Requires custodians to make healthcare products available to women incarcerated in a correctional facility at no cost and in a quantity that is appropriate to the needs of the woman without a medical permit. Defines "healthcare products" to include feminine hygiene products, moisturizing soap that is not lye-based, toothbrushes, toothpaste, and any other healthcare product a custodian deems appropriate. **Fiscal Note:** (Dated February 26, 2019) NOT SIGNIFICANT
SB75 - K. Robinson - 01/30/19 - Referred to Senate State & Local Government Committee.

Tue 3/26/19 10:30am - Senate Hearing Rm I, Senate State & Local Government Committee

HEADER: The committee will have budget hearings by the TN Dept of Correction, TRICOR and the TN Board of Parole. MEMBERS: CHAIR S. Dickerson (R); VICE CHAIR R. Briggs (R); 2ND VICE CHAIR T. Gardenhire (R); E. Jackson (R); B. Kelsey (R); S. Reeves (R); D. White (R); K. Yager (R); J. Yarbro (D)

14. SB884
Niceley F. **PROFESSIONS & LICENSURE: Doctor of Medical Science Act.** Establishes procedure for an applicant to receive a doctor of medical science license. Requires the board of medical examiners to grant an applicant such a license if the applicant meet the following criteria: (1) previously has been licensed and served in clinical practice for at least three years in one or more states as a physician assistant; (2) is a graduate of a minimum two-year doctor of medical science program accredited by a regional body under the United States department of education; (3) has successfully completed the examination on the certification of doctors of medical science, with the examination determined by the board; and (4) provides satisfactory evidence of an affiliation or association with a hospital, group practice, or a list of physicians with medical expertise outside the expertise of the person seeking licensure as a doctor of medical science. For renewal of license, requires licensees to present satisfactory evidence to the board of medical examiners' committee on doctors of medical science that the licensee in the year preceding the application for renewal successfully completed 100 hours of continuing medical education. **Fiscal Note:** (Dated March 5, 2019) Increase State Revenue \$18,000/FY19-20/Board of Medical Examiners \$12,300/FY20-21/Board of Medical Examiners \$22,600/FY21-22/Board of Medical Examiners \$19,400/FY22-23 and Subsequent Years/ Board of Medical Examiners Increase State Expenditures Less than \$84,500/FY19-20/Board of Medical Examiners Less than \$74,500/FY20-21/Board of Medical Examiners Less than \$84,800/FY21-22/Board of Medical Examiners Less than \$81,500/FY22-23 and Subsequent Years/ Board of Medical Examiners Other Fiscal Impact Pursuant to Tenn. Code Ann. 4-29-121, all health related boards are required to be self-supporting over a two-year period. Any substantial increase in expenditures to the Board may result in an increase in licensure fees in order to remain self-supporting. The Board of Medical Examiners had an annual deficit of \$4,714 in FY16-17, an annual deficit of \$231,445 in FY17-18, and a cumulative reserve balance of \$2,467,326 on June 30, 2018.

SB 884 HB 1377

HB1377 - J. Sexton - 02/13/19 - Referred to House Facilities, Licensure & Regulations Subcommittee.

22. SB1150 Akbari R. **CORRECTIONS: Restricts physical restraints on pregnant inmates.** Requires a penal institution, correctional facility, or jail, to use the least restrictive restraints on a pregnant inmate. Declares that, unless directed by physician, no restraints will be used in transportation, during any stage of labor, and while recovering from child labor unless deemed a threat. Defines types of restraints. Prohibits solitary confinement for a pregnant inmate.
HB1240 - K. Camper - 02/13/19 - Referred to House Corrections Subcommittee.
29. SB321 Jackson E. **TAXES PROPERTY: Requirement of notice from the delinquent tax attorney relative to property tax.** Requires the delinquent tax attorney to pose a copy of the proceeding and send a copy by first-class mail addressed to occupant at the last known municipal address of the parcel. Declares that all notices to all owners and interested parties must be detailed by the delinquent tax attorney. **Amendment Summary:** House Local Committee amendment 1 (006265) deletes and rewrites all language after the enacting clause such that the only substantive changes (1) establish exact wording for notice which is to be furnished by the delinquent tax attorney; and (2) specify how certain charges and costs incurred by the delinquent tax attorney should be treated on a tax lien. **Fiscal Note:** (Dated March 9, 2019) Other Fiscal Impact A precise fiscal impact to local government revenue cannot reasonably be determined due to multiple unknown factors.
HB543 - M. White - 03/21/19 - Set for House Finance, Ways & Means Subcommittee 03/27/19.
34. SB759 Yarbro J. **GOVERNMENT REGULATION: Requires accommodations for dyslexic applicants for certain licenses.** Requires reasonable accommodations to be made for a person applying for a license to engage in an occupation, trade, or profession who is diagnosed with dyslexia. **Amendment Summary:** House Departments & Agencies Subcommittee amendment 1 (006297) moves the effective date from July 1, 2019 to July 1, 2020 and makes technical changes. **Fiscal Note:** (Dated February 20, 2019) NOT SIGNIFICANT
HB252 - B. Freeman - 03/21/19 - Set for House State Committee 03/26/19.
39. SB379 Yarbro J. **LABOR LAW: Harassment of government employee.** Permits an attorney for a county, municipal, or metropolitan government to seek an injunction against a person who commits harassment against an employee of the county, municipal, or metropolitan government. Specifies that the injunction may be sought in any court of competent jurisdiction having the power to grant injunctions. **Fiscal Note:** (Dated February 4, 2019) NOT SIGNIFICANT
HB108 - D. Jernigan - 02/20/19 - House Local Committee recommended. Sent to House Calendar & Rules.
41. SB196 Kelsey B. **PROFESSIONS & LICENSURE: Expands the Right to Earn a Living Act.** Requires entry regulations, public service restrictions, and statutes to be clearly apparent and shaped to fulfill a legitimate public health or safety objective. Allows individuals to bring civil action on relevant licensing authorities that failed to meet standards. **Amendment Summary:** House Business Subcommittee amendment 1 (005450) removes language defining "carefully tailored" and "demonstrably necessary," adds language defining "entry regulation," and "license," "licensee," and "licensing authority." Requires licensing boards to provide reasons for entry rules and regulations upfront and permits. Permits affected persons to petition licensing authorities to repeal or modify an entry regulation. Creates a cause of action for those challenging entry regulations and places the burden of proof on the licensing agency to prove that the entry requirements fulfill a legitimate public health or safety objective. Clarifies that the persons should not be subject to a local restriction by a local governmental entity if it fails to fulfill a legitimate public health or safety objective that cannot be effectively served by restrictions that allow greater private participation. Permits a person to likewise petition a local government entity, and places the burden of proof on the party defending the license. **Fiscal Note:** (Dated February 15, 2019) Other Fiscal Impact Due to multiple unknown factors, the exact impact of the proposed legislation cannot be determined with reasonable certainty.
HB261 - M. Daniel - 03/21/19 - Set for House Commerce Committee 03/26/19.
49. SB673 Kyle S. **VETERANS & MILITARY AFFAIRS: Department employee training for those assisting veterans with mental health issues.** Requires veteran services department provide training in mental health crisis management to the employees who assist veterans with mental health issues. **Fiscal Note:** (Dated February 25, 2019) Increase State Expenditures \$1,700/One-Time \$88,800/Recurring
HB787 - M. Hall - 03/20/19 - House Finance Subcommittee placed behind the budget.

Tue 3/26/19 12:00pm - House Hearing Rm IV, House Education Curriculum, Testing & Innovation Subcommittee

MEMBERS: CHAIR D. Moody (R); C. Baum (R); J. Deberry Jr. (D); V. Dixie (D); B. Dunn (R); T. Leatherwood (R); M. White (R)

2. HB267 Staples R. **EDUCATION: Seizure education programs.** Encourages LEAs to provide an age-appropriate seizure education program in each public school to teach students about seizures and seizure disorders. Also encourages LEAs to follow the guidelines published by an organization dedicated to overcoming the challenges of living with epilepsy and finding cures for epilepsy, such as the Epilepsy Foundation of America, in creating a seizure education program. Encourages the state board of education to promulgate rules for the development and implementation of seizure education programs. **Fiscal Note:** (Dated February 13, 2019) NOT SIGNIFICANT
SB273 - B. Massey - 03/21/19 - Set for Senate Education Committee 03/27/19.

Tue 3/26/19 1:00pm - Senate Hearing Rm I, Senate Commerce & Labor Committee

HEADER: The committee will have a budget hearing by the TN Dept of Commerce & Insurance. MEMBERS: CHAIR P. Bailey (R); VICE CHAIR A. Swann (R); 2ND VICE CHAIR J. Lundberg (R); R. Akbari (D); D. Gresham (R); J. Johnson (R); F. Niceley (R); S. Southerland (R); B. Watson (R)

8. SB255 Kyle S. **LABOR LAW: Tennessee Pay Equality Act.** Declares that an employer shall not discriminate between employees wage rates strictly on the basis of sex. Specifies that an employer cannot prohibit an employee from disclosing or discussing the employee's wages or the wages of another employee of the employer. Also specifies that an employer cannot prohibit an employee from inquiring about the employee's wages or the wages of another employee. Prohibits an employer from discharging, disciplining, or retaliating against an employee who discloses or discusses the employee's wages or the wages of another employee. Requires the commissioner of labor and workforce development to endeavor to eliminate pay practices unlawful under this part. Also requires the commissioner to develop guidelines to enable employers to evaluate job categories based on objective criteria. **Fiscal Note:** (Dated February 20, 2019) NOT SIGNIFICANT
HB216 - J. Clemmons - 03/19/19 - Failed in House Employee Affairs Subcommittee.
9. SB195 Massey B. **INSURANCE HEALTH: Proton Therapy Access Act.** Enacts the "Proton Therapy Access Act," which requires health insurance coverage to cover hypofractionated proton therapy in the same manner as it covers intensity modulated radiation therapy under certain conditions, including patients being a part of a clinical trial or registry. **Amendment Summary:** House Insurance Committee amendment 1, Joint Council on Pensions and Insurance amendment 1 (005282) requires the state group insurance program to cover a physician prescribed hypofractionated proton therapy protocol to deliver a biological effective dose by paying the same aggregate amount as would be paid for the delivery of the same biological effective dose with a standard radiation therapy treatment protocol delivered with IMRT for the same indications, upon the following conditions being satisfied: coverage is provided to an eligible patient who is being treated as part of a clinical trial or registry, is diagnosed with a cancer type or indication that can be treated with a hypofractionated proton therapy protocol, the radiation oncologist prescribing the hypofractionated proton therapy protocol is board certified or board eligible in the specialty of radiation oncology, and the hypofractionated proton therapy protocol is administered in a facility in this state. If these conditions are met, a course of hypofractionated proton therapy may be provided; however, the aggregate cost to provide such therapy must be equal to the average cost actually paid by the state group insurance program for standard IMRT treatment radiation therapy protocol required to deliver the prescribed biological effective dose for the particular indication. Requires that aggregate amounts be established by reference to the amount paid for a course of IMRT treatment under a standard IMRT radiation therapy protocol for the indication under the state group insurance program. Subjects such coverage to annual deductible and co-insurance payments; however, such payments may not exceed the annual deductible and co-insurance established for all other similar benefits within a policy or contract of insurance. Prohibits the aggregate amount chargeable to or payable by an eligible patient for a covered course of hypofractionated proton therapy by an out-of-network provider from exceeding the aggregate amount that would otherwise be chargeable to or payable by the eligible patient for a course of treatment

under a standard IMRT radiation therapy protocol that is covered by the state group insurance program for the delivery of the same biological dose by an out-of-network provider. States the patient is not responsible for amounts above the allowable maximum charge. The provisions of this legislation shall only apply to the state group insurance program. **Fiscal Note:** (Dated February 14, 2019) NOT SIGNIFICANT Potential Impact on Health Insurance Premiums (required by Tenn. Code Ann. 3-2-111): Such legislation could result in an increase in the cost of health insurance premiums for hypofractionated proton therapy treatment being provided by the state group insurance plan. It is estimated that the increase in premiums could be less than one percent. A one percent increase in premium rates could range between \$50 (single coverage) and \$140 (family coverage) depending on the type of plan. HB 184 - SB 195

HB184 - R. Smith - 03/19/19 - House Insurance Committee recommended with amendment 1 (005282), which requires the state group insurance program to cover a physician prescribed hypofractionated proton therapy protocol to deliver a biological effective dose by paying the same aggregate amount as would be paid for the delivery of the same biological effective dose with a standard radiation therapy treatment protocol delivered with IMRT for the same indications, upon the following conditions being satisfied: coverage is provided to an eligible patient who is being treated as part of a clinical trial or registry, is diagnosed with a cancer type or indication that can be treated with a hypofractionated proton therapy protocol, the radiation oncologist prescribing the hypofractionated proton therapy protocol is board certified or board eligible in the specialty of radiation oncology, and the hypofractionated proton therapy protocol is administered in a facility in this state. If these conditions are met, a course of hypofractionated proton therapy may be provided; however, the aggregate cost to provide such therapy must be equal to the average cost actually paid by the state group insurance program for standard IMRT treatment radiation therapy protocol required to deliver the prescribed biological effective dose for the particular indication. Requires that aggregate amounts be established by reference to the amount paid for a course of IMRT treatment under a standard IMRT radiation therapy protocol for the indication under the state group insurance program. Subjects such coverage to annual deductible and co-insurance payments; however, such payments may not exceed the annual deductible and co-insurance established for all other similar benefits within a policy or contract of insurance. Prohibits the aggregate amount chargeable to or payable by an eligible patient for a covered course of hypofractionated proton therapy by an out-of-network provider from exceeding the aggregate amount that would otherwise be chargeable to or payable by the eligible patient for a course of treatment under a standard IMRT radiation therapy protocol that is covered by the state group insurance program for the delivery of the same biological dose by an out-of-network provider. States the patient is not responsible for amounts above the allowable maximum charge. The provisions of this legislation shall only apply to the state group insurance program. Sent to House Calendar & Rules.

12. SB987 **TENNCARE: Removes the use of state-funded pharmacy benefits managers.** Removes the use of state-funded pharmacy benefits managers. **Fiscal Note:** (Dated March 2, 2019) Increase State Expenditures \$44,580,700 Increase Federal Expenditures \$3,533,600 Increase Local Expenditures \$6,750,000*
Reeves S.
HB1179 - B. Terry - 02/13/19 - Referred to House Life & Health Insurance Subcommittee.
15. SB510 **INSURANCE HEALTH: Tennessee Right to Shop Act.** Requires a carrier offering a health plan in this state, beginning upon approval of the next health insurance rate filing on or after January 1, 2020, to implement an incentive program that provides incentives for enrollees in a health plan who elect to receive a comparable healthcare service from a network provider that is covered by the health plan and that is paid less than the average allowed amount paid by that carrier to network providers for that comparable healthcare service before and after an enrollee's out-of-pocket limit has been met. Allows incentives to be calculated as a percentage of the difference between the amount actually paid by the carrier for a given comparable healthcare service and the average allowed amount for that service, or by another reasonable methodology approved by the commissioner of commerce and insurance. Also allows incentives to be provided as a cash payment to the enrollee, a credit toward the enrollee's annual in-network deductible and out-of-pocket limit, or a credit or reduction of a premium, a copayment, cost sharing, or a deductible. Requires the incentive program to provide each enrollee with at least 50 percent of the carrier's saved costs for each comparable healthcare service resulting from shopping by the enrollee. 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 requirements for incentive programs.
Roberts K.
HB419 - R. Smith - 03/21/19 - Set for House Life & Health Insurance Subcommittee 03/27/19.

Tue 3/26/19 1:30pm - House Hearing Rm III, House Commerce Committee

HEADER: Final Calendar MEMBERS: CHAIR T. Hill (R); VICE CHAIR C. Doggett (R); D. Wright (R); R. Staples (D); D. Powers (R); J. Powell (D); J. Moon (R); P. Marsh (R); C. Johnson (R); C. Hurt (R); J. Holsclaw, Jr. (R); P. Hazlewood (R); K. Haston (R); Y. Hakeem (D); J. Chism (D); K. Camper (D); K. Calfee (R); C. Boyd (R)

3. HB261 Daniel M. **PROFESSIONS & LICENSURE: Expands the Right to Earn a Living Act.** Requires entry regulations, public service restrictions, and statutes to be clearly apparent and shaped to fulfill a legitimate public health or safety objective. Allows individuals to bring civil action on relevant licensing authorities that failed to meet standards. **Amendment Summary:** House Business Subcommittee amendment 1 (005450) removes language defining "carefully tailored" and "demonstrably necessary," adds language defining "entry regulation," and "license," "licensee," and "licensing authority." Requires licensing boards to provide reasons for entry rules and regulations upfront and permits. Permits affected persons to petition licensing authorities to repeal or modify an entry regulation. Creates a cause of action for those challenging entry regulations and places the burden of proof on the licensing agency to prove that the entry requirements fulfill a legitimate public health or safety objective. Clarifies that the persons should not be subject to a local restriction by a local governmental entity if it fails to fulfill a legitimate public health or safety objective that cannot be effectively served by restrictions that allow greater private participation. Permits a person to likewise petition a local government entity, and places the burden of proof on the party defending the license. **Fiscal Note:** (Dated February 15, 2019) Other Fiscal Impact Due to multiple unknown factors, the exact impact of the proposed legislation cannot be determined with reasonable certainty.
SB196 - B. Kelsey - 03/21/19 - Set for Senate State & Local Government Committee 03/26/19.
4. HB353 Daniel M. **EDUCATION: School credits relative to occupational training.** Establishes a person who receives certified comprehensive career and technical training in high school and post high school are eligible to receive equivalent credit towards the occupational license related to training. **Fiscal Note:** (Dated February 24, 2019) NOT SIGNIFICANT
SB571 - J. Bowling - 02/07/19 - Referred to Senate Commerce & Labor Committee.

Tue 3/26/19 1:30pm - House Hearing Rm II, House Facilities, Licensure & Regulations Subcommittee

HEADER: HB75 has been added to the calendar by suspension of the rules on the House Floor on 03/21/19. MEMBERS: CHAIR K. Vaughan (R); D. Byrd (R); B. Cooper (D); R. Gant (R); E. Helton (R); R. Smith (R); B. Terry (R)

2. HB1367 Tillis R. **HEALTH CARE: Joint report regarding current status of emergency medical services for children.** Authorizes the joint report regarding the current status of emergency medical services for children prepared by the board for licensing health care facilities and the emergency medical services board to be submitted electronically. Broadly captioned. **Fiscal Note:** (Dated February 8, 2019) NOT SIGNIFICANT
SB1022 - S. Reeves - 02/11/19 - Referred to Senate Health & Welfare Committee.
5. HB75 Sexton C. **HEALTH CARE: Change in ownership of a health care institution.** Increases the amount of days given to notify the health services and development agency of the change in ownership of a health care institution from 30 days to 60 days. **Fiscal Note:** (Dated January 24, 2019) NOT SIGNIFICANT
SB168 - T. Gardenhire - 02/01/19 - Referred to Senate Commerce & Labor Committee.

Tue 3/26/19 3:00pm - House Hearing Rm I, House Finance, Ways & Means Committee

HEADER: The committee will have budget hearings from the following: 1) Commissioner Bob Rolfe with the Dept of Economic & Community Development 2) Executive Director Mr. Bob Raines with the TN Film Entertainment & Music Commission 3) Commissioner Ms. Penny Schwinn with K-12 Education 4) Dr. Sara Heyburn Morrison with the TN State Board of Education. MEMBERS: CHAIR S. Lynn (R); VICE CHAIR P. Hazlewood (R); R. Tillis (R); W. Lamberth (R); B. Ogles (R); J. Reedy (R); C. Sexton (R); J. Shaw (D); R. Staples (D); J. Windle (D); J. Zachary (R); S. Kumar (R); A. Holt (R); C. Baum (R); K. Camper (D); J. Crawford (R); J. Deberry Jr. (D); R. Gant (R); G. Hicks (R); M. Hill (R)

3. HB1280 Hill T. **TENNCARE: TennCare II funding by means of a block grant indexed for inflation and population growth.** Requires the governor acting through 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, or to submit a new waiver in order to provide medical assistance to the TennCare II waiver population by means of a block grant no later than 120 days after the effective date of this act. Orders the block grant to convert the federal share of all medical assistance funding into an allotment that is tailored to meet the needs of the state and that is indexed for inflation and population growth. Broadly captioned. **Amendment**

Summary: House Insurance Committee amendment 1 (004786) requires any negotiated agreement between the federal government and the finance and administration commissioner be approved by a general assembly joint resolution. **Fiscal Note:** (Dated February 25, 2019) Increase State Expenditures Not Significant Other Fiscal Impact - If approved by the federal government, the level of federal funding that would be approved for the Medicaid program is unknown. The current federal funding level for FY18-19 is approximately \$7,544,537,000. SB1428 - P. Bailey - 02/11/19 - Referred to Senate Commerce & Labor Committee.

12. HB947
Lamberth
W.

EDUCATION: Funding programs that address school safety. This bill revises various provisions regarding the Tennessee school safety center, as discussed below. (1) Under present law, the Tennessee school safety center develops and evaluates training materials and guidelines on school safety issues, including behavior, discipline and violence prevention. The center is responsible for the collection and analysis of data related to school safety, including alleged violent or assaultive acts against school employees and students. Present law requires that analysis of data must include the number of arrests, the charges and whether civil damages were pursued by the injured party or school system; this bill removes this specification of what analysis of data must include. (2) Present law authorizes the center, within the limit of appropriations for the center, to establish grants to LEAs for the development of innovative violence prevention programs, conflict resolution, disruptive or assaultive behavior management, improved school security, peer mediation and training for employees on the identification of possible perpetrators of school related violence. This bill revises this provision to require, instead of authorize, school safety grants. This bill requires the center to develop a grant application and specifies that in the application an LEA must describe how the grant funds: (A) Will be used to improve and support school safety; (B) Align with the needs identified in a school safety assessment; and (C) Will be used to support the LEA's authorized charter schools, if applicable. (3) This bill requires the center to reserve monies to fund school safety grants based on applications received from LEAs with schools that did not have a full-time school resource officer during the 2018-2019 school year and that describe the LEA's intent to utilize the grant for school resource officers, and to that end, the center must prioritize school safety grants based on such applications. Any reserved funding awarded pursuant to provisions must be allocated as set out in present law, and must be available for school safety grants awarded for the 2019-2020 and 2020-2021 school years. Any reserved funds that are not awarded pursuant to this provision must be reallocated in accordance with present law. The allocation provided in present law is as follows: (A) Funding is available to each LEA in the same percentage that the LEA's share of basic education program (BEP) funding bears to statewide BEP funding; (B) Funding is subject to a 25 percent match by the LEA, adjusted for the LEA's fiscal capacity under the BEP formula. The match requirement may be satisfied by local or contributed funds or by personnel or other in-kind expenses assumed by the LEA; and (C) State funding is also subject to submission by the LEA to the school safety center of a proposed plan of expenditures to accomplish one or more of the provisions described above in (2) and approval of that plan by the center. The center is prohibited from unreasonably withholding funding, but should allow LEAs adequate flexibility to experiment so long as the basic requirements of present law are satisfied. This bill deletes this provision, but similar information will be required in the application process. Part of Administration Package. **Amendment Summary:** Senate Education Committee amendment 1, House Education Committee amendment 1 (005556) rewrites the bill and requires the TN School Safety Center within the Department of Education to establish a grant program to award funds to LEAs to address school safety measures. The center must create a grant application that assesses how LEAs plan to use grant funds to improve school security, how the application addresses needs identified in school security assessments, and how LEA funding will be used to support charter schools, if applicable. Requires LEAs to be in compliance with all state laws, rules and regulations regarding safety to be eligible for the grants. Funding is available to LEAs in the same percentage of BEP funding that each LEA receives. Funding is subject to a match, which can be fulfilled by using in-kind services from personnel or other expenses assumed by the LEA. LEAs may also use a local tax levy to raise funds if this is identified in their grant application as a source of funds. All funds appropriated to the center for this purpose are to stay in the fund and not revert to the General Fund. Requires the center to set aside funding for grants and prioritize approval for LEAs that had schools where a School Resource Officer (SRO) is not employed. This priority status must remain

in effect for the 2019-2020 and 2020-2021 Fiscal Years. The Department of Safety and Homeland Security in conjunction with the Department of Education must create a safety assessment and must provide training on use of the assessment to local law enforcement to identify vulnerabilities. Senate Education Committee amendment 2 (006077) requires that reserve funding appropriated for SROs, to LEAs that did not have a full-time SRO during the 2018-2019 school year, is subject to a 25 percent match by the LEA adjusted for the LEA's fiscal capacity under the BEP formula. **Fiscal Note:** (Dated March 6, 2019) Increase State Expenditures \$20,000,000/FY19-20 \$10,000,000/FY20-21 and Subsequent Years Increase Local Expenditures \$6,666,700/FY19-20/Permissive \$3,333,300/FY20-21 and Subsequent Years/Permissive The Governors proposed budget document for FY19-20 (page A-37) includes one-time funding of \$20,000,000 and recurring funding of \$10,000,000.

SB803 - J. Johnson - 03/20/19 - Senate Education Committee recommended with amendment 1 (005556) and amendment 2 (006077). Amendment 1 rewrites the bill and requires the TN School Safety Center within the Department of Education to establish a grant program to award funds to LEAs to address school safety measures. The center must create a grant application that assesses how LEAs plan to use grant funds to improve school security, how the application addresses needs identified in school security assessments, and how LEA funding will be used to support charter schools, if applicable. Requires LEAs to be in compliance with all state laws, rules and regulations regarding safety to be eligible for the grants. Funding is available to LEAs in the same percentage of BEP funding that each LEA receives. Funding is subject to a match, which can be fulfilled by using in-kind services from personnel or other expenses assumed by the LEA. LEAs may also use a local tax levy to raise funds if this is identified in their grant application as a source of funds. All funds appropriated to the center for this purpose are to stay in the fund and not revert to the General Fund. Requires the center to set aside funding for grants and prioritize approval for LEAs that had schools where a School Resource Officer (SRO) is not employed. This priority status must remain in effect for the 2019-2020 and 2020-2021 Fiscal Years. The Department of Safety and Homeland Security in conjunction with the Department of Education must create a safety assessment and must provide training on use of the assessment to local law enforcement to identify vulnerabilities. Amendment 2 requires that reserve funding appropriated for SROs, to LEAs that did not have a full-time SRO during the 2018-2019 school year, is subject to a 25 percent match by the LEA adjusted for the LEA's fiscal capacity under the BEP formula. Sent to Senate Finance.

13. HB9 Staples R. **LOCAL GOVERNMENT: Smoking on the grounds of a playground.** Authorizes Knox County to prohibit smoking on the grounds of a playground owned or operated by the local government. **Amendment Summary:** House Local Committee amendment 1 (005418) rewrites the bill and makes it permissive for any county or city to join in prohibiting smoking on playgrounds owned or operated by a local government with a two-thirds vote by the legislative body of the local government. **Fiscal Note:** (Dated January 31, 2019) Increase Local Expenditures Exceeds \$4,800/One-Time/Permissive
SB9 - R. Briggs - 02/11/19 - Senate passed.

Wed 3/27/19 8:00am - House Hearing Rm I, House Education Committee

HEADER: The committee will meet from 8:00 am until 11:00 am to take up the bills on calendar. They will meet again at 5:00 pm the same day if needed. MEMBERS: CHAIR M. White (R); VICE CHAIR K. Haston (R); C. Baum (R); D. Moody (R); A. Parkinson (D); J. Ragan (R); I. Rudder (R); J. Sexton (R); K. Vaughan (R); T. Weaver (R); R. Williams (R); J. Windle (D); H. Love Jr. (D); T. Leatherwood (R); D. Byrd (R); S. Cepicky (R); M. Cochran (R); J. Coley (R); J. Deberry Jr. (D); V. Dixie (D); B. Dunn (R); J. Hodges (D); C. Hurt (R)

2. HB952 Lamberth W. **EDUCATION: Administration of federal funds for promoting public education.** Transfers responsibility for the accepting and administering of federal funds to promote public education from the state board of education to the department of education. Designates the department of education as the state board for career and technical education. Grants the department of education the authority to administer annual appropriations made for career and technical education. **Amendment Summary:** Senate Education Committee amendment 1, Education Administration Subcommittee amendment 1 (006167) clarifies that the Tennessee Board of Regents is empowered to administer career and technical programs at colleges administered by the board. Requires, subject to available funding, the Dept. of Education to administer an

occupational educator scholarship program for potential career and technical program educators. To be eligible, an applicant must be a Tennessee resident for at least one year, apply for the scholarship, be admitted to an eligible educator preparation program, agree to teach career and technical education for a set period of time, and agree to repay the scholarship if they do not teach for this set period of time. The State Board of Education must promulgate rules for scholarship amount and eligibility. Deletes an obsolete pilot program dating to 1981. **Fiscal Note:** (Dated March 9, 2019) NOT SIGNIFICANT

SB808 - J. Johnson - 03/20/19 - Senate Education Committee recommended with amendment 1 (006167), which clarifies that the Tennessee Board of Regents is empowered to administer career and technical programs at colleges administered by the board. Requires, subject to available funding, the Dept. of Education to administer an occupational educator scholarship program for potential career and technical program educators. To be eligible, an applicant must be a Tennessee resident for at least one year, apply for the scholarship, be admitted to an eligible educator preparation program, agree to teach career and technical education for a set period of time, and agree to repay the scholarship if they do not teach for this set period of time. The State Board of Education must promulgate rules for scholarship amount and eligibility. Deletes an obsolete pilot program dating to 1981. Sent to Senate Calendar Committee.

12. HB1000 Beck B. **EDUCATION: Homeless-student liaison to assist homeless students.** Designates a staff member who is employed in the financial aid office to serve as a homeless-student liaison. Defines responsibilities as studying the provisions of financial aid eligibility of homeless students and identifying services available and appropriate to these students. Requires the liaison to help these students in applying for aid and to develop plans to provide homeless students access to housing resources offered by the institution. **Amendment Summary:** Senate amendment 1, House Higher Education Subcommittee amendment 1 (005242) specifies that only educational institutions with housing resources are required to develop a plan to provide homeless students access to housing resources. **Fiscal Note:** (Dated March 3, 2019) NOT SIGNIFICANT
14. HB215 Clemmons J. **EDUCATION: Bleed control kit training for LEA employees.** Requires each LEA, beginning with the 2019-2020 school year, to develop and implement a "Stop the Bleed" program in consultation with local law enforcement. Requires the department of education to develop a training program for LEA employees to instruct the employees on how to use the items contained in a bleeding control kit. Specifies requirements for training program. **Amendment Summary:** House Education K-12 Subcommittee amendment 1 (004599) deletes all language after the enacting clause. authorizes, rather than requires, each LEA to develop and implement a "Stop the Bleed" program, and removes the requirement for DOE to develop a training program for LEA employees to instruct the employees on how to use the items contained in a bleed control kit. **Fiscal Note:** (Dated February 25, 2019) Increase Local Expenditures Exceeds \$117,700/FY19-20* Exceeds \$11,800/FY20-21 and Subsequent Years*
16. HJR54 Sparks M. **EDUCATION: Opportunities for mentorships and apprenticeships for students.** Encourages schools, nonprofit organizations, and faith-based organizations to increase opportunities for mentorships and apprenticeships for students. **Fiscal Note:** (Dated February 21, 2019) NOT SIGNIFICANT
- - 03/21/19 - H: Set for House Education Committee 03/27/19.

Wed 3/27/19 8:30am - Senate Hearing Rm I, Senate Government Operations Committee

MEMBERS: CHAIR K. Roberts (R); VICE CHAIR E. Jackson (R); 2ND VICE CHAIR J. Bowling (R); R. Kurita (I); K. Yager (R); M. Pody (R); B. Massey (R); S. Kyle (D); R. Crowe (R); M. Bell (R)

2. SB1114 Yarbro J. **GOVERNMENT ORGANIZATION: Creates the state government advisory task force on community resilience.** Creates the state government advisory task force on extreme weather and community resilience consisting of 24 members. Requires the task force to assess the historical, present, and projected occurrence of natural catastrophes and extreme weather events in this state and to examine present and projected losses associated with the occurrence of extreme weather events and other natural catastrophes in this state. Also requires the task force to develop recommendations to address vulnerabilities and adverse impacts associated with the occurrence of

extreme weather events and other natural catastrophes in this state. Requires the task force to develop recommendations to increase resilience to extreme weather events and other natural catastrophes in this state.

HB1120 - B. Freeman - 03/21/19 - Set for House Department & Agencies Subcommittee 03/27/19.

3. SB281 Kurita R. **HEALTH CARE: Chronic Disease Prevention Act.** Requires the speaker of the senate and the speaker of the house to establish a task force to study methods on how best to prevent chronic diseases in this state and what funding is available to assist with chronic disease prevention. Specifies membership of task force and requires task force to complete its findings and make a report to the speakers by December 15, 2020. **Fiscal Note:** (Dated February 19, 2019) Increase State Expenditures \$6,300/FY19-20 \$4,200/FY20-21
HB774 - B. Ramsey - 02/11/19 - Referred to House Public Health Subcommittee.

Wed 3/27/19 11:00am - House Hearing Rm III, House Finance, Ways & Means Subcommittee

MEMBERS: CHAIR A. Holt (R); J. Deberry Jr. (D); P. Hazlewood (R); G. Hicks (R); M. Hill (R); S. Lynn (R); B. Ogles (R); C. Sexton (R); J. Shaw (D)

17. HB543 White M. **TAXES PROPERTY: Requirement of notice from the delinquent tax attorney relative to property tax.** Requires the delinquent tax attorney to pose a copy of the proceeding and send a copy by first-class mail addressed to occupant at the last known municipal address of the parcel. Declares that all notices to all owners and interested parties must be detailed by the delinquent tax attorney. **Amendment Summary:** House Local Committee amendment 1 (006265) deletes and rewrites all language after the enacting clause such that the only substantive changes (1) establish exact wording for notice which is to be furnished by the delinquent tax attorney; and (2) specify how certain charges and costs incurred by the delinquent tax attorney should be treated on a tax lien. **Fiscal Note:** (Dated March 9, 2019) Other Fiscal Impact A precise fiscal impact to local government revenue cannot reasonably be determined due to multiple unknown factors.
SB321 - E. Jackson - 03/21/19 - Set for Senate State & Local Government Committee 03/26/19.
20. HB37 Whitson S. **HEALTH CARE: Creates the Alzheimer's disease and related dementia advisory council.** Creates the state Alzheimer's disease and related dementia advisory council and specifies membership of council and terms of members. Specifies that the council is attached to the commission on aging and disability for administrative purposes. Requires the council to develop and submit an Alzheimer's disease state plan to the general assembly that identifies barriers to Alzheimer's disease care, analyzes service utilization data, and includes recommendations, metrics, and best practices to address gaps in service no later than January 15, 2020. **Amendment Summary:** House Health Committee amendment 1 (004088) adds the Tennessee Association for Home Care and the Tennessee Nurses Association to the list of groups who may submit qualified nominees to be appointed to the Council. Deletes language of the printed bill that authorized private citizen members of the Council be reimbursed for travel expenses incurred for attending meetings. Deletes requirement that members of the Council attend at least 50 percent of all meetings. Specifies the legislative committees to which the annual report must be submitted. Senate Government Operations Committee amendment 1, House Government Operations Committee amendment 1 (005741) deletes and replaces all language after the enacting clause such that the only substantive changes are: (1) to add the Tennessee Association for Home Care and the Tennessee Nurses Association to the list of groups who may submit qualified nominees to be appointed to the Council; (2) to delete language of the original bill that authorized private citizen members of the council be reimbursed for travel expenses incurred for attending meetings; (3) to delete the requirement that members of the Council attend at least 50 percent of all meetings; and (4) to specify the legislative committees to which the annual report must be submitted. **Fiscal Note:** (Dated February 2, 2019) Increase State Expenditures - \$6,100
SB28 - R. Crowe - 03/21/19 - Set for Senate Health & Welfare Committee Regular Calendar 03/27/19.
21. HB1315 Windle J. **HEALTH CARE: Training program for certified nurse practitioners in treating victim of sexual offense.** Requires the health department seek a grant from the federal health and human services' health resources department and services administration, or any other applicable entity, to develop a training program for nurse practitioners in treating and processing a minor who is a victim of certain sexual offenses. Requires the training program to be free of charge for participants. Broadly captioned. **Amendment Summary:** Senate Health and Welfare Committee amendment 1 (005544)

deletes and rewrites all language after the enacting clause such that the only substantive change is authorizing, as opposed to requiring, the department of health to seek a federal grant for the purpose of developing a training program for certified nurse practitioners in treating and processing a minor who is a victim of certain sexual offenses. **Fiscal Note:** (Dated February 22, 2019) Other Fiscal Impact To the extent the Department of Health is awarded a federal grant, any such funding would be expended to develop the proposed program. The extent and timing of any such grant and subsequent expenditures for the program is unknown.

SB1468 - P. Bailey - 03/20/19 - Senate Health & Welfare Committee recommended with amendment 1 (005544). Sent to Senate Calendar Committee.

Wed 3/27/19 11:00am - House Hearing Rm II, House Mental Health & Substance Abuse Subcommittee

MEMBERS: CHAIR S. Kumar (R); M. Hall (R); D. Jernigan (D); T. Leatherwood (R); P. Sherrell (R); B. Terry (R)

1. HB364 Hill M. **HEALTH CARE: Dispensing of certain controlled substances in a lockable vial.** Requires a Schedule II opioid, Schedule II stimulant, or Schedule IV benzodiazepine that is prescribed or dispensed with more than three days of medication to be dispensed in a lockable vial. Specifies when the prescription is dispensed in an institutional healthcare setting or long-term care setting, or the drug will be administered to the ultimate user by a healthcare professional that such drug does not have to be dispensed in a lockable vial. **Fiscal Note:** (Dated February 17, 2019) NOT SIGNIFICANT
SB475 - R. Briggs - 02/07/19 - Referred to Senate Health & Welfare Committee.

Wed 3/27/19 12:30pm - House Hearing Rm II, House TennCare Subcommittee

HEADER: The subcommittee will hear a presentation called TennCare CHOICES. MEMBERS: CHAIR M. Hill (R); R. Gant (R); L. Miller (D); B. Terry (R); D. Thompson (D); J. Zachary (R); R. Travis (R)

2. HB771 Hazlewood P. **TENNCARE: Enacts Annual Coverage Assessment Act.** Enacts "Annual Coverage Assessment Act," which requires each covered hospital carry out an annual coverage assessment of four and fifty-two hundredths percent of a covered hospital's annual coverage assessment base. **Fiscal Note:** (Dated February 20, 2019) Increase State Revenue - \$446,771,000/FY19-20/ Maintenance Coverage Trust Fund Increase State Expenditures - \$446,771,000/FY19-20/ Maintenance Coverage Trust Fund Increase Federal Expenditures - \$843,542,400/FY19-20/ Maintenance Coverage Trust Fund
SB474 - F. Haile - 02/07/19 - Referred to Senate Health & Welfare Committee.
4. HB1430 Stewart M. **TENNCARE: Medicaid expansion.** Authorizes the governor to expand medicaid pursuant to the Affordable Care Act. Authorizes the governor to negotiate with the centers for medicare and medicaid services to determine the terms of the expansion.
SB1029 - J. Yarbro - 02/11/19 - Referred to Senate Commerce & Labor Committee.
5. HB857 Parkinson A. **TENNCARE: Actuarial study of the medical assistance program and participating managed care organizations.** Requires the treasury comptroller conduct an annual actuarial study of the medical assistance program and any participating managed care organizations, and report to the finance, ways and means committees of legislative houses, the office of legislative budget analysis, and the fiscal review committee of the general assembly. **Fiscal Note:** (Dated February 19, 2019) NOT SIGNIFICANT
SB744 - K. Robinson - 02/07/19 - Referred to Senate Commerce & Labor Committee.
6. HB1092 Hodges J. **TENNCARE: Medicaid expansion.** Authorizes the governor to expand medicaid pursuant to the Affordable Care Act. Also authorizes the governor to negotiate with the centers for medicare and medicaid services with respect to the terms of the expansion.
SB983 - B. Gilmore - 02/11/19 - Referred to Senate Commerce & Labor Committee.

Wed 3/27/19 12:30pm - House Hearing Rm IV, House Public Service & Employee Subcommittee

HEADER: HB1232 has been added to the calendar by suspension of the rules on the House Floor on 03/21/19. MEMBERS: CHAIR B. Ramsey (R); R. Bricken (R); D. Hawk (R); G. Hicks (R); K. Keisling (R); H. Love Jr. (D); J. Shaw (D)

4. HB282 Daniel M. **PROFESSIONS & LICENSURE: Legislation concerning licensure, certification, or registration requirements.** Requires any legislation that creates or modifies licensure, certification, or registration requirements for occupational and professional groups to be referred for review to the government operations committee or an appropriate standing committee by the speaker of each house. **Fiscal Note:** (Dated February 7, 2019) NOT SIGNIFICANT
SB392 - K. Roberts - 02/06/19 - Referred to Senate Government Operations Committee.

Wed 3/27/19 12:30pm - Senate Hearing Rm I, Senate Health & Welfare Committee Regular Calendar

MEMBERS: CHAIR R. Crowe (R); VICE CHAIR F. Haile (R); 2ND VICE CHAIR S. Reeves (R); J. Hensley (R); E. Jackson (R); B. Massey (R); A. Swann (R); B. Watson (R); J. Yarbrow (D)

1. SB637 Johnson J. **HEALTH CARE: Timeframe for notification of an applicant for the need of a nonresidential substitution-based treatment center for opiate addiction.** Changes the period within which an applicant for a certificate of need for a nonresidential substitution-based treatment center for opiate addiction must notify the chief executive officer of the county or municipality of the filing of the application if it involves a healthcare facility in which the county or municipality is the lessor of the facility or real property on which it sits from 10 days to 10 business days. **Amendment Summary:** House Facilities, Licensure & Regulations Subcommittee amendment 1 (005505) rewrites the bill and declares a certificate of need is not required for a hospital to operate an opioid treatment program if the program is located on the same campus as the hospital and the hospital is licensed and operates 100 or more psychiatric beds. **Fiscal Note:** (Dated February 27, 2019) NOT SIGNIFICANT
HB1462 - G. Casada - 03/21/19 - Set for House Health Committee 03/26/19.
2. SB179 Gardenhire T. **HEALTH CARE: Board of trustees of hospital authority - employment of former board member.** Prohibits members or former members of a hospital authority board of trustees from entering into an arrangement for employment or the provision of labor or services with the authority until at least 12 months following the trustee or former trustee's service on the board. **Fiscal Note:** (Dated February 11, 2019) NOT SIGNIFICANT
HB416 - E. Helton - 03/05/19 - Taken off notice in House Facilities, Licensure & Regulations Subcommittee.
3. SB1123 Briggs R. **HEALTH CARE: Written list of TANF and medicaid options.** Changes the annual date by which the departments of health and human services must jointly provide to the appropriate committees of the senate and the house of representatives a written list of available state and federal options under medicaid and temporary assistance for needy families from December 31 to December 15. **Amendment Summary:** House Agriculture & Natural Resources Subcommittee amendment 1 (005583) defines "consumer", "personal consumption", "producer" and "unpasteurized milk" as used in the bill. Describes the registration requirements and rules for a dairy farm to sell unpasteurized milk or unpasteurized milk products, the process of selling unpasteurized milk or unpasteurized milk products, record keeping, the rules of the department of health and department of agriculture in accordance with the Uniform Administrative Procedures Act, and the procedures to follow in the event of contamination. **Fiscal Note:** (Dated February 20, 2019) NOT SIGNIFICANT
HB1129 - P. Hazlewood - 03/19/19 - House Agriculture & Natural Resources Subcommittee deferred to summer study after adopting amendment 1 (005583).
4. SB266 Reeves S. **PROFESSIONS & LICENSURE: Notification of vacancy - division of health related boards.** Expands the number of legislative committees to which health-related boards must submit reports on board vacancies to include the health committee of the house and the health and welfare committee of the senate. Broadly captioned. **Amendment Summary:** House amendment 1 (004108) rewrites this bill and deletes the requirements under present law that a person practicing ultrasound sonography in a nonclinical 3D/4D ultrasound boutique setting be at least 18 years of age and in compliance with the following requirements: (1) Earn a minimum of a technical certificate from a sonography program accredited by the Commission on Accreditation of

Allied Health Education Programs (CAAHEP) or Canadian Medical Association (CMA); and (2) Be currently certified by the American Registry for Diagnostic Medical Sonography (ARDMS) in the specialty in which they are currently practicing; be currently certified by the American Registry of Radiologic Technologists (ARRT) in sonography; be in the process of applying for registration with the ARDMS, provided that the applicant satisfies the requirements for registration within 90 days of becoming employed as a sonographer; or be in the process of applying for registration with the ARRT, provided that the applicant satisfies the requirements for registration within 90 days of becoming employed as a sonographer. **Fiscal Note:** (Dated January 25, 2019) NOT SIGNIFICANT

HB104 - C. Todd - 03/18/19 - House passed with amendment 1 (004108), which rewrites this bill and deletes the requirements under present law that a person practicing ultrasound sonography in a nonclinical 3D/4D ultrasound boutique setting be at least 18 years of age and in compliance with the following requirements: (1) Earn a minimum of a technical certificate from a sonography program accredited by the Commission on Accreditation of Allied Health Education Programs (CAAHEP) or Canadian Medical Association (CMA); and (2) Be currently certified by the American Registry for Diagnostic Medical Sonography (ARDMS) in the specialty in which they are currently practicing; be currently certified by the American Registry of Radiologic Technologists (ARRT) in sonography; be in the process of applying for registration with the ARDMS, provided that the applicant satisfies the requirements for registration within 90 days of becoming employed as a sonographer; or be in the process of applying for registration with the ARRT, provided that the applicant satisfies the requirements for registration within 90 days of becoming employed as a sonographer.

5. SB467
Roberts K. **PROFESSIONS & LICENSURE: Exempts certain medical professionals from massage licensure requirements when employing licensed massage therapists.** Exempts certain medical professionals from massage licensure requirements when massages are performed in their office by licensed massage therapists. **Fiscal Note:** (Dated March 6, 2019) Decrease State Revenue \$16,900/Massage Licensure Board Other Fiscal Impact Pursuant to Tenn. Code Ann. 4-29-121, all health related boards are required to be self-supporting over a two-year period. The Massage Licensure Board had an annual deficit of \$118,594 in FY16-17, an annual deficit of \$52,294 in FY17-18, and a cumulative reserve balance of \$912,043 on June 30, 2018. HB296 - M. Hill - 03/21/19 - Set for House Health Committee 03/26/19.
6. SB743
Hensley J. **PROFESSIONS & LICENSURE: Practice of nursing - references to human patients.** Changes references of patients to human patients. Determines exclusive eligibility for the licensed practice of nursing to persons licensed by the board of nursing. **Amendment Summary:** House amendment 1 (004830) rewrites this bill and: (1) Prohibits a person from using the title "nurse" or any other title, abbreviation, or designation in connection with the person's name, occupation, or profession to indicate or imply that the person is a practicing nurse unless the person is actively licensed or certified by the board of nursing; and (2) Revises the present law provisions governing the board of nursing enjoining violations of practicing nursing without a license. Under present law, the board is authorized to petition any circuit or chancery court having jurisdiction to enjoin from practicing any person who is practicing or attempting to practice as a professional or registered nurse or as a licensed practical nurse without possessing a valid license or to enjoin any licensee from practicing who has been found guilty of the acts enumerated in present law as grounds for denial, revocation, or suspension of a license. Present law provides that no injunction bond is required of the board. This amendment adds that the board may petition the court to enjoin a person from using the title "nurse" or from using any other title, abbreviation, or designation in connection with the person's name, occupation, or profession that indicates or implies that the person is a practicing nurse, but who does not possess a valid license or certificate from the board of nursing. This amendment also removes the provision whereby no injunction bond is required of the board. **Fiscal Note:** (Dated February 20, 2019) NOT SIGNIFICANT
HB422 - R. Smith - 03/14/19 - House passed with amendment 1 (004830).
10. SB28 Crowe
R. **HEALTH CARE: Creates the Alzheimer's disease and related dementia advisory council.** Creates the state Alzheimer's disease and related dementia advisory council and specifies membership of council and terms of members. Specifies that the council is attached to the commission on aging and disability for administrative purposes. Requires the council to develop and submit an Alzheimer's disease state plan to the general assembly that identifies barriers to Alzheimer's disease care, analyzes service utilization data, and includes

recommendations, metrics, and best practices to address gaps in service no later than January 15, 2020. **Amendment Summary:** House Health Committee amendment 1 (004088) adds the Tennessee Association for Home Care and the Tennessee Nurses Association to the list of groups who may submit qualified nominees to be appointed to the Council. Deletes language of the printed bill that authorized private citizen members of the Council be reimbursed for travel expenses incurred for attending meetings. Deletes requirement that members of the Council attend at least 50 percent of all meetings. Specifies the legislative committees to which the annual report must be submitted. Senate Government Operations Committee amendment 1, House Government Operations Committee amendment 1 (005741) deletes and replaces all language after the enacting clause such that the only substantive changes are: (1) to add the Tennessee Association for Home Care and the Tennessee Nurses Association to the list of groups who may submit qualified nominees to be appointed to the Council; (2) to delete language of the original bill that authorized private citizen members of the council be reimbursed for travel expenses incurred for attending meetings; (3) to delete the requirement that members of the Council attend at least 50 percent of all meetings; and (4) to specify the legislative committees to which the annual report must be submitted. **Fiscal Note:** (Dated February 2, 2019) Increase State Expenditures - \$6,100 HB37 - S. Whitson - 03/21/19 - Set for House Finance, Ways & Means Subcommittee 03/27/19.

11. SB609
Massey B. **HEALTH CARE: Permits dental hygienists prescribe certain oral health agents under certain conditions.** Permits dental hygienists to prescribe fluoride agents, topical oral anesthetic agents, and nonsystemic oral antimicrobials if they are not controlled substances, do not require a license from the FDA, and if the prescriptive authority is exercised under general supervision from a dentist or authorized public health program. Requires the board of dentistry to set educational and training requirements by rule. Requires board determine allowable percentages of certain active ingredients in medications that may be prescribed by dental hygienists. **Amendment Summary:** House Facilities, Licensure & Regulations Subcommittee amendment 1 (004967) rewrites the bill and authorizes a dental hygienist to have prescriptive authority for fluoride agents, topical oral anesthetic agents, and nonsystemic oral antimicrobials that are not controlled substances and do not require a license from the FDA to prescribe. The prescriptive authority of a dental hygienist must be exercised under the general supervision of a licensed dentist. Requires a prescription written by a dental hygienist to be reviewed by a licensed dentist within 30 days. **Fiscal Note:** (Dated February 20, 2019) NOT SIGNIFICANT
HB657 - M. Hill - 03/21/19 - Set for House Health Committee 03/26/19.

Wed 3/27/19 2:00pm - House Hearing Rm II, House Public Health Subcommittee

MEMBERS: CHAIR J. Sexton (R); V. Dixie (D); M. Hill (R); L. Miller (D); B. Terry (R); J. VanHuss (R); S. Whitson (R)

2. HB1029
Lynn S. **CRIMINAL LAW: Human Life Protection Act.** Declares abortion in the state of Tennessee to be an illegal act and the performance of an abortion resulting in a Class C felony. Establishes exceptions to this rule only in the event that a licensed physician determines that the abortion was necessary to prevent the death of a pregnant woman or cause substantial and irreversible damage to the pregnant woman, where neither the woman nor physician will be prosecuted. Specifies that the act would only go into effect in the case of the United States Supreme court overturning Roe v. Wade, as modified by Planned Parenthood of Southeastern Pennsylvania v. Case, or by adoption of an amendment to the United States Constitution which restores the authority to prohibit abortion to the states. **Fiscal Note:** (Dated February 19, 2019) Other Fiscal Impact Due to the unknown timing of when the newly created felony will take effect, the impact to state incarceration costs cannot be reasonably determined.
SB1257 - D. Gresham - 02/11/19 - Referred to Senate Judiciary Committee.
3. HB1490
Ragan J. **HEALTH CARE: Life Appropriation Act.** Enacts the "Life Appropriation Act," which prohibits an agency or instrumentality of the state from awarding a grant to pay the direct or indirect costs of performing, inducing, referring, or counseling in favor of abortions. Specifies that these costs include, but not limited to, administrative costs and expenses, overhead costs, employee salaries, rent and mortgage payments, and telephone and other utility payments. Prohibits an agency or instrumentality of the state from granting, appropriating, or distributing a grant to an individual or entity that performs convenience abortions. Defines "convenience abortion." **Fiscal Note:** (Dated March 8, 2019) Other Fiscal Impact Passage of this legislation could jeopardize federal funding received from Title X Family Planning to provide preventive health care and family planning services for low-income,

under-insured and uninsured individuals.

SB1418 - E. Jackson - 02/11/19 - Referred to Senate Judiciary Committee.

6. HB1284 Mitchell B. **CRIMINAL LAW: Use of hemp products by minors.** Expands the Prevention of Youth Access to Tobacco and Vapor Products Act to apply to hemp for smoking. **Amendment Summary:** Senate amendment 1 (004554) removes specific reference to hemp-derived products in a topical or ingestible consumer product from the definition of "hemp" for purposes of this bill. **Fiscal Note:** (Dated February 23, 2019) NOT SIGNIFICANT
SB360 - S. Southerland - 03/14/19 - Senate passed with amendment 1 (004554).
7. HB1419 Towns Jr. J. **CRIMINAL LAW: Raises minimum age to purchase tobacco or vape products.** Increases the minimum age from 18 to 21 to purchase any tobacco or vapor products. Creates a Class C misdemeanor offense of selling or distributing any flavored electronic cigarettes. Creates a rebuttable presumption that an electronic cigarette is flavored if a manufacturer or any of the manufacturer's agents or employees has made a statement or claim directed to consumers or to the public that the electronic cigarette has or produces a characterizing flavor, including, but not limited to, text, color, or images on the product's labeling or packaging that are used to explicitly or implicitly communicate that the electronic cigarette has a characterizing flavor. Increases the tax rate on cigarettes by 1.25 cents per cigarette. **Fiscal Note:** (Dated February 24, 2019) Increase State Revenue Net Impact - \$85,025,900 Increase Local Revenue Net Impact - \$349,800
SB738 - S. Kyle - 02/26/19 - Senate Commerce & Labor Committee deferred to last calendar.

Wed 3/27/19 2:00pm - House Hearing Rm I, House Local Committee

MEMBERS: CHAIR J. Crawford (R); VICE CHAIR D. Wright (R); M. Carter (R); R. Travis (R); R. Tillis (R); T. Rudd (R); B. Ramsey (R); J. Moon (R); L. Lamar (D); G. Johnson (D); E. Helton (R); Y. Hakeem (D); B. Freeman (D); J. Faison (R); D. Carr (R); K. Calfee (R)

9. HB1335 Eldridge R. **CRIMINAL LAW: Local regulation of products containing nicotine.** Authorizes any municipality, county, airport authority, or certain utility districts to regulate the use of tobacco products in public places, places of employment, and parks. Specifies that a regulation implemented pursuant to this bill by a local government entity shall not be less restrictive than that required by state law. **Amendment Summary:** Senate Commerce and Labor Committee amendment 1 (004924) deletes all language after the enacting clause and rewrites the bill such that the substantive changes: (1) limit the applicable locations to only buildings and on property owned or leased by the entity; (2) authorizes municipalities, counties, airport authorities, and utility districts to prohibit the use of tobacco products; (3) requires the entity to pass a resolution or ordinance if opting to prohibit such products; and (4) expands the provisions of prohibition to include vapor products. House Cities and Counties Subcommittee amendment 1 (005957) rewrites the bill to authorize municipalities, counties, or counties with a metropolitan government to prohibit the use of tobacco and vapor products in building and on property owned and leased by such entities including public sidewalks and in and around hospitals. Authorizes airport authorities and some utility districts to regulate tobacco on their property. **Fiscal Note:** (Dated February 20, 2019) Increase Local Expenditures Exceeds \$30,000/One-Time/Permissive
SB932 - J. Lundberg - 03/07/19 - Re-referred to Senate Commerce & Labor Committee.

Wed 3/27/19 2:30pm - Senate Hearing Rm I, Senate Education Committee

HEADER: The committee will have budget hearings by the University of Memphis, Middle TN State University and TN State University. MEMBERS: CHAIR D. Gresham (R); VICE CHAIR B. Kelsey (R); 2ND VICE CHAIR R. Akbari (D); M. Bell (R); R. Crowe (R); S. Dickerson (R); F. Haile (R); J. Hensley (R); J. Lundberg (R)

5. SB273 Massey B. **EDUCATION: Seizure education programs.** Encourages LEAs to provide an age-appropriate seizure education program in each public school to teach students about seizures and seizure disorders. Also encourages LEAs to follow the guidelines published by an organization dedicated to overcoming the challenges of living with epilepsy and finding cures for epilepsy, such as the Epilepsy Foundation of America, in creating a seizure education program. Encourages the state board of education to promulgate rules for the development and implementation of seizure education programs. **Fiscal Note:** (Dated February 13, 2019) NOT SIGNIFICANT

HB267 - R. Staples - 03/21/19 - Set for House Education Curriculum, Testing & Innovation Subcommittee 03/26/19.

7. SB760 Yarbrow J. **EDUCATION: Requires LEAs provide dyslexic students specific interventions with trained teachers.** Requires LEAs provide dyslexic students with dyslexia-specific intervention provided by a teacher trained in dyslexia intervention, requires the department of education to employ at least one dyslexia specialist beginning with the 2019-2020 fiscal year. **Fiscal Note:** (Dated March 3, 2019) Increase State Expenditures \$97,700/Recurring Increase Local Expenditures \$1,221,100/FY20-21* \$111,100/FY21-22 and Subsequent Years*
HB253 - B. Freeman - 03/06/19 - Taken off notice in House Education K-12 Subcommittee.

Wed 3/27/19 3:30pm - House Hearing Rm I, House Education K-12 Subcommittee

MEMBERS: CHAIR J. Ragan (R); K. Haston (R); I. Rudder (R); T. Weaver (R); M. White (R); J. Windle (D)

3. HB808 Kumar S. **EDUCATION: Designation assigned to school nurses.** Requires classified, certified, or any other designations given to an employee of an LEA also be given to employed school nurses. **Fiscal Note:** (Dated February 19, 2019) Other Fiscal Impact The precise impact on BEP funding apportioned to local education agencies and any impact on expenditures for the Department of Education cannot be reasonably determined.
SB1242 - D. Gresham - 02/11/19 - Referred to Senate Education Committee.

Wed 3/27/19 3:30pm - House Hearing Rm IV, House Life & Health Insurance Subcommittee

MEMBERS: CHAIR R. Smith (R); T. Hill (R); J. Hodges (D); J. Lafferty (R); D. Powers (R); C. Sexton (R); R. Travis (R)

2. HB1010 Hill M. **INSURANCE HEALTH: Restrictions on coverage of off-label drugs by insurers.** Removes that some insurers will deny payment for drugs approved by the FDA when used for off-label use, while other insurers do pay for off-label use. Deletes clause of coverage of off-label drugs will not apply to a governmentally funded health care program, if the program requires the provision of medically necessary services. Deletes definitions of medical literature and standard reference compendia, in regards to insurance coverage on off-label drugs. Deletes clause on an insurer excluding coverage on an FDA non-approved drug if the drug is recognized for treatment of the indication in one of the standard reference compendia, or in the medical literature. Deletes clause that coverage for off-label uses of approved drugs shall not be constructed to alter existing law with regard to provisions limiting the coverage of drugs that have not been approved by the FDA. **Fiscal Note:** (Dated March 9, 2019) Increase State Expenditures - \$15,685,400 Increase Federal Expenditures - \$101,300 Increase Local Expenditures Exceeds \$2,462,900*
SB1215 - R. Crowe - 02/11/19 - Referred to Senate Commerce & Labor Committee.
3. HB278 Daniel M. **INSURANCE HEALTH: Requires drafting of a memorandum of understanding on a comprehensive online healthcare information system.** Requires commerce and insurance department draft a memorandum of understanding on development of comprehensive online healthcare information system.
SB322 - E. Jackson - 02/04/19 - Referred to Senate Commerce & Labor Committee.
4. HB1342 Zachary J. **INSURANCE HEALTH: Notice to an insured concerning the potential out-of-network status of physicians.** Requires that notice to an insured person concerning the potential out-of-network status of physicians who will be treating the insured at a facility for purposes of determining billing be given at least three days before first receiving services. Broadly captioned. **Amendment Summary:** Joint Council on Pensions and Insurance amendment 1 (004800) requires a healthcare facility to provide written notice to an insured or their representative that agrees to receive medical services by an out-of-network provider that includes a bill for 100 percent of billed charges for the amount unpaid by the insurer. The written notice is to include the estimated amount of copay, deductible, or coinsurance, or range of estimates that the facility will charge the insured for scheduled items or services provided by the facility in accordance with the insured's health benefit coverage for the items and services or as estimated by the insurance company on its website for its insured or through the available information to the facility at the time of prior authorization, and a listing of anesthesiologists, radiologists, emergency room physicians, and pathologists or the groups of such healthcare providers with which the facility has contracted, including the healthcare provider or group name, phone number, and website. **Fiscal Note:** (Dated February 14, 2019) NOT SIGNIFICANT
SB1120 - J. Lundberg - 02/11/19 - Referred to Senate Commerce & Labor Committee.

5. HB1429 **INSURANCE HEALTH: Medical Assistance Savings Act.** Enacts the "Medical Assistance Savings Act" to require health insurance policies to cover a dependent child until the child reaches 26 years of age. Current law specifies 24 years of age. **Fiscal Note:** (Dated February 12, 2019) Increase State Expenditures Not Significant Potential Impact on Health Insurance Premiums (required by Tenn. Code Ann. 3-2-111): Such legislation would not result in a significant increase in the cost of health insurance premiums because federal law requires coverage until an adult child turns 26 years of age.
SB939 - J. Yarbro - 02/11/19 - Referred to Senate Commerce & Labor Committee.
7. HB1376 **INSURANCE HEALTH: Informing patients about health insurance acceptance.** Requires healthcare providers and healthcare facilities, prior to providing a healthcare service to any patient, to inform the patient or the patient's legal representative whether any insurance policy the patient may have is accepted by the provider and if the provider is in-network. Provides an exception for patients experiencing medical emergencies. **Fiscal Note:** (Dated February 28, 2019) NOT SIGNIFICANT
SB1222 - F. Niceley - 02/11/19 - Referred to Senate Commerce & Labor Committee.
10. HB419 **INSURANCE HEALTH: Tennessee Right to Shop Act.** Requires a carrier offering a health plan in this state, beginning upon approval of the next health insurance rate filing on or after January 1, 2020, to implement an incentive program that provides incentives for enrollees in a health plan who elect to receive a comparable healthcare service from a network provider that is covered by the health plan and that is paid less than the average allowed amount paid by that carrier to network providers for that comparable healthcare service before and after an enrollee's out-of-pocket limit has been met. Allows incentives to be calculated as a percentage of the difference between the amount actually paid by the carrier for a given comparable healthcare service and the average allowed amount for that service, or by another reasonable methodology approved by the commissioner of commerce and insurance. Also allows incentives to be provided as a cash payment to the enrollee, a credit toward the enrollee's annual in-network deductible and out-of-pocket limit, or a credit or reduction of a premium, a copayment, cost sharing, or a deductible. Requires the incentive program to provide each enrollee with at least 50 percent of the carrier's saved costs for each comparable healthcare service resulting from shopping by the enrollee. 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 requirements for incentive programs.
SB510 - K. Roberts - 03/21/19 - Set for Senate Commerce & Labor Committee 03/26/19.

Wed 3/27/19 3:30pm - House Hearing Rm II, House Criminal Justice Subcommittee

MEMBERS: CHAIR A. Farmer (R); K. Camper (D); M. Curcio (R); C. Doggett (R); W. Lamberth (R); B. Ogles (R); A. Parkinson (D)

3. HB1364 **CRIMINAL LAW: Offense of female genital mutilation.** Declares it to be a Class D felony to knowingly mutilate a female, facilitate the mutilation of a female, or transport or facilitate the transportation of a female for the purpose of mutilation. Specifies that it cannot be a defense to prosecution for female genital mutilation if the act was required as a matter of belief, custom, or ritual, consented to by the minor on whom the procedure is performed, or consented to by the parent or legal guardian of the minor on whom the procedure is performed. Declares that the act is not a violation if necessary to the physical health of the person or due to medical concerns in the event of child labor or birth. Establishes what is awarded to a victim of female genital mutilation after ruling by court. **Amendment Summary:** Senate amendment 1 (005324) requires any medical who performs, participates, or facilitates a female genital mutilation procedure, not subject to an exception to be subject to disciplinary action by the appropriate licensing board. Senate amendment 2 (005348) clarifies that cosmetic rejuvenation and reconstruction in accordance with the standards of the American College of Obstetrics and Gynecology is an exception to the offense of female genital mutilation. Senate amendment 3 (005712) specifies that body piercing is not female genital mutilation when performed on a consenting adult. **Fiscal Note:** (Dated March 1, 2019) NOT SIGNIFICANT
SB1166 - J. Hensley - 03/18/19 - Senate passed with amendment 1 (005324), amendment 2 (005348), and amendment 3 (005712). Amendment 1 (005324) requires any medical who performs, participates, or facilitates a female genital mutilation procedure, not subject to an exception to be subject to disciplinary action by the appropriate licensing board. Amendment 2 (005348) clarifies that cosmetic rejuvenation and reconstruction in accordance with the standards of the American College

of Obstetrics and Gynecology is an exception to the offense of female genital mutilation. Amendment 3 (005712) specifies that body piercing is not female genital mutilation when performed on a consenting adult.

9. HB1238 Griffey B. **WELFARE: Verification of citizenship required for certain public benefits.** Requires verification of citizenship or lawful presence for each applicant 18 years of age or older, who applies for prenatal care and the special supplemental food program for women, infants and children when administered by the department of health. Broadly captioned. **Fiscal Note:** (Dated March 8, 2019) Other Fiscal Impact The provisions of this legislation will likely result in a decrease in eligible participants in the Special Supplemental Food Program for Women, Infants and Children (WIC) and could jeopardize a significant portion of the federal funding received for WIC; however, the extent and timing for any such impacts cannot be reasonably determined.
SB1279 - M. Pody - 02/11/19 - Referred to Senate Health & Welfare Committee.
18. HB1162 Ogles B. **TRANSPORTATION VEHICLES: Tests for alcohol or drug content of blood.** Adds physician assistants to the list of medical practitioners who are qualified to draw blood from a motor vehicle operator for evidentiary purposes in a DUI investigation. **Fiscal Note:** (Dated February 11, 2019) NOT SIGNIFICANT
SB636 - J. Johnson - 02/07/19 - Referred to Senate Judiciary Committee.

Wed 3/27/19 3:30pm - House Hearing Rm III, House Department & Agencies Subcommittee

HEADER: HB1233 has been added to the calendar by suspension of the rules on the House Floor on 03/21/19. MEMBERS: CHAIR B. Sanderson (R); B. Beck (D); C. Halford (R); K. Keisling (R); M. Littleton (R); R. Staples (D); R. Tillis (R)

4. HB1120 Freeman B. **GOVERNMENT ORGANIZATION: Creates the state government advisory task force on community resilience.** Creates the state government advisory task force on extreme weather and community resilience consisting of 24 members. Requires the task force to assess the historical, present, and projected occurrence of natural catastrophes and extreme weather events in this state and to examine present and projected losses associated with the occurrence of extreme weather events and other natural catastrophes in this state. Also requires the task force to develop recommendations to address vulnerabilities and adverse impacts associated with the occurrence of extreme weather events and other natural catastrophes in this state. Requires the task force to develop recommendations to increase resilience to extreme weather events and other natural catastrophes in this state.
SB1114 - J. Yarbro - 03/21/19 - Set for Senate Government Operations Committee 03/27/19.