CAMPAIGNS & LOBBYING

SB344/HB1225  Increases campaign contribution limits.
Sponsors:  Sen. Watson, Bo, Rep. Casada, Glen
Summary: Increases contribution limits to $4,200 offices elected in statewide elections and to $2,500 any other state or local public office. Increases limits from multicandidate political campaign committee to $20,000 for offices elected in statewide elections and to $10,000 for any other state or local public office. Limits candidates for statewide offices to not more than fifty percent of total contributions and candidates for any other state or to $200,000 from multicandidate political campaign committees.
Fiscal Note: (Dated April 12, 2019) NOT SIGNIFICANT
Senate Status: 02/04/19 - Referred to Senate State & Local Government Committee.
House Status: 02/13/19 - Referred to House Elections & Campaign Finance Subcommittee.

COMMERCIAL LAW

SB232/HB57  Registration exemptions for charitable organizations.
Summary: Increases from over $30,000 to over $50,000 the amount of gross contributions that must be raised or received from the public by a charitable organization in order to trigger registration and reporting requirements with the secretary of state.
Fiscal Note: (Dated February 9, 2019) Decrease State Revenue - $46,000/Secretary of State
Senate Status: 03/18/19 - Senate passed.
House Status: 03/14/19 - House passed.
Executive Status: 04/15/19 - Enacted as Public Chapter 0132 effective July 1, 2019.

SB352/HB352  Consumer protection - claims related to medical devices and pharmaceuticals.
Summary: Prohibits failure to disclose at the beginning of any legal advertisement or display in a conspicuous location that the advertisement is paid advertisement for legal services, presentation of legal advertisements as a "medical alert," "public service announcement," or other similar language, display of federal logos, use the word "recall" to refer to a product that has not been recalled, failure to identify the person, attorney or law firm responsible for the advertisement. Requires legal advertisements soliciting clients alleging injury from an approved prescription drug cleared by the food and drug administration to include warnings and disclose that the drug or medical device remains approved by the United States food and drug administration. Prohibits transfer of protected health information for the purpose of soliciting legal services without authorization. Creates penalties for violations, authorizes enforcement by the attorney general.
Amendment Summary: House amendment 1 (005125) specifies that this bill does not create or imply liability on behalf of a broadcaster who holds a license for over-the-air terrestrial broadcasting from the federal communication commission, or against a cable operator.
Fiscal Note: (Dated February 14, 2019) NOT SIGNIFICANT
Senate Status: 03/25/19 - Senate concurred in House amendment 1 (005125).
House Status: 03/21/19 - House passed with amendment 1 (005125).
Executive Status: 04/15/19 - Enacted as Public Chapter 0119 effective July 1, 2019.

CORRECTIONS

SB75/HB129  Providing of feminine hygiene products to women prisoners.
Summary: 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.

Amendment Summary: House amendment 2 (008710) limits this bill's requirements to state correctional facilities and adds that this bill does not establish a minimum standard or otherwise create a private right of action concerning the products supplied to a person incarcerated in a state correctional facility.

Fiscal Note: (Dated February 26, 2019) NOT SIGNIFICANT
Senate Status: 04/29/19 - Senate passed.
House Status: 04/24/19 - House passed with amendment 2 (008710).
Executive Status: 04/29/19 - Sent to the speakers for signatures.

SB1150/HB1240 Restricts physical restraints on pregnant inmates.
Summary: 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.
Fiscal Note: (Dated March 22, 2019) Increase State Expenditures $7,500/One-Time $259,000/Recurring Increase Local Expenditures $237,500/One-Time* $95,000/Recurring*
Senate Status: 04/09/19 - Taken off notice in Senate State & Local Government Committee.
House Status: 04/02/19 - Failed in House Corrections Subcommittee after adopting amendment 1 (005484).

CRIMINAL LAW

SB10/HB2 JaJuan Latham Act.
Summary: Enacts the "JaJuan Latham Act," which increases the penalty for any aggravated assault or homicide that occurs by a person discharging a firearm from within a motor vehicle and the victim is a minor at the time of the offense.
Fiscal Note: (Dated February 4, 2019) Increase State Expenditures $138,900 Incarceration*
Senate Status: 05/01/19 - Senate passed.
House Status: 04/30/19 - House passed.
Executive Status: 05/01/19 - Sent to the speakers for signatures.

SB26/HB97 Limitations on usage of vape products.
Summary: 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
Senate Status: 03/04/19 - Senate passed.
House Status: 04/04/19 - House passed.
Executive Status: 04/22/19 - Enacted as Public Chapter 0144 effective April 17, 2019.

SB80/HB127 Expands the offense of indecent exposure in a penal institution.
Summary: Expands the offense of indecent exposure by those confined in a penal institution to include offenses against staff members employed by the institution, including clergy, educators, and medical professionals.
Fiscal Note: (Dated February 7, 2019) NOT SIGNIFICANT
Senate Status: 02/21/19 - Senate passed.
House Status: 03/18/19 - House passed.
Executive Status: 04/05/19 - Enacted as Public Chapter 0045 effective July 1, 2019.

SB280/HB764 Increase age restrictions for tobacco and vapor-related products.
Summary: Increases age restrictions for tobacco and vapor-related products from 18 years of age to 21 years of age.
Fiscal Note: (Dated February 18, 2019) Decrease State Revenue - $6,966,100 Decrease Local Revenue - $1,001,700
Senate Status: 02/26/19 - Taken off notice in Senate Commerce & Labor Committee.
House Status: 02/11/19 - Referred to House Public Health Subcommittee.
SB301/HB1456  Prohibits smoking and vaping in cars when a child in a safety seat is present.

Summary:  Prohibits smoking and vaping in a motor vehicle when a child who is secured in a child safety seat or required to be secured in a child safety seat is present in the vehicle.
Fiscal Note:  (Dated February 12, 2019) On February 5, 2019, a fiscal note was issued for this bill. The fiscal note is being corrected because a commerce impact statement was erroneously omitted. The estimated fiscal impact for the legislation remains unchanged. NOT SIGNIFICANT
Senate Status:  02/26/19 - Failed in Senate Commerce & Labor Committee for lack of a motion.
House Status:  02/13/19 - Referred to House Public Health Subcommittee.

SB360/HB1284  Use of hemp products by minors.

Summary:  Expands the Prevention of Youth Access to Tobacco and Vapor Products Act to apply to hemp for smoking.
Amendment  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
Senate Status:  03/14/19 - Senate passed with amendment 1 (004554).
House Status:  04/23/19 - House passed.
Executive Status:  04/30/19 - Sent to governor.

SB422/HB493  Carrying of handguns by firefighters and emergency medical technicians.

Summary:  Allows firefighters and emergency medical technicians to carry handguns while engaged in official duties if pursuant to a written directive by the executive supervisor of the organization to which the person is attached or employed.
Fiscal Note:  (Dated March 20, 2019) Other fiscal impact Public employers of participating firefighters and EMTs will incur increases in liability insurance premiums; the extent and timing of any such impact cannot be determined with reasonable certainty.
Senate Status:  02/06/19 - Referred to Senate Judiciary Committee.
House Status:  02/04/19 - Withdrawn in House.

SB465/HB1001  Medical amnesty - person seeking aid for someone experiencing a drug overdose.

Summary:  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  House Judiciary Committee amendment 1 (005602) removes the manufacture, delivery, sale, or possession of a controlled substance from the definition of a drug or alcohol violation.
Fiscal Note:  (Dated March 11, 2019) NOT SIGNIFICANT
Senate Status:  04/09/19 - Failed in Senate Judiciary Committee after adopting amendment 1 (005540).
House Status:  04/03/19 - House Judiciary Committee recommended with amendment 1 (005602). Sent to House Calendar & Rules.

SB472/HB677  Reporting of person judicially committed for mental illness to determine eligibility to purchase firearm.

Summary:  Requires clerks to report the race, sex, and social security number of a person judicially committed for mental illness to the FBI-NCIS index and department of safety to determine eligibility for person to purchase firearms. Requires such information to be confidential.
Amendment  House amendment 1 (005604) adds clarifying language specifying that changes applied in the bill for the General Sessions Courts applies to the Chancery Courts as well.
Fiscal Note:  (Dated February 19, 2019) NOT SIGNIFICANT
Senate Status:  04/17/19 - Senate concurred in House amendment 1 (005604).
House Status:  04/08/19 - House passed with amendment 1 (005604).
Executive Status:  04/30/19 - Signed by governor.
SB481/HB901  Aggravated assault of utility employees as Class A misdemeanor.
Summary:  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) deletes the provisions of this bill that would create a new criminal offense of aggravated assault against a utility worker and makes the enhanced maximum fine of up to $15,000 applicable to aggravated assault, as defined under present law, when committed against an identifiable employee or contractor of a utility who is discharging or attempting to discharge such person's official duties.
Fiscal Note:  (Dated February 28, 2019) NOT SIGNIFICANT
Senate Status:  03/18/19 - Senate passed with amendment 1 (005098).
House Status:  04/04/19 - House passed.
Executive Status:  04/22/19 - Enacted as Public Chapter 0149 effective July 1, 2019.

SB487/HB574  Reporting sexual abuse of a minor.
Summary:  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 amendment 1 (005642) rewrites this bill and revises the present law provision regarding reporting suspected child sexual abuse when certain minors present for an abortion. Under present law, the requirement to report suspected sexual abuse of a minor is triggered if a physician is requested to perform an abortion on a minor who is less than 13 years of age. This amendment adds that if the minor who presents for an abortion is at least 13 years of age but no more than 17 years of age, and the physician has reasonable cause that there is child sexual abuse, then the physician must report that suspected abuse. The requirement added by this amendment will apply only when a physician performs elective abortion services as a part of the physician's practice.
Fiscal Note:  (Dated February 28, 2019) NOT SIGNIFICANT
Senate Status:  04/30/19 - Senate passed.
House Status:  04/18/19 - House passed with amendment 1 (005642).
Executive Status:  04/30/19 - Sent to the speakers for signatures.

SB619/HB800  Carrying of handgun by firefighter or emergency medical technician.
Summary:  Permits any person employed in emergency management or as a firefighter or emergency medical technician to carry a handgun while engaged in the performance of the person's official duties. Requires such person to successfully complete a firearm training program of at least eight hours duration on an annual basis.
Fiscal Note:  (Dated March 9, 2019) Other fiscal impact Public employers of participating firefighters and EMTs will incur increases in liability insurance premiums; the extent and timing of any such impact cannot be determined with reasonable certainty.
Senate Status:  02/07/19 - Referred to Senate Judiciary Committee.
House Status:  03/13/19 - Taken off notice in House Constitutional Protections & Sentencing Subcommittee.

SB659/HB1168  Illegal use of narcotics while pregnant.
Summary:  Authorizes assault prosecution for illegal use of a narcotic drug while pregnant if the child is born addicted to or harmed by the narcotic drug. Provides addiction recovery program enrollment while pregnant and successful completion of the program as an affirmative defense.
Amendment Summary:  House amendment 1 (007255) deletes all language after the enacting clause. Creates a Class A misdemeanor offense for a person to knowingly possess a child-like sex doll. Creates a Class E felony offense for a person to knowingly sell, distribute or transport a child-like sex doll into this state or within this state with the intent to sell or distribute, to be fined, in addition to any other punishment, in an amount not less than $10K, nor more than $50K. Directs court clerks to collect such fine revenue and to remit it to the Department of Treasury for deposit in the state General Fund. Specifies that such fine revenue credited to the General Fund subject to appropriation by the General Assembly for the exclusive purposes of funding child advocacy centers, court-appointed, special advocates, and sexual assault centers.
Fiscal Note:  (Dated March 28, 2019) NOT SIGNIFICANT
Senate Status:  04/24/19 - Senate concurred in House amendment 1 (007255).
House Status:  04/18/19 - House passed with amendment 1 (007255).
Drug Treatment Instead of Incarceration Act.

**Sponsors:** Sen. Gilmore, Brenda, Rep. Dixie, Vincent

**Summary:** Declares that the court will direct that a clinical assessment is performed of all persons charged with a nonviolent drug offense, with their consent. Establishes that first-time offenders will be ordered to complete a rehabilitative drug treatment program and that the offender may be prosecuted to an increased extent if a multiple time offender. Declares that prosecution of a felony or nonviolent crime will move forward in event of failure of the rehabilitation course. Creates the Substance Abuse Treatment Trust Fund to administer the provisions of the act along with a study of the effectiveness of these programs.

**Fiscal Note:**
(Dated March 29, 2019) Increase State Revenue Up to $19,021,600/Substance Abuse Treatment Fund Increase State Expenditures Net Impact Up to $18,885,100/General Fund Up to $19,021,600/Substance Abuse Treatment Fund Decrease State Expenditures $28,825,100 Incarceration*

**Senate Status:** 02/07/19 - Referred to Senate Judiciary Committee.

**House Status:** 04/03/19 - House Criminal Justice Subcommittee deferred to first calendar of 2020.

Raises minimum age to purchase tobacco or vape products.

**Sponsors:** Sen. Kyle, Sara, Rep. Towns Jr., Joe

**Summary:** 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

**Senate Status:** 04/09/19 - Taken off notice in Senate Commerce & Labor Committee.

**House Status:** 04/03/19 - Failed in House Public Health Subcommittee.

Increases the penalty for aggravated assault and reckless endangerment.

**Sponsors:** Sen. Kyle, Sara, Rep. Towns Jr., Joe

**Summary:** Increases penalty for aggravated assault and reckless endangerment committed from within a motor vehicle. Requires the court revoke a defendant's license for up to one year following any period of confinement. Requires that a motor vehicle used in a second or subsequent offense be seized and forfeited.

**Fiscal Note:**
(Dated March 5, 2019) Increase State Expenditures $187,600 Incarceration*

**Senate Status:** 02/07/19 - Referred to Senate Judiciary Committee.

**House Status:** 04/03/19 - Returned to House clerk's desk.

Prescription of certain Scheduled controlled substances.

**Sponsors:** Sen. Reeves, Shane, Rep. Sexton, Cameron

**Summary:** Requires all pharmacy dispensing software vendors operating in the state, by January 1, 2020, to update their dispensing software systems to allow for partial filling of controlled substances and to submit documentation of compliance to the board of pharmacy. Allows the board of pharmacy to take disciplinary action against pharmacy dispensing vendors for non-compliance, but immunity is given for a pharmacist acting in good faith in the partial filling of controlled substances even if the pharmacy is non-compliant.

**Amendment**
Senate amendment 1 (005777) requires any subsequent fill to be filled within six months from issuance of the original prescription instead of 30 days unless federal law requires it to be filled within a shorter time frame. Orders all pharmacy dispensing software vendors to update their dispensing software systems by January 1, 2021 instead of January 1, 2020 and deletes requirement for documentation of compliance be submitted to the board of pharmacy. Allows a healthcare practitioner may treat a patient with up to a 30-day supply of an opioid with a dosage not exceeding a total of a 1,200 morphine milligram equivalent dose replacing the previous 20-day supply and 850 morphine milligram equivalent dose. Clarifies the definitions of "severe burn" and "major physical trauma". Specifies a healthcare practitioner must not treat a patient with more than a 14 day supply of an opioid to treat upper respiratory symptoms or cough.

**Fiscal Note:**
(Dated February 15, 2019) NOT SIGNIFICANT

**Senate Status:** 03/21/19 - Senate passed with amendment 1 (005777).

**House Status:** 03/28/19 - House passed.

**Executive Status:** 04/15/19 - Enacted as Public Chapter 0124 effective April 9, 2019.
**SB849/HB1459**

**Raises age to access or use tobacco and vape products.**

**Sponsors:** Sen. Hensley, Joey, Rep. Gant, Ron

**Summary:** Raises the age to access or use tobacco and vapor products from 18 to 21 years of age.

**Fiscal Note:** (Dated February 24, 2019) Decrease State Revenue - $6,966,100 Decrease Local Revenue - $1,001,700

**Senate Status:** 04/09/19 - Senate Commerce & Labor Committee deferred to 2020.

**House Status:** 04/16/19 - Returned to House clerk's desk.

**SB932/HB1335**

**Local regulation of products containing nicotine.**

**Sponsors:** Sen. Lundberg, Jon, Rep. Eldridge, Rick

**Summary:** 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 amendment 2, House Local Committee 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

**Senate Status:** 04/11/19 - Senate passed with amendment 2 (005957).

**House Status:** 03/27/19 - House Local Committee deferred to summer study after adopting amendment 1 (005957).

**SB1124/HB1455**

**First degree murder sentencing if defendant had severe mental illness.**

**Sponsors:** Sen. Briggs, Richard, Rep. Ramsey, Bob

**Summary:** Prohibits a court from sentencing a defendant convicted of first degree murder to death if the defendant proves by a preponderance of the evidence that, at the time of the offense, the defendant had a severe mental illness. Defines "severe mental illness" to mean symptoms of psychosis shown by hallucinations, extremely disorganized thinking, or other significant disruptions of consciousness, memory, and perception that are not attributable solely to repeated criminal conduct or the acute effects of the intentional use of alcohol or other drugs and a documented medical history of one or more of the following mental disorders: schizophrenia; schizoaffective disorder; bipolar disorder with psychosis; major depressive disorder with psychosis; or delusional disorder.

**Fiscal Note:** (Dated March 11, 2019) NOT SIGNIFICANT

**Senate Status:** 02/11/19 - Referred to Senate Judiciary Committee.

**House Status:** 03/20/19 - Taken off notice in House Judiciary Committee.

**SB1166/HB1364**

**Offense of female genital mutilation.**

**Sponsors:** Sen. Hensley, Joey, Rep. Weaver, Terri

**Summary:** 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

**Senate Status:** 03/18/19 - Senate passed with amendment 1 (005324), amendment 2 (005348), and amendment 3 (005712).

**House Status:** 04/17/19 - House passed.

**Executive Status:** 04/30/19 - Signed by governor.

**SB1183/HB1442**

**Long term drug therapy - mandatory urine testing.**

**Sponsors:** Sen. Akbari, Raunesh, Rep. Chism, Jesse
SB1200/HB1454 **Raises age limit of persons allowed to use tobacco and vape products.**

**Sponsors:** Sen. Reeves, Shane, Rep. Ramsey, Bob  
**Summary:** Increases age of persons allowed to use tobacco and vapor products from 18 years of age to 21 years of age.

**Amendment**  
House Public Health Subcommittee amendment 1 (003974) expands the definition of smoking devices to include vapor devices, and remove penalties for purchasers under the age of 21 and increase penalties for vendors selling to individuals under the age of 21. Requires persons who sell tobacco products to obtain a retail tobacco license from the department before engaging in the sales. Orders the commissioner to promulgate the rules to establish the qualifications for the issuance of a retail tobacco license including the establishment of a fee in order to ensure the department's enforcement and licensing activities are fully funded. Allows suspension of licenses by the commissioner and during such suspension, a person must not sell any tobacco products.

**Fiscal Note:** (Dated February 22, 2019) Decrease State Revenue - $3,483,000/FY19-20 $6,966,100/FY20-21 and Subsequent Years Decrease Local Revenue - $500,800/FY19-20 $1,001,700/FY20-21 and Subsequent Years

**Senate Status:** 04/09/19 - Taken off notice in Senate Commerce & Labor Committee.  
**House Status:** 03/13/19 - Returned to House clerk's desk after adopting amendment 1 (003974).

SB1236/HB77 **Prohibits abortions after detection of a fetal heartbeat.**

**Sponsors:** Sen. Pody, Mark, Rep. VanHuss, James  
**Summary:** Prohibits abortions or the procurement of miscarriages after detection of a fetal heartbeat, unless there is a medical emergency necessitating the procedure. Requires fetal heartbeat testing prior to an abortion.

**Amendment**  
House amendment 1 (005424) deletes all language after the enacting clause. Prohibits any abortion being performed during the viability of a pregnancy. Defines viability as the presence of an intrauterine fetus with a heartbeat. Establishes that this new section governs abortion. Further establishes that Tenn. Code Ann. §§ 39-15-201, 39-15-211, and 39-15-212 should not be enforced unless this section is temporarily or permanently restrained, enjoined, or otherwise unenforceable and only in compliance with specific criteria. Requires any conduct committed be prosecuted under the statute in effect at the time of the commission of the offense. Allows for an affirmative defense to any criminal prosecution if the abortion was performed or induced, or attempted to be performed or induced, by a licensed physician and the physician determined, in the physician’s good faith medical judgment, based upon the facts known to the physician at the time that the pregnancy was not viable or the abortion was necessary to prevent the death of the pregnant woman or to prevent serious risk of substantial and irreversible impairment of a major bodily function of the pregnant woman. Prohibits an abortion if performed on the basis of a claim or diagnosis that the woman will engage in conduct which would result in her death or substantial and irreversible impairment of a major bodily function or for any reason relating to her mental health. Creates certain conditions the physician must comply with for the affirmative defense to apply. Except in a medical emergency, prohibits a physician from performing or inducing, or attempting to perform or induce, an abortion upon a pregnant woman, unless, prior to the performance or inducement of the abortion, or the attempt to perform or induce the abortion, the physician determines, in the physician’s good faith medical judgment, that the pregnancy is not viable. Requires the physician to make that determination by using a test that is consistent with the physician’s good faith understanding of standard medical practice and appropriate for the estimated gestational age of the unborn child and the condition of the pregnant woman and the woman’s pregnancy. Requires the physician to record in the pregnant woman’s medical record the estimated gestational age of the unborn child, the test used for detecting a fetal heartbeat, the date and the time of the test, and the result of the test. Restates it is a Class C felony and requires the license of the physician to be revoked if an abortion is purposely performed, induced or attempted to perform or induce upon a woman when the pregnancy is viable. Restates it is a Class A misdemeanor for violation of viability determination or failure to record the required information in the pregnant woman’s medical record. Senate Judiciary Committee amendment 1 (007104) deletes all language after the enacting clause. Defines viability as finding the presence of human chorionic gonadotropin (HCG) or the presence of an intrauterine fetus with a heartbeat. Establishes that this new section governs abortion. Further establishes that Tenn. Code Ann. §§ 39-15-201, 39-15-211, and 39-15-212 should not be enforced unless this section is temporarily or permanently restrained, enjoined, or otherwise unenforceable and only in compliance with specific criteria. Requires any conduct committed be prosecuted under the statute in effect at the time of the commission of the offense. Allows for
an affirmative defense to any prosecution, which must be proven by a preponderance of the evidence, that the abortion was performed or attempted to be performed by a licensed physician and the physician determined, in the physician’s good faith medical judgment, based upon the facts known to the physician at the time that the abortion was necessary to prevent the death of the pregnant woman or to prevent serious risk of substantial and irreversible impairment of a major bodily function of the pregnant women. Establishes that a pregnancy is presumed to exist and be viable upon finding the presence of HCG. Establishes that a pregnancy is confirmed to be viable upon the detection of a heartbeat in an unborn child using a test that is consistent with standard medical practice. Establishes that a pregnancy is not viable only if a test that is consistent with standard medical practice indicates decreasing levels of HCG and the absence of a heartbeat in an unborn child. Requires the physician to make that determination by using a test that is consistent with standard medical practice. Requires the physician to record in the pregnant woman’s medical record the estimated gestational age of the unborn child, the test used to determine viability, the date and time of the test, and the result of the test. Restates it is a Class C felony and requires the license of the physician to be revoked if an abortion is purposely performed, induced or attempted to perform or induce upon a women when the pregnancy is viable. Restates it is a Class A misdemeanor for violation of viability determination or failure to record the required information in the pregnant woman’s medical record.

Fiscal Note: (Dated February 15, 2019) NOT SIGNIFICANT
Senate Status: 04/09/19 - Senate Judiciary Committee deferred to summer study after adopting amendment 1 (007104).
House Status: 03/07/19 - House passed with amendment 1 (005424).

SB1257/HB1029 Human Life Protection Act.
Summary: 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.
Amendment Summary: Senate amendment 1 (007965) deletes and replaces language in the bill such that the only substantive change is to require the Attorney General and Reporter to notify the Tennessee Code Commission in writing if a qualifying circumstance to enact the proposed legislation occurs and to specify the thirtieth day following such qualifying circumstance.
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.
Senate Status: 04/22/19 - Senate passed with amendment 1 (007965).
House Status: 04/22/19 - House passed.
Executive Status: 04/30/19 - Sent to governor.

SB1306/HB78 Increases fine for failing to report abortion requests on minors.
Summary: Increases the fine on physicians who fail to report illegal abortions on children younger than 13 from $500 to $1,000 for the first offense and from $1,000 to $1,500 for the second offense.
Fiscal Note: (Dated February 2, 2019) NOT SIGNIFICANT
Senate Status: 02/11/19 - Referred to Senate Judiciary Committee.
House Status: 04/16/19 - Taken off notice in House Health Committee.

SJR87 Gun Violence Awareness Day.
Sponsors: Sen. Gilmore, Brenda
Summary: Commemorates July 28, 2019, as Gun Violence Awareness Day in Tennessee.
Fiscal Note: (Dated April 4, 2019) NOT SIGNIFICANT
Senate Status: 04/09/19 - Failed in Senate Judiciary Committee.

EDUCATION

SB63/HB866 Expands career and technical education programs to middle school students.
Expands career and technical education to grades six through twelve. Program must be available to all students in grades six through twelve, with the program serving at least 50 percent of those students. Requires board of career and technical education to plan facilities for comprehensive career and technical training for middle school students.

Amendment
Senate amendment 1 (007438) amends the bill to require that comprehensive career and technical education be made accessible to students in Grades 6-12 and that LEAs plan to serve at least 50% of the students in those grades. Further amends the bill by rewriting Section 4 to allow middle school students to use high school CTE facilities. Adds a new section to the bill: the Department of Education (DOE) is encouraged to prepare students in middle school for a career in technical education (CTE), by introducing them to career exploration opportunities in high-skill, high-wage, or in-demand career fields. The DOE is encouraged to provide career exploration through a systemic framework in making informed plans and decisions about future education and career opportunities based on: occupational supply and demand, educational requirements, development of career plans, career guidance, and any other activity that advances knowledge of career opportunities. The DOE is also encouraged to provide professional development opportunities for teachers and faculty related to CTE for students in middle school grades.

Fiscal Note:
(Dated February 22, 2019) Increase State Expenditures $50,000/One-Time Other Fiscal Impact To the extent local education agencies (LEAs) utilize (BEP) funding for career and technical education expenditures as a result of this legislation, there would be an equivalent reduction of BEP funding available for other LEA expenditures. The extent and timing of any such shifts cannot be reasonably determined.

Senate Status: 04/30/19 - Senate passed with amendment 1 (007438).
House Status: 05/01/19 - House passed.
Executive Status: 05/01/19 - Sent to the speakers for signatures.

SB64/HB402 Participation in adverse childhood experiences (ACEs) training.
Summary: Directs each board of education to require adverse childhood experiences (ACEs) training for all K-12 teachers, principals, and assistant principals employed by the Local Education Agency (LEA). Requires ACE training on an annual basis before the first day of instruction. Allows for the policy to either adopt the department of education ACE training guidelines or for each LEA to adopt their own ACE training program.

Fiscal Note: (Dated February 26, 2019) NOT SIGNIFICANT
Senate Status: 03/13/19 - Taken off notice in Senate Education Committee.
House Status: 02/06/19 - Referred to House Education K-12 Subcommittee.

SB170/HB405 Requires an adverse childhood experiences (ACEs) assessment before suspending or expelling a child.
Summary: Requires each board of education to adopt a policy where an adverse childhood experiences (ACEs) assessment must be done before expelling, suspending, assigning in-school suspension, or ordering a student to attend another school. Establishes reports of suspension and expulsion must include and consider ACE assessments. The LEA is required to conduct an ACE assessment when considering disciplinary action if one has not been made within one calendar year.

Amendment
House amendment 1 (008319) rewrites this bill to add a preamble and require each LEA and public charter school to adopt a trauma-informed discipline policy that does the following: (1) Balances accountability with an understanding of traumatic behavior; (2) Teaches school and classroom rules while reinforcing that violent or abusive behavior is not allowed at school; (3) Minimizes disruptions to education with an emphasis on positive behavioral supports and behavioral intervention plans; (4) Creates consistent rules and consequences; and (5) Models respectful, nonviolent relationships. This amendment requires the department of education to develop guidance on trauma-informed discipline practices that LEAs must use to develop a trauma-informed discipline policy.

Fiscal Note: (Dated February 19, 2019) Increase State Expenditures $197,500/FY19-20 $107,500/FY20-21 and Subsequent Years Increase Local Expenditures Exceeds $6,682,000/FY19-20 and Subsequent Years*
Senate Status: 04/29/19 - Senate passed.
House Status: 04/18/19 - House passed with amendment 1 (008319).
Executive Status: 04/29/19 - Sent to the speakers for signatures.

SB220/HB719 Expands category of independent students eligible for Tennessee reconnect grant.
Summary: Expands the category of independent students eligible for a Tennessee reconnect grant to include students not eligible to be claimed as a dependent for federal tax purposes.
**SB259/ HB215**  
**Bleed control kit training for LEA employees.**

**Sponsors:** Sen. Kyle, Sara, Rep. Clemmons, John  
**Summary:** 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:** Senate amendment 1, House Education Committee 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*

**Senate Status:** 04/17/19 - Senate passed with amendment 1 (004559).

**House Status:** 04/30/19 - Taken off notice in House Finance, Ways & Means Subcommittee.

**SB273/ HB267**  
**Seizure education programs.**

**Sponsors:** Sen. Massey, Becky, Rep. Staples, Rick  
**Summary:** 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

**Senate Status:** 03/27/19 - Failed in Senate Education Committee.

**House Status:** 04/15/19 - House passed.

**SB296/ HB311**  
**Requires board of education approved salary schedules reflect BEP salary and wage increases.**

**Sponsors:** Sen. Akbari, Ramesh, Rep. Johnson, Gloria  
**Summary:** Requires the salary schedules approved by the state board of education to reflect certain increases to the instructional salaries and wages component of the BEP in the general appropriations act.

**Fiscal Note:** (Dated March 29, 2019) Other Fiscal Impact For each one percent increase in the instructional salaries and wages component of the BEP, there would be mandatory increase in local expenditures estimated to be $24,250,400*. The extent and timing of any relative local impact is dependent upon legislative action and cannot be specifically determined.

**Senate Status:** 02/04/19 - Referred to Senate Education Committee.

**House Status:** 04/03/19 - Referred to House Education K-12 Subcommittee.

**SB319/ HB111**  
**Funding of dual enrollment grant program.**

**Sponsors:** Sen. Hensley, Joey, Rep. Cepicky, Scott  
**Summary:** Declares it is the intent of the general assembly that the dual enrollment grant program be fully funded before any funds in the lottery for education account are transferred to the Tennessee Promise scholarship endowment fund.

**Amendment Summary:** House amendment 1 (007649) clarifies the legislative intent that the dual enrollment grant be fully funded before any funds in the lottery for education account are transferred to the Tennessee Promise scholarship endowment fund and revises this bill's directory language to ensure this bill will be codified properly after the effective date of the Governor's Investment in Vocational Education (GIVE) Act.

**Fiscal Note:** (Dated March 28, 2019) Increase State Expenditures Exceeds $8,127,900/FY19-20/ Lottery for Education Account Net Impact Exceeds $7,389,500/FY20-21 and Subsequent Years/ Lottery for Education Account Other Fiscal Impact - Funding in an amount exceeding $8,127,900 in FY19-20, and recurring funding exceeding $7,389,500 beginning in FY20-21, will not be available for transfer from the Lottery for Education Account to the Tennessee Promise Special Reserve Account.

**Senate Status:** 04/29/19 - Senate passed.
Creation of a coaching network for pre-k and kindergarten teachers.

**Sponsors:** Sen. Kelsey, Brian, Rep. White, Mark

**Summary:** Requires the department of education to create and administer a coaching network for pre-kindergarten and kindergarten teachers with the goals of assisting teachers and improving students’ abilities. Requires department of education to ensure the availability of early childhood consultants regionally, throughout the state.

**Fiscal Note:** (Dated March 31, 2019) Increase State Expenditures $1,406,000

**Senate Status:** 02/04/19 - Referred to Senate Education Committee.

**House Status:** 04/03/19 - Taken off notice in House Education K-12 Subcommittee.

Payment of costs associated with background investigations for certain LEA employees.

**Sponsors:** Sen. Gresham, Dolores, Rep. Reedy, Jay

**Summary:** Requires the department of education to pay for certain background investigations conducted by the TBI and the FBI for persons employed by an LEA who hold a position as a teacher or any other position requiring proximity to school children or to children in a child care program under certain circumstances.

**Fiscal Note:** (Dated February 9, 2019) Increase State Expenditures $1,750,300/One-Time $1,373,100/Recurring Decrease Local Expenditures $847,700/Recurring

**Senate Status:** 02/04/19 - Referred to Senate Education Committee.

**House Status:** 02/12/19 - Taken off notice in House Education Administration Subcommittee.

Reduces time comptroller has to determine if medical schools are compliant with certain guidelines.

**Sponsors:** Sen. Briggs, Richard, Rep. Vaughan, Kevin

**Summary:** Reduces to 10 the number of days the comptroller has to determine whether certain financing agreements to fund a medical school under the Medical School Authorities Act is compliant with the state funding board guidelines.

**Amendment Summary:** House Education Committee amendment 1 (007121) rewrites the bill. Requires the University of Tennessee College of Medicine in cooperation with the department of health and East Tennessee State University to establish 100 residency opportunities in specified cities across Tennessee, focusing on family practice or general pediatrics, to provide medical services in distressed rural counties. The residencies must be open to all qualified candidates and filled through the existing matching process employed in graduate medical education. Requires the residencies be available two years from the effective date of this act. Senate Health & Welfare Committee amendment 1 (008069) deletes all language after the enacting clause. Requires the University of Tennessee College of Medicine (UTCM), in cooperation with the Department of Health (DOH) and East Tennessee State University (ETSU), to establish a total of 100 residency opportunities, focusing on family medicine, general pediatrics, or internal medicine and pediatrics, to provide medical services in distressed rural counties. Requires the residencies be open to all qualified candidates and filled through the existing matching process employed in graduate medical education. Requires ETSU to establish 24 of the 100 residencies. Requires the UTCM to establish 76 of the 100 residencies. Requires the residencies be available no later than July 1, 2021. Authorizes UTCM and ETSU to use any and all non-state funds to establish the required residency opportunities.

**Fiscal Note:** (Dated February 2, 2019) NOT SIGNIFICANT

**Senate Status:** 04/30/19 - Taken off notice in Senate Finance, Ways & Means Committee.

**House Status:** 04/17/19 - Taken off notice in House Finance, Ways & Means Subcommittee.

School credits relative to occupational training.

**Sponsors:** Sen. Bowling, Janice, Rep. Daniel, Martin

**Summary:** 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.

**Amendment Summary:** House amendment 1 (006603) specifies application to all professions and occupations regulated except for certified public accountants, architects and engineers. Requires any kind of training be consistent with the requirements for licensure by licensing authorities in order for persons to be eligible for equivalent credit. Allows any person aggrieved by the decision of a licensing authority concerning eligibility for equivalent credit to appeal to the commissioner and insurance or the commissioner’s designee for a determination of whether the training meets the requirements for licensure. Orders commissioner of commerce and insurance, state board of education and various departments charged with supervision of licensing
SB606/HB827  Tennessee Hunger-Free Students Act.
Summary: Requires schools provide in school enrollment packets meal application forms, if schools are aware of students eligible for free or reduced-price meals and their guardians have not filed the meal application forms, schools are required to file meal application forms for them. Requires all homeless students be provided free meals. Requires schools provide reimbursable meals to students who request them, requires, when students owe a meal debt for five or more meals, school districts verify whether the student is eligible for free or reduced-price meals, attempt to reach the student's parent or guardian and have them fill out a meal application, and a principal, assistant principal, or counselor contact the student's parent or guardian to offer assistance with filling out a meal application, or to determine whether other issues are present within the student's household that may be causing the student to have insufficient funds to purchase school meals and offer any assistance that may be appropriate. Prohibits certain punishments to students unable to pay for meals including, but not limited to, publicly identifying or stigmatizing students unable to pay for meals, requiring students to do chores as payment for meals, or prohibiting students from participating in graduation ceremonies, school related activities, or receiving a diploma. Prohibits schools from holding students personally responsible for meal debt or requiring parents or guardians from paying fees from collection agencies.

Fiscal Note: (Dated February 24, 2019) Other Fiscal Impact To the extent schools recover fewer outstanding debts for student meals as a result of this legislation, there would be additional forgone local revenue of unknown amounts for schools. Otherwise, the fiscal impact of the legislation is considered not significant.

Senate Status: 02/07/19 - Referred to Senate Education Committee.
House Status: 03/06/19 - Failed in House Education K-12 Subcommittee.

SB760/HB253  Requires LEAs provide dyslexic students specific interventions with trained teachers.
Sponsors: Sen. Yarbro, Jeff , Rep. Freeman, Bob
Summary: 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*

Senate Status: 03/27/19 - Taken off notice in Senate Education Committee.
House Status: 04/03/19 - Taken off notice in House Education K-12 Subcommittee.

SB763/HB1000  Homeless-student liaison to assist homeless students.
Summary: 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: Senate 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

Senate Status: 03/11/19 - Senate passed with amendment 1 (005242).
House Status: 04/18/19 - House passed.
**SB803/HB947**    Funding programs that address school safety.

**Sponsors:** Sen. Johnson, Jack, Rep. Lamberth, William

**Summary:** 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 amendment 1 (006395) deletes all language after the enacting clause and rewrites the bill such that the only substantive changes are to: (1) include school resource officers in the list of purposes that school safety grants may be used for; (2) require the Tennessee School Safety Center to review the school safety grant application in collaboration with the state-level school safety team established under Tenn. Code Ann. § 49-6-802; (3) authorize an LEA to use funds derived from local taxes levied for school operation and maintenance purposes to satisfy the match requirement; (4) require the Department of Safety and Homeland Security (DSHS) in collaboration with the Department of Education (DOE) to develop a school security assessment for use in Tennessee public schools; (5) require DSHS and DOE to provide training to local law enforcement agencies and school administrators on the use of the school security assessment; (6) require a 25 percent local match for reserve monies established to fund school safety grants for LEAs that did not have a full-time SRO during the 2018-19 school year; and (7) authorize DSHS to conduct audits of Tennessee public schools to verify the implementation and use of assessments to enhance school security.

(Dated March 6, 2019) Increase State Expenditures $20,000,000/FY19-20 $10,000,000/FY19-2021 and Subsequent Years Increase Local Expenditures $6,666,700/FY19-20/Permissive $3,333,300/FY19-2021 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.

**Senate Status:** 04/04/19 - Senate passed with amendment 1 (006395).

**House Status:** 04/04/19 - House passed.

**Executive Status:** 04/22/19 - Enacted as Public Chapter 0154 effective April 18, 2019.

**SB808/HB952**    Administration of federal funds for promoting public education.

**Sponsors:** Sen. Johnson, Jack, Rep. Lamberth, William

**Summary:** 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 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

Senate Status: 04/04/19 - Senate passed with amendment 1 (006167).
House Status: 04/15/19 - House passed.
Executive Status: 04/30/19 - Enacted as Public Chapter 0204 effective April 25, 2019.

SB1098/HB1275 LEA per-pupil funding - certain residential mental health facilities.

Summary: Requires an LEA to allocate prorated daily per pupil state and local funding to an out-of-state residential mental health facility if a student of the LEA is admitted to the facility, faculty are in regulation with the laws of the state, all teachers at the facility are licensed, and at least one teacher is licensed or similarly certified in special education. Defines the requirements of a student to be admitted into the facility.

Amendment Summary: House Education Committee amendment 1 (005888) requires a student to have an individualized education program (IEP) and a referral from a physician based upon medical necessity and the most appropriate services for the child in order for an LEA to allocate funding in an amount equal to the per pupil state and local funds received by the LEA to an out-of-state residential mental health facility on a prorated daily basis for the student's length of stay. Adds language to the bill making it only applicable if the student is not in the custody of the Department of Children Services.

Fiscal Note: (Dated February 18, 2019) Increase State Expenditures $86,700 Decrease Local Revenue $138,000

Senate Status: 03/18/19 - Withdrawn in Senate after being recalled from Senate Education Committee.
House Status: 03/18/19 - House Government Operations Committee deferred to 03/25/19.

SB1187/HB769 Annual report on self-administered medications and healthcare procedures.

Summary: Changes from October 31 to October 1 the date by which the departments of education and health are required to jointly compile an annual report to the governor and the general assembly of self-administered medications and healthcare procedures. Broadly captioned.

Amendment Summary: Senate Education Committee amendment 1, House Education Committee amendment 1 (006001) requires the education department create a literacy coach pilot program to begin in the 2019-2020 school year and conclude at the end of the 2022-2023 school year for the purpose of awarding grants to eligible districts for the provision of school-based coaches in literacy and math for teachers in pre-kindergarten through grade three that focus on improving instructional quality and coherence in Tennessee's lowest performing elementary schools. Requires the department develop a grant application program and requires that eligible districts match the grant, totaling $39,000, on a dollar-for-dollar basis. Requires that the school-based coaches possess a valid license to teach and serve for 3 academic years providing in-depth coaching on high-literacy practices, and in the third year of the program, provide in-depth coaching in mathematics. Requires that school-based coaches have experience as a highly effective teacher, demonstrated knowledge of child development, and the ability to pass a foundations of reading test. Requires the department contract with a high-quality vendor with experience in coaching classroom teachers on curricula and formative assessments, using data to analyze and improve instruction, on conducting instructional reviews, classroom observations, and student work analysis, to create a training program for school-based coaches, which each school-based coach must participate in. Requires the department create a coaching network for school-based coaches which, at least twice yearly, will provide school-based coach evaluations that reflect progress for each grade level. Requires the department report their findings and recommendations to the education committees of both legislative houses by July 1, 2024.

Fiscal Note: (Dated February 21, 2019) NOT SIGNIFICANT

Senate Status: 04/30/19 - Taken off notice in Senate Finance, Ways & Means Committee.
House Status: 04/04/19 - Taken off notice in House Finance, Ways & Means Subcommittee.

SB1238/HB1158 Authorizes LEAs to establish a threat assessment team.

Summary: Allows LEAs to adopt a policy to establish a threat assessment team within each LEA. Specifies that the purpose of the threat assessment team is to develop comprehensive intervention-based approaches to
prevent violence, manage reports of potential threats, and create a system that fosters a safe, supportive, and effective school environment. Requires the threat assessment team to include LEA personnel and law enforcement personnel. Specifies that an LEA's threat assessment team may include juvenile services personnel, a representative of the local district attorney's office, a representative of the department of children's services, and mental health service providers.

**Fiscal Note:**
(Dated March 3, 2019) NOT SIGNIFICANT

**Senate Status:**
03/25/19 - Senate passed.

**House Status:**
05/01/19 - House passed.

**Executive Status:**
05/01/19 - Sent to the speakers for signatures.

### SB1242/HB808 Designation assigned to school nurses.

**Sponsors:**
Sen. Gresham, Dolores, Rep. Kumar, Sabi

**Summary:**
Requires classified, certified, or any other designations given to an employee of an LEA also be given to employed school nurses.

**Amendment Summary:**
House Education Committee amendment 1 (006796) rewrites the bill and requires the office of research and education accountability (OREA) within the comptroller of the treasury office to conduct a study to determine the practice and frequency of local education agencies categorizing school nurses as "classified" or "certified" employees. The study must include the various types of employee categorization taking place and the types of employees in each category. Orders the OREA to examine the costs to LEAs and the state in categorizing school nurses based on education and experience as well as categorizing them as "certified LEA employees" or in the same way as LEAs classify licensed teachers. The OREA must report its findings to the education committee of the house of representatives and the education committee of the senate no later than January 31, 2020.

**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.

**Senate Status:**
04/10/19 - Taken off notice in Senate Education Committee.

**House Status:**
04/17/19 - Taken off notice in House Calendar & Rules Committee.

### SB1244/HB1392 Private schools providing parents info regarding meningococcal and influenza diseases and vaccines.

**Sponsors:**

**Summary:**
Specifies September 1 of every school year as the date by which nonpublic schools must provide parents and guardians with information about meningococcal and influenza diseases and the effectiveness of vaccinations.

**Amendment Summary:**
House amendment 1 (008148) rewrites this bill and includes schools that meet the standards of accreditation or membership of the Association of Classical and Christian Schools to schools considered "church-related" schools under present law. Under present law, the following are "church-related schools": schools operated by denominational, parochial or other bona fide church organizations that are required to meet the standards of accreditation or membership of the Tennessee Association of Christian Schools, the Association of Christian Schools International, the Tennessee Association of Independent Schools, the Southern Association of Colleges and Schools, the Tennessee Association of Non-Public Academic Schools, the Tennessee Association of Church Related Schools, the Tennessee Alliance of Church Related Schools, or a school affiliated with Accelerated Christian Education, Inc. This amendment adds that the present law provisions governing church-related schools do not prohibit a non-public school that meets the standards of accreditation of one or more of the above-identified organization from operating as a Category II non-public school, if the school meets the requirements established by the department of education and the state board of education for a Category II non-public school.

**Fiscal Note:**
(Dated February 13, 2019) NOT SIGNIFICANT

**Senate Status:**
04/30/19 - Senate passed.

**House Status:**
04/18/19 - House passed with amendment 1 (008148).

**Executive Status:**
04/30/19 - Sent to the speakers for signatures.

### SJR145 Athletic trainers on staff at middle schools and high schools.

**Sponsors:**
Sen. Crowe, Rusty

**Summary:**
Urges all middle and high schools to have an athletic trainer on staff.

**Fiscal Note:**
(Dated March 28, 2019) NOT SIGNIFICANT

**Senate Status:**
04/08/19 - Senate adopted.

**House Status:**
04/22/19 - House concurred.

**Executive Status:**
04/30/19 - Signed by governor.
HJR54 Opportunities for mentorships and apprenticeships for students.
Sponsors: Rep. Sparks, Mike
Summary: 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
House Status: 04/17/19 - House adopted.

ENVIRONMENT & NATURE

SB1159/HB1403 Birth defects registry advisory committee report.
Summary: Specifies the health department's birth defects registry advisory committee report its findings on the adequacy of the registry to the appropriate standing committees of the general assembly by February 1 of each year. Broadly captioned.
Fiscal Note: (Dated February 14, 2019) NOT SIGNIFICANT
Senate Status: 02/11/19 - Referred to Senate Health & Welfare Committee.
House Status: 02/11/19 - Caption bill held on House clerk's desk.

FAMILY LAW

SB1278/HB662 Increases the number of days for the court to notify the state of a birth certificate petition.
Summary: Increases the time in which a court must notify the state registrar that a challenge to the denial of a delayed certificate of birth is filed from 21 days from filing of the challenge to 30 days.
Amendment
Summary: House Public Health Subcommittee amendment 1 (006919) rewrites the bill. By a January 1, 2020, requires an institution, physician, or healthcare provider that prepares a certificate of live birth for a child born in this state to include a notation of whether the mother and father, as applicable, are United States citizens or lawfully present in the United States. Requires the institution, physician, or other medical professional to verify citizenship or lawful status by requesting a social security number or requesting a copy of one of various official documents. Requires the Office of Vital Records to request a social security number or one of the approved official documents from the mother and father, as applicable, if the certificate of birth for the child born in this state is not prepared by an institution, physician, or other medical professional. Requires the Office of Vital Records to include a notation on the certificate or birth of whether the mother and father, as applicable, are United States citizens or lawfully present in the United States. Requires the Department of Health to promulgate rules for these requirements no later than January 1, 2020. Includes a severability clause.
Fiscal Note: (Dated February 27, 2019) NOT SIGNIFICANT
Senate Status: 02/11/19 - Referred to Senate Judiciary Committee.
House Status: 04/09/19 - Failed in House Public Health Subcommittee after adopting amendment 1 (006919).

GOVERNMENT ORGANIZATION

SB125/HB457 Sunset - department of health.
Summary: Extends the department of health to June 30, 2023.
Fiscal Note: (Dated January 26, 2019) NOT SIGNIFICANT
Senate Status: 02/21/19 - Senate passed.
House Status: 03/18/19 - House passed.
Executive Status: 04/05/19 - Enacted as Public Chapter 0056 effective March 28, 2019.

SB126/HB458 Sunset - advisory committee for children's special services.
Summary: Extends the advisory committee for children's special services to June 30, 2025.
Fiscal Note: (Dated January 26, 2019) NOT SIGNIFICANT
Senate Status: 02/21/19 - Senate passed.
House Status: 03/04/19 - House passed.
Executive Status: 03/26/19 - Enacted as Public Chapter 0023 effective March 22, 2019.
**SB127/HB459**  
Sunset - genetic advisory committee.  
Summary: Extends the genetic advisory committee to June 30, 2025.  
Fiscal Note: (Dated January 26, 2019) NOT SIGNIFICANT  
Senate Status: 02/21/19 - Senate passed.  
House Status: 03/04/19 - House passed.  
Executive Status: 04/01/19 - Enacted as Public Chapter 0043 effective March 22, 2019.

**SB128/HB460**  
Sunset - perinatal advisory committee.  
Summary: Extends the perinatal advisory committee to June 30, 2025.  
Fiscal Note: (Dated January 26, 2019) NOT SIGNIFICANT  
Senate Status: 02/21/19 - Senate passed.  
House Status: 03/04/19 - House passed.  
Executive Status: 03/26/19 - Enacted as Public Chapter 0024 effective March 22, 2019.

**SB129/HB461**  
Sunset - Tennessee Medical Examiner Advisory Council.  
Summary: Extends the Tennessee Medical Examiner Advisory Council to June 30, 2025.  
Fiscal Note: (Dated January 26, 2019) NOT SIGNIFICANT  
Senate Status: 02/21/19 - Senate passed.  
House Status: 03/04/19 - House passed.  
Executive Status: 03/26/19 - Enacted as Public Chapter 0025 effective March 22, 2019.

**SB130/HB462**  
Sunset - traumatic brain injury advisory council.  
Summary: Extends the traumatic brain injury advisory council to June 30, 2025.  
Fiscal Note: (Dated January 26, 2019) NOT SIGNIFICANT  
Senate Status: 02/21/19 - Senate passed.  
House Status: 03/04/19 - House passed.  
Executive Status: 03/26/19 - Enacted as Public Chapter 0026 effective March 22, 2019.

**SB131/HB463**  
Fiscal Note: (Dated January 26, 2019) NOT SIGNIFICANT  
Senate Status: 03/11/19 - Senate passed.  
House Status: 03/18/19 - House passed.  
Executive Status: 04/05/19 - Enacted as Public Chapter 0057 effective March 28, 2019.

**SB133/HB464**  
Sunset - TennCare pharmacy advisory committee.  
Summary: Extends the state TennCare pharmacy advisory committee from June 30, 2020 to June 30, 2022.  
Amendment Summary: House amendment 1 (008326) changes the sunset date for the TennCare Pharmacy Advisory Committee from 2022 to 2021.  
Fiscal Note: (Dated January 29, 2019) NOT SIGNIFICANT  
Senate Status: 04/24/19 - Senate passed.  
House Status: 04/22/19 - House passed with amendment 1 (008326).  
Executive Status: 05/02/19 - Sent to governor.

**SB157/HB490**  
Sunset - standards committee, department of children's services.  
Summary: Extends the standards committee, department of children's services to June 30, 2024.  
Fiscal Note: (Dated January 28, 2019) NOT SIGNIFICANT  
Senate Status: 02/25/19 - Senate passed.  
House Status: 03/04/19 - House passed.
SB158/HB489  Sunset - standards committee, department of human services.
Summary: Extends the standards committee, department of human services to June 30, 2025.
Fiscal Note: (Dated January 29, 2019) NOT SIGNIFICANT
Senate Status: 02/25/19 - Senate passed.
House Status: 03/04/19 - House passed.
Executive Status: 03/26/19 - Enacted as Public Chapter 0033 effective March 22, 2019.

SB160/HB491  Sunset - board of medical examiners.
Summary: Reduces the sunset termination date for the board of medical examiners from June 30, 2020 to June 30, 2019.
Fiscal Note: (Dated January 28, 2019) NOT SIGNIFICANT
Senate Status: 01/30/19 - Referred to Senate Government Operations Committee.
House Status: 02/06/19 - Referred to House Government Operations Committee.

SB1114/HB1120 Creates the state government advisory task force on community resilience.
Sponsors: Sen. Yarbro, Jeff , Rep. Freeman, Bob
Summary: 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.
Amendment Summary: Senate Government Operations Committee amendment 1 (006755) makes technical changes, clarifies requirements for memberships, staggering, and term limits, and establishes and end date of July 1, 2020. House State Committee amendment 1 (006554) deletes and rewrites all language of the bill such that the only substantive changes are: replacing the two legislative members of the task force with one member appointed by the Speaker of the House of Representatives and one member appointed by the Speaker of the Senate; changing the date in which the task force is required to report its findings to the General Assembly from every February 1 to July 1, 2020; and repealing the task force on July 1, 2020.
Fiscal Note: (Dated March 19, 2019) Increase State Expenditures $2,100
Senate Status: 04/16/19 - Senate State & Local Government Committee deferred to TACIR.
House Status: 04/09/19 - House State Committee deferred to TACIR for study.

SB1323/HB1495 Date state palliative care and quality of life council is scheduled to terminate.
Summary: Changes, from June 30, 2023 to June 30, 2020, the date on which the state palliative care and quality of life council is scheduled to terminate.
Fiscal Note: (Dated February 11, 2019) NOT SIGNIFICANT
Senate Status: 03/11/19 - Senate passed.
House Status: 03/18/19 - House passed.
Executive Status: 04/05/19 - Enacted as Public Chapter 0073 effective March 28, 2019.

GOVERNMENT REGULATION

SB759/HB252 Requires accommodations for dyslexic applicants for certain licenses.
Sponsors: Sen. Yarbro, Jeff , Rep. Freeman, Bob
Summary: 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 amendment 1 (006297) rewrites this bill to require agencies to ensure the provision of appropriate accommodations in accordance with the Americans with Disabilities Act, if the agency requires a person applying for a license to engage in an occupation, trade, or profession in this state to take an examination.
A state agency that administers a required examination for licensure must promulgate rules to implement this amendment, which rules must establish the eligibility criteria that a person must meet for an accommodation to be provided pursuant to this amendment. This amendment specifies that it does not apply to an examination mandated and administered pursuant to federal law. For purposes of promulgating rules and carrying out any administrative duties necessary to effectuate the provisions and intent of this bill, this bill as amended will take effect upon becoming law. For all other purposes, this bill as amended will take effect on July 1, 2020.

**Fiscal Note:**
(Dated February 20, 2019) NOT SIGNIFICANT

**Senate Status:** 04/17/19 - Senate passed.

**House Status:** 04/15/19 - House passed with amendment 1 (006297).

**Executive Status:** 05/02/19 - Signed by governor.

**SB1384/HB1360**
Requires prescription of naloxone in certain cases.

**Sponsors:** Sen. Yager, Ken, Rep. Calfee, Kent

**Summary:** Requires a prescriber to also prescribe naloxone when prescribing opioids or benzodiazepines to a patient.

**Amendment Summary:** House amendment 1 (007915) rewrites this bill. Under present law, the commissioner of health develops recommended treatment guidelines for prescribing opioids that can be used by prescribers as a guide for caring for patients. This amendment requires the commissioner, by January 1, 2020, to: study instances when co-prescribing of naloxone with an opioid is beneficial and publish the results to each prescribing board that licenses healthcare professionals who can legally prescribe controlled substances and the board of pharmacy; and include the findings in the treatment guidelines for prescribing opioids.

**Fiscal Note:**
(Dated March 26, 2019) Increase State Expenditures $21,515,900 Increase Federal Expenditures $26,326,900 Increase Local Expenditures Exceeds $1,193,100

**Senate Status:** 04/22/19 - Senate passed.

**House Status:** 04/18/19 - House passed with amendment 1 (007915).

**Executive Status:** 04/29/19 - Sent to governor.

**HEALTH CARE**

**SB28/HB37**
Creates the Alzheimer's disease and related dementia advisory council.

**Sponsors:** Sen. Crowe, Rusty, Rep. Whitson, Sam

**Summary:** 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 amendment 3 (008715) adds language to the bill as amended to include a representative of Leading Age Tennessee to the list of groups who may submit qualified nominees to be appointed to the Council.

**Fiscal Note:**
(Dated February 2, 2019) Increase State Expenditures - $6,100

**Senate Status:** 04/30/19 - Senate concurred in House amendment 3 (008715).

**House Status:** 04/30/19 - House passed with amendment 3 (008715).

**Executive Status:** 04/30/19 - Sent to the speakers for signatures.

**SB91/HB220**
Requires opioid report on impact of recent legislation.

**Sponsors:** Sen. Haile, Ferrell, Rep. Sexton, Cameron

**Summary:** Requires the commissioner of health report to the speakers and health committees of both chambers on the impact of recent legislation on opioid abuse in the state. Requires the commissioner make recommendations, if necessary, for further legislation. Broadly captioned.

**Fiscal Note:**
(Dated January 28, 2019) NOT SIGNIFICANT

**Senate Status:** 01/30/19 - Referred to Senate Health & Welfare Committee.

**House Status:** 01/31/19 - Caption bill held on House clerk's desk.

**SB168/HB75**
Change in ownership of a health care institution.

**Sponsors:** Sen. Gardenhire, Todd, Rep. Sexton, Cameron

**Summary:** 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.

**Amendment Summary:** House Facilities, Licensure & Regulations Subcommittee amendment 1 (006612) rewrites the bill. Rewrites the Policy of the Tennessee Health Services and Planning Act of 2002. Revises CON guidelines for MRIs from 250,000 county population to 175,000 county population. Revises CON guidelines for a hospital,
rehabilitation facility, or mental health hospital to increase its total number licensed beds from 10% to 25%. Establishes that an entity that is operating a facility under a CON and that is leasing or renting property wherein the facility is located is not required to obtain a new CON if; in a county with a population excess of 175,000 that entity relocates its facility to another location within a half-mile radius of the leased or rented property, or if in a county with a population of, or less than, 175,000 that entity relocates its facility to another location within a two-mile radius of the leased or rented property. Requires that the HSDA not deny an application for a CON for home health service provided by a home care organization, radiation services, MRI, an independent standing emergency center, an outpatient diagnostic center, or an ASTC if the complete application and fees are submitted to HSDA and such services and facilities are to be located in a distressed county that does not have a hospital already providing those services or facilities as of January 1, 2019. Requires the independent standing emergency centers be located/provided services in distressed counties. Defines "distressed county" and "independent standing emergency center".

Fiscal Note:
(Dated January 24, 2019) NOT SIGNIFICANT

Senate Status:
04/16/19 - Taken off notice in Senate Commerce & Labor Committee.

House Status:
04/16/19 - Returned to House clerk's desk.

SB179/HB416 Board of trustees of hospital authority - employment of former board member.


Summary: 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.

Amendment
House Health Committee amendment 1, Senate amendment 1 (006428) deletes all language after the enacting clause such that the only substantive change is to require a hospital authority to publish on its website and in a newspaper of general circulation in the county in which the hospital authority is located, any arrangement for employment or the provision of labor or services, between a trustee or former trustee and the authority, within three business days of finalizing the arrangements. Requires arrangements existing as of July 1, 2019 be published by August 1, 2019.

Fiscal Note:
(Dated February 11, 2019) NOT SIGNIFICANT

Senate Status:
04/01/19 - Senate passed with amendment 1 (006428).

House Status:
04/17/19 - Taken off notice in House Calendar & Rules Committee.

SB194/HB150 Defines alternatives to opioid treatments.

Sponsors: Sen. Watson, Bo, Rep. Sexton, Cameron

Summary: Defines alternatives to opioid treatments available to patients from prescribing physicians as including chiropractic care, physical therapy, acupuncture, and other treatments that relieve pain.

Fiscal Note:
(Dated February 2, 2019) NOT SIGNIFICANT

Senate Status:
03/04/19 - Senate passed.

House Status:
03/21/19 - House passed.

Executive Status:
04/15/19 - Enacted as Public Chapter 0117 effective April 9, 2019.

SB281/HB774 Chronic Disease Prevention Act.


Summary: 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.

Amendment
Senate amendment 1 (006525) deletes all language after the enacting clause and rewrites the bill such that the only substantive change is to reconstitute the task force to consist of 11 members. Requires six legislative members, three subject matter experts, one certified medical professional, and one person who possesses experience in the subject of health to serve on the task force.

Fiscal Note:
(Dated February 19, 2019) Increase State Expenditures $6,300/FY19-20 $4,200/FY20-21

Senate Status:
04/08/19 - Senate passed with amendment 1 (006525).

House Status:
05/01/19 - House passed.

Executive Status:
05/01/19 - Sent to the speakers for signatures.

SB284/HB612 Notification of change of address to receive a duplicate registration certification.

Increases the time in which person who issued a certification of registration by the division of health related boards to notify the division of a change of address in order to receive a duplicate registration certificate from 30 to 45 days.

**Fiscal Note:**
(Dated February 2, 2019) NOT SIGNIFICANT

**Senate Status:**
02/01/19 - Referred to Senate Health & Welfare Committee.

**House Status:**
02/07/19 - Caption bill held on House clerk's desk.

**SB314/HB775 Civil liability - entity that provides access to an automated external defibrillator.**

**Sponsors:**
Sen. Watson, Bo, Rep. Ramsey, Bob

**Summary:**
Specifies that the entity responsible for the AED program is not subject to any civil liability for any personal injury that results from an act or omission relative to the use of an AED by any person.

**Amendment Summary:**
Senate amendment 1 (004922) rewrites this bill to specify that the entity responsible for the AED program is not civilly liable for any personal injury that results from an act or omission related to the use or maintenance of the AED that does not amount to willful or wanton misconduct or gross negligence.

**Fiscal Note:**
(Dated February 9, 2019) NOT SIGNIFICANT

**Senate Status:**
03/04/19 - Senate passed with amendment 1 (004922).

**House Status:**
03/18/19 - House passed.

**Executive Status:**
04/05/19 - Enacted as Public Chapter 0061 effective March 28, 2019.

**SB317/HB199 Clarifies nurse's permission to determine patient emergency conditions.**

**Sponsors:**
Sen. Reeves, Shane, Rep. Vaughan, Kevin

**Summary:**
Clarifies that nurses are permitted to make determinations that patients are experiencing emergency medical conditions when working with a physician and in accordance with hospital protocol.

**Amendment Summary:**
Senate amendment 1 (004150) specifies that this bill applies to qualified registered nurses, limits this bill's authorization for qualified registered nurses to determine whether a patient has an emergency medical condition to situations where the patient is presenting to the hospital and not already a patient, and defines "emergency medical condition" to mean: (1) A medical condition manifesting itself by acute symptoms of sufficient severity, including severe pain, such that the absence of immediate medical attention could reasonably be expected to result in: (A) Placing the health of the individual or, with respect to a pregnant woman, the health of the woman or the woman's unborn child, in serious jeopardy; (B) Serious impairment to bodily functions; or (C) Serious dysfunction of any bodily organ or part; and (2) With respect to a pregnant woman who is having contractions: (A) That there is inadequate time to effect a safe transfer to another hospital before delivery; or (B) That transfer may pose a threat to the health or safety of the woman or the woman's unborn child.

**Fiscal Note:**
(Dated February 2, 2019) NOT SIGNIFICANT

**Senate Status:**
03/07/19 - Senate passed with amendment 1 (004150).

**House Status:**
03/19/19 - House passed.

**Executive Status:**
03/26/19 - Enacted as Public Chapter 0012 effective March 20, 2019.

**SB331/HB299 Reporting of abortion to office of vital records.**

**Sponsors:**

**Summary:**
Changes from "10 days" to "seven business days" the time after an abortion when the abortion must be reported to the office of vital records by the head of the institution where the abortion was performed or by the attending physician. Broadly captioned.

**Fiscal Note:**
(Dated February 2, 2019) NOT SIGNIFICANT

**Senate Status:**
02/04/19 - Referred to Senate Judiciary Committee.

**House Status:**
02/05/19 - Referred to House Public Health Subcommittee.

**SB343/HB534 Decreases the time period a health insurance entity paid a claim and may recoup reimbursement.**

**Sponsors:**
Sen. Watson, Bo, Rep. Hill, Timothy

**Summary:**
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

**Senate Status:**
02/04/19 - Referred to Senate Commerce & Labor Committee.

**House Status:**
02/07/19 - Caption bill held on House clerk's desk.
Executive Status: 03/25/19 - Joint Council on Pensions and Insurance released to standing committees with unfavorable comment.

**SB385/HB390**
**Study on the feasibility of promoting and implementing medical interoperability.**

*Sponsors:* Sen. Reeves, Shane , Rep. Baum, Charlie

*Summary:* Requires the department of health to study the feasibility of promoting and implementing medical interoperability in this state. Requires the department to report on its findings and recommendations, along with any legislative or executive actions needed, no later than December 31, 2019.

*Fiscal Note:* (Dated March 26, 2019) Increase State Expenditures $95,000/One-Time

*Senate Status:* 02/06/19 - Referred to Senate Health & Welfare Committee.

*House Status:* 02/06/19 - Referred to House Public Health Subcommittee.

**SB419/HB380**
**Data on asthma.**


*Summary:* Requires the department of health to analyze certain data regarding asthma morbidity and mortality, to survey causal factors such as mold and allergens, and to assess patterns of medical care and population-based health services. Requires the department of health to develop and maintain measures to track and report asthma development and treatment rates. Requires the department to report to the health committees of the senate and the house and on its website asthma development and treatment rates. Requires the department to use the information gained pursuant to this section to guide the development of public health programs and asthma policy.


*Senate Status:* 02/06/19 - Referred to Senate Health & Welfare Committee.

*House Status:* 04/09/19 - Returned to House clerk's desk.

**SB475/HB364**
**Dispensing of certain controlled substances in a lockable vial.**


*Summary:* 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.

*Amendment Summary:* House Mental Health & Substance Abuse Subcommittee amendment 1 (005787) which clarifies that a pharmacist or other healthcare professional dispensing a drug shall offer to dispense the prescription in a lockable vial. Makes technical changes.

*Fiscal Note:* (Dated February 17, 2019) NOT SIGNIFICANT

*Senate Status:* 04/10/19 - Senate Health & Welfare Committee deferred to summer study.

*House Status:* 04/02/19 - House Health Committee deferred to summer study.

**SB486/HB637**
**Tennessee Medical Cannabis Act.**

*Sponsors:* Sen. Bowling, Janice , Rep. Travis, Ron

*Summary:* Authorizes access to medical cannabis on a regulated basis for patients with qualifying medical conditions. Licenses and regulates the processes for cultivation, production, distribution, transport, selling, and acquiring cannabis for medical use and research, with cancer, epilepsy, and HIV/AIDS among the classified qualifying conditions for medical marijuana. Prohibits a person from acquiring, possessing, or using medical cannabis without a valid cannabis card. Specifies that to obtain a medical cannabis card, a patient must be 18 years old, provide proof of residency, complete a written form, pay the $65 application fee, and submit a document of recommendation from a healthcare professional or provide medical records of the diagnosis. Requires that the department of agriculture and law enforcement have access to all patient registry, and the cards will have an expiration date of two years. Establishes the medical cannabis commission for regulation of cannabis-related health care. Outlines commission role as well as qualifications for members, allowing them to issue cannabis cards by 2020. Requires commission to make information available online and to track seed-to-sale transactions. Declares a maximum of 12 urban omni licenses available in Tennessee, with a maximum of three of these in Knox, Shelby, Hamilton, or Davidson counties. Establishes a maximum of 12 RUVI licenses available in the state and the rules of operation. Defines the process of legalizing medical marijuana in your county by a two-thirds legislative vote, and the taxation of each licensure in the state (29 pp).

*Senate Status:* 02/07/19 - Referred to Senate Judiciary Committee.

*House Status:* 02/13/19 - Referred to House Mental Health & Substance Abuse Subcommittee.
**SB508/HB783**  
Requires in-state medical students receive priority when scheduling rotations at healthcare facilities receiving state funding.  
**Sponsors:** Sen. Massey, Becky, Rep. Hicks, Gary  
**Summary:** 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.  
**Fiscal Note:** (Dated March 21, 2019) NOT SIGNIFICANT  
**Senate Status:** 04/10/19 - Senate Health & Welfare Committee deferred to summer study.  
**House Status:** 04/16/19 - House Higher Education Subcommittee deferred to summer study.

**SB528/HB1125**  
Outdated provision on infections taskforce.  
**Sponsors:** Sen. Briggs, Richard, Rep. Cochran, Mark  
**Summary:** Deletes provision of code referencing the infections taskforce whose progress reports were due to the general assembly in 2008, 2009, and 2010.  
**Fiscal Note:** (Dated February 10, 2019) NOT SIGNIFICANT  
**Senate Status:** 02/07/19 - Referred to Senate Commerce & Labor Committee.  
**House Status:** 02/11/19 - House sponsor changed from Robin Smith to Mark Cochran.

**SB547/HB672**  
CONs for home care organizations and satellite emergency departments.  
**Sponsors:** Sen. Reeves, Shane, Rep. Daniel, Martin  
**Summary:** Deletes requirement for any home care organization and satellite emergency department facility to apply for and receive a certificate of need.  
**Fiscal Note:** (Dated March 28, 2019) Increase State Revenue - $210,600/Recurring/General Fund Decrease State Revenue - $165,200/Recurring/Health Services and Development Agency Increase State Expenditures - $78,400/One-Time/General Fund $567,000/Recurring/General Fund Other Fiscal Impact Pursuant to Tennessee Code Annotated 68-11-1623(b), the Health Services Development Agency (HSDA) is required to be self-sufficient. As of February 22, 2019, the HSDA's account balance is estimated to be approximately $400,000 with an additional reserve fund balance of approximately $1,100,000. The HSDA may increase fees for other certificate of need applicants in the future, if necessary, to remain self-sufficient.  
**Senate Status:** 02/07/19 - Referred to Senate Commerce & Labor Committee.  
**House Status:** 04/02/19 - Taken off notice in House Facilities, Licensure & Regulations Subcommittee.

**SB566/HB1293**  
Date of reporting on the outcome of the controlled substances database program.  
**Sponsors:** Sen. Bowling, Janice, Rep. Faison, Jeremy  
**Summary:** Changes the annual date by which the commissioner of health must file a report with the appropriate committees of the senate and house on the outcome of the controlled substances database program with respect to its effect on distribution and abuse of controlled substances from March 1 to March 15.  
**Amendment Summary:** Senate amendment 1 (007754) rewrites the bill. Requires Commissioner of the Department of Health or the Controlled Substance Database Committee to release confidential information from the Controlled Substance Database to the Attorney General upon request. Authorizes the AG to disclose the confidential data to various designees associated with an investigation or litigation, for the purpose of reviewing, querying, or otherwise using the data in conjunction with investigating or litigating a civil action involving controlled substances.  
**Fiscal Note:** (Dated February 6, 2019) NOT SIGNIFICANT  
**Senate Status:** 04/17/19 - Senate passed with amendment 1 (007754).  
**House Status:** 04/18/19 - House passed.  
**Executive Status:** 04/30/19 - Signed by governor.

**SB572/HB1011**  
Electronic submission of the annual report on the distribution and abuse of controlled substances.  
**Sponsors:** Sen. Dickerson, Steven, Rep. Terry, Bryan  
**Summary:** Authorizes electronic submission of the annual report on distribution and abuse of controlled substances from the commissioner of health to the health committees of the senate and the house of representatives under the Tennessee Prescription Safety Act of 2016. Broadly captioned.  
**Fiscal Note:** (Dated February 6, 2019) NOT SIGNIFICANT  
**Senate Status:** 04/10/19 - Senate Health & Welfare Committee deferred to 2020.
SB609/HB657  Permits dental hygienists prescribe certain oral health agents under certain conditions.

Summary:  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 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. Senate amendment 1 (006281) deletes and replaces all language after the enacting clause such that the only substantive changes are: (1) to require a prescription written by a dental hygienist be reviewed by a licensed dentist within 30 days; and (2) to change the effective date to July 1, 2020.

Fiscal Note:  (Dated February 20, 2019) NOT SIGNIFICANT
Senate Status:  04/22/19 - Senate passed with amendment 1 (006281).
House Status:  04/23/19 - House concurred in Senate amendment 1.
Executive Status:  04/29/19 - Sent to governor.

SB637/HB1462  Application for CON for nonresidential substitution-based treatment center for opiate addiction.

Summary:  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 amendment 1 (006444) rewrites the bill. Allows no certificate of need to be required for a hospital to operate a nonresidential substitution-based treatment center for opiate addiction if the treatment center is located on the same campus as the operating hospital and operates 100 or more psychiatric beds.

Fiscal Note:  (Dated February 27, 2019) NOT SIGNIFICANT
Senate Status:  04/10/19 - Senate Health & Welfare Committee deferred to 2020.
House Status:  04/08/19 - House passed with amendment 1 (006444).

SB658/HB842  Annual report on distribution and abuse of controlled substances.

Summary:  Changes from March 1 to February 15 the date by which the annual report on distribution and abuse of controlled substances must be submitted by the department of health to the health committees of the senate and the house under the Tennessee Prescription Safety Act of 2016. Broadly captioned.

Fiscal Note:  (Dated February 9, 2019) NOT SIGNIFICANT
Senate Status:  02/07/19 - Referred to Senate Judiciary Committee.
House Status:  02/07/19 - Caption bill held on House clerk's desk.

SB756/HB813  Cost of copying and mailing the first five pages of a patient's medical record.

Summary:  Increases the maximum amount a healthcare provider is allowed to charge for the cost of copying and mailing the first five pages of a patient's medical record from $20 to $21. Broadly captioned.

Fiscal Note:  (Dated March 12, 2019) NOT SIGNIFICANT
Senate Status:  02/07/19 - Referred to Senate Health & Welfare Committee.
House Status:  02/07/19 - Caption bill held on House clerk's desk.

SB757/HB812  Cost of copying and mailing first five pages of patient's medical record.

Summary: Increases the maximum amount a healthcare provider is allowed to charge for the cost of copying and mailing the first five pages of a patient's medical record from $20 to $21. Broadly captioned.

Fiscal Note: (Dated February 26, 2019) NOT SIGNIFICANT

Senate Status: 02/07/19 - Referred to Senate Health & Welfare Committee.

House Status: 02/07/19 - Caption bill held on House clerk's desk.

SB767/HB765 Prescribers of buprenorphine products.
Summary: Permits a prescriber who is not a patient's obstetrical or gynecological provider to prescribe buprenorphine products to certain patients if the prescriber is a member of the same specialty practice group as the patient's obstetrical or gynecological provider.

Fiscal Note: (Dated February 20, 2019) NOT SIGNIFICANT

Senate Status: 04/10/19 - Taken off notice in Senate Health & Welfare Committee.

House Status: 04/03/19 - House Mental Health & Substance Abuse Subcommittee deferred to first calendar of 2020.

SB771/HB879 Creation of mental health professional education loan forgiveness program.
Summary: Allows the commissioner of health to select applicants each year for participation in the mental health professional education loan forgiveness program, limited to funding available. Requires participants to meet the service obligation up to a maximum of three years. Establishes the maximum amount to receive and the requirements that are required to be met for eligibility of the loan forgiveness program. Declares that if the minimum commitment is not met, the commissioner must collect the total amount paid in the program, plus interest established by rule.

Fiscal Note: (Dated March 20, 2019) Other Fiscal Impact To the extent the Department of Health is awarded a federal grant, any such funding would be expended to create the proposed program. The extent and timing of any such grant and subsequent expenditures for the program is unknown.

Senate Status: 02/07/19 - Referred to Senate Health & Welfare Committee.

House Status: 02/11/19 - Referred to House Mental Health & Substance Abuse Subcommittee.

SB845/HB1331 Annual report pertaining to birth defects registry.
Summary: Permits the advisory committee to submit its annual report pertaining to the birth defects registry to the appropriate standing committees of the general assembly electronically. Broadly captioned.

Fiscal Note: (Dated February 7, 2019) NOT SIGNIFICANT

Senate Status: 02/11/19 - Referred to Senate Health & Welfare Committee.

House Status: 02/11/19 - Caption bill held on House clerk's desk.

SB928/HB1096 TN Department of Health - nursing home inspection reports.
Sponsors: Sen. Yarbro, Jeff , Rep. Potts, Jason
Summary: Requires the commissioner of health to submit a report by not later than January 1, instead of February 1, of each year to the governor and to each house of the general assembly regarding the department's nursing home inspection and enforcement activities during the previous year. Broadly captioned.

Fiscal Note: (Dated February 7, 2019) NOT SIGNIFICANT

Senate Status: 02/11/19 - Referred to Senate Health & Welfare Committee.

House Status: 02/11/19 - Caption bill held on House clerk's desk.

SB972/HB1135 Review of charts for practice site visits at a community mental health center.
Summary: 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: 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. 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

**Senate Status:** 03/11/19 - Senate passed with amendment 1 (004610) and amendment 3 (005579).

**House Status:** 04/08/19 - House passed.

**Executive Status:** 04/30/19 - Enacted as Public Chapter 0183 effective April 23, 2019.

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**SB1022/HB1367 Joint report regarding current status of emergency medical services for children.**

**Sponsors:** Sen. Reeves, Shane, Rep. Tillis, Rick

**Summary:** 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.

**Amendment Summary:** House amendment 1 (005272) rewrites this bill to authorize a person who is licensed, registered, or certificated to provide emergency medical services in this state and who is required by statute or rule to keep proof of their license, registration, or certification on their person to satisfy that requirement by providing the proof by electronic means.

**Fiscal Note:** (Dated February 8, 2019) NOT SIGNIFICANT

**Senate Status:** 04/22/19 - Senate passed.

**House Status:** 04/10/19 - House passed with amendment 1 (005272).

**Executive Status:** 04/29/19 - Sent to governor.

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**SB1023/HB1457 Deletion - obsolete health department recommendations.**

**Sponsors:** Sen. Reeves, Shane, Rep. Ramsey, Bob

**Summary:** Deletes an obsolete provision for the health department to make certain recommendations by January 10, 2010. Broadly captioned.

**Fiscal Note:** (Dated February 10, 2019) NOT SIGNIFICANT

**Senate Status:** 02/11/19 - Referred to Senate Health & Welfare Committee.

**House Status:** 02/11/19 - Caption bill held on House clerk's desk.

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**SB1062/HB919 Electronic transmission of data summary about high-volume prescribers and disciplinary actions.**

**Sponsors:** Sen. Dickerson, Steven, Rep. Terry, Bryan

**Summary:** Authorizes electronic transmission of data concerning high-volume prescribers and any disciplinary action by the health department to the health committees of the legislative houses. Broadly captioned.

**Fiscal Note:** (Dated February 10, 2019) NOT SIGNIFICANT

**Senate Status:** 04/10/19 - Senate Health & Welfare Committee deferred to 2020.

**House Status:** 04/10/19 - Returned to House clerk's desk.

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**SB1070/HB1109 Study of healthcare access and status in certain areas.**

**Sponsors:** Sen. Dickerson, Steven, Rep. Powell, Jason

**Summary:** Requires health commissioner study healthcare access and healthcare status of populations affected by the implementation of Chapter 1043 of the Public Acts of 2016. Broadly captioned.

**Fiscal Note:** (Dated March 26, 2019) NOT SIGNIFICANT

**Senate Status:** 02/11/19 - Referred to Senate Commerce & Labor Committee.

**House Status:** 02/11/19 - Caption bill held on House clerk's desk.

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**SB1091/HB573 Forms for unlawful attempts to gain controlled substances.**

**Sponsors:** Sen. Dickerson, Steven, Rep. Terry, Bryan

**Summary:** Eliminates deadline for the controlled substance database advisory committee to develop a form that health care providers can use to make reports which had formerly been no later than August 1, 2010. Broadly captioned.

**Fiscal Note:** (Dated February 10, 2019) NOT SIGNIFICANT

**Senate Status:** 02/11/19 - Referred to Senate Judiciary Committee.

**House Status:** 04/10/19 - Returned to House clerk's desk.
SB1111/HB1437 Disciplinary action - mental health providers.

**Sponsors:** Sen. Dickerson, Steven, Rep. Stewart, Mike

**Summary:** Clarifies that a mental health provider who commits professional misconduct is subject to discipline by any authorized state regulatory entity. Broadly captioned.

**Fiscal Note:** (Dated February 12, 2019) NOT SIGNIFICANT

**Senate Status:** 04/10/19 - Taken off notice in Senate Health & Welfare Committee.

**House Status:** 02/11/19 - Caption bill held on House clerk's desk.

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SB1117/HB1137 Electronic submission of recommendations - controlled substance database committee.

**Sponsors:** Sen. Yarbro, Jeff, Rep. Hakeem, Yusuf

**Summary:** Permits the controlled substance database committee to submit formal recommendations regarding rulemaking to the commissioner of agriculture electronically. Broadly captioned.

**Fiscal Note:** (Dated February 8, 2019) NOT SIGNIFICANT

**Senate Status:** 02/11/19 - Referred to Senate Judiciary Committee.

**House Status:** 02/11/19 - Caption bill held on House clerk's desk.

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SB1121/HB1341 Meetings to allow public discussion of new developments in the practice of polysomnography.

**Sponsors:** Sen. Lundberg, Jon, Rep. Zachary, Jason

**Summary:** Deletes an obsolete provision requiring the polysomnographic professional standards committee to conduct a meeting each year between 2007 and 2010 to allow public discussion of polysomnography. Broadly captioned.

**Fiscal Note:** (Dated February 8, 2019) NOT SIGNIFICANT

**Senate Status:** 02/11/19 - Referred to Senate Commerce & Labor Committee.

**House Status:** 02/11/19 - Caption bill held on House clerk's desk.

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SB1123/HB1129 Written list of TANF and medicaid options.

**Sponsors:** Sen. Briggs, Richard, Rep. Hazlewood, Patsy

**Summary:** 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. Senate Health & Welfare Committee amendment 1 (006184) deletes and replaces all language after the caption. Deletes Tenn. Code Ann. § 53-3-119 regarding consumption of hoofed mammal milk by owners and partial owners of the hoofed mammal, and replaces it with new language that creates registration for such ownership agreements. Under the proposed legislation, farm owners with persons who consume or purchase milk either as a full or partial owner must do the following: Register with the Department of Agriculture (DOA); Complete a safe milk handling course offered by the University of Tennessee Agricultural Extension Service; Maintain a list of the names, addresses, phone numbers, and email addresses, if applicable, of all partial owners of a hoofed mammal; Maintain a list of all distribution of milk transactions from a hoofed mammal located on the farm; Maintain a warning form signed annually by each partial owner of a hoofed mammal that describes the risks associated with consuming milk from a hoofed mammal without pasteurization; Maintain a contract on file between the farm owner and the partial owner of the hoofed mammal with clear terms of ownership and the rights resulting from such ownership; these records must be retained for at least three years; and Include warning labels on all unpasteurized products. Prohibits the DOA from charging a registration fee. Establishes that the farm owner is responsible for paying any fee associated with completing the safe milk handling course.

**Fiscal Note:** (Dated February 20, 2019) NOT SIGNIFICANT

**Senate Status:** 04/09/19 - Senate Commerce & Labor Committee deferred to 2020.

**House Status:** 03/19/19 - House Agriculture & Natural Resources Subcommittee deferred to summer study after adopting amendment 1 (005583).
SB1211/HB339  Penalty for those without a valid certificate of need.
Summary: Increases to $1,000 from $500 the maximum amount of civil penalty that may be imposed on a person who performs, offers to perform, or holds such person out as performing any activity for which a certificate of need is required without first obtaining a valid certificate of need.
Amendment Summary: House amendment 1 (007568) rewrites the bill. Creates a speech language pathologist provisional license.
Fiscal Note: (Dated February 9, 2019) NOT SIGNIFICANT
Senate Status: 04/22/19 - Senate passed.
House Status: 04/22/19 - House passed with amendment 1 (007568).
Executive Status: 04/29/19 - Sent to governor.

SB1214/HB1148 Post-Traumatic Stress Injury Awareness Day.
Summary: Designates June 27 of each year as "Post-Traumatic Stress Injury Awareness Day," a day of special observance.
Fiscal Note: (Dated February 8, 2019) NOT SIGNIFICANT
Senate Status: 03/18/19 - Senate passed.
House Status: 02/25/19 - House passed.
Executive Status: 04/15/19 - Enacted as Public Chapter 0137 effective April 9, 2019.

SB1291/HB1085 Requirements for certificates of need.
Summary: Eliminates the requirement of a certificate of need for healthcare facilities. Removes references to the certificate of need and terminates the Tennessee Health Services and Development Agency. Broadly captioned.
Amendment Summary: House Government Operations Committee amendment 1 (007769) clarifies the language of the bill for technical changes. Establishes an annual fee of $100 per license from health care institutions administered by the department of finance and administration, when a separate account is authorized.
Fiscal Note: (Dated April 8, 2019) Increase State Revenue Exceeds $2,564,000/FY19-20/General Fund Exceeds $1,376,200/FY20-21 and Subsequent Years/ General Fund Decrease State Revenue Exceeds $950,000/HSDA Fund Increase State Expenditures Net Impact - $550,000/FY19-20/HSDA Fund Exceeds $5,758,000/FY19-20/General Fund Exceeds $6,746,600/FY20-21/General Fund Exceeds $6,708,300/FY21-22 and Subsequent Years/General Fund Decrease State Expenditures $950,000/FY20-21 and Subsequent Years/HSDA Fund Increase Federal Expenditures Exceeds $9,053,300/FY19-20 and Subsequent Years Other Fiscal Impact The Health Services Development Agency (HSDA) revenues and expenditures vary greatly from year to year. The HSDA fund will experience a recurring decrease in revenue from fees charged and a recurring decrease in expenditures from the HSDA fund for any operational expenses. HB 1085 - SB 1291
Senate Status: 04/17/19 - Taken off notice in Senate Government Operations Committee.
House Status: 04/30/19 - Taken off notice in House Finance, Ways & Means Subcommittee.

SB1418/HB1490 Life Appropriation Act.
Summary: 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."
Amendment Summary: House amendment 1 (006229) adds language to the original bill to establish that the Life Appropriation Act takes effect only to the extent that federal law, including judicial decisions, authorizes a state agency to deny family planning funds or other grant funds to an individual or an entity that performs elective abortions or is an affiliate of an individual or entity that performs, induces, or provides abortion referrals, or counsels in favor of convenience abortions.
SB1465/HB159 Extends Suicide Prevention Act.
Summary: 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. House Health Committee amendment 1 (006473) rewrites the bill. Specifies that the confidential information and records used by the Suicide Prevention Team in the exercise of its duties remain confidential and are not subject to discovery or introduction into evidence in any legal proceeding. Requires the team to periodically make available the aggregate findings of team reviews. Establishes that meetings of the team are not public meetings open to the public. Requires minutes of the team meetings be sealed from public inspection.
Fiscal Note: (Dated February 20, 2019) Increase State Expenditures $12,900/One-Time $321,400/Recurring
Senate Status: 04/30/19 - Taken off notice in Senate Finance, Ways & Means Committee.

SB1466/HB300 Encourages finance and administration commissioner consult with TennCare advisory committee about impact of policies.
Summary: Encourages the commissioner of finance and administration to consult the TennCare advisory commission concerning the impact of policies and procedures on providers with respect to home- and community-based services.
Fiscal Note: (Dated January 31, 2019) NOT SIGNIFICANT
Senate Status: 04/16/19 - Taken off notice in Senate Commerce & Labor Committee.
House Status: 02/04/19 - Caption bill held on House clerk's desk.

SB1468/HB1315 Training program for certified nurse practitioners in treating victim of sexual offense.
Summary: 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 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.
Senate Status: 03/25/19 - Senate passed with amendment 1 (005544).
House Status: 04/17/19 - House passed.
Executive Status: 04/30/19 - Signed by governor.

SB1470/HB1388 Adds neonatal care to department of health’s plan.
Summary: Obliges 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.

Fiscal Note:  
(Dated March 18, 2019) NOT SIGNIFICANT

Senate Status: 04/15/19 - Senate passed.
House Status: 04/08/19 - House passed.
Executive Status: 04/30/19 - Signed by governor.

SB1472/HB1031 Removes expired health commissioner report requirement.
Summary: Removed expired language from code regarding requirement that the commissioner of health report on the effectiveness of the 12-month demonstration project involving disabled nursing home volunteers to the health committees of the senate and the house of representatives by March 1, 2006. Broadly captioned.
Fiscal Note:  
(Dated February 9, 2019) NOT SIGNIFICANT
Senate Status: 04/10/19 - Taken off notice in Senate Health & Welfare Committee.
House Status: 02/11/19 - Caption bill held on House clerk's desk.

SJR53 Expresses support for National Suicide Hotline Improvement Act of 2018.
Sponsors: Sen. Crowe, Rusty ,
Summary: Expresses support for the National Suicide Hotline Improvement Act of 2018 and the creation of a three-digit nationwide suicide and mental health crisis hotline in the United States.
Fiscal Note:  
(Dated February 28, 2019) NOT SIGNIFICANT
Senate Status: 03/11/19 - Senate adopted.

SJR168 Caregivers to care for elderly with respect and compassion.
Sponsors: Sen. Crowe, Rusty ,
Summary: Urges facilities, programs, medical professionals, and caregivers in Tennessee to serve, support, and care for elderly with respect, consideration, and compassion.
Fiscal Note:  
(Dated February 28, 2019) NOT SIGNIFICANT
Senate Status: 03/11/19 - Senate adopted.
House Status: 04/04/19 - House Delayed Bills Committee released.

SJR170 Expansion of medicaid eligibility to combat the opioid crisis.
Sponsors: Sen. Yarbro, Jeff ,
Summary: Authorizes governor to expand medicaid eligibility in accordance with the Patient Protection and Affordable Care Act to fully combat the opioid crisis in Tennessee.
Senate Status: 02/11/19 - Referred to Senate Commerce & Labor Committee.

HJR1 Recognizes teen suicide as a health crisis in Tennessee.
Sponsors: Rep. Staples, Rick
Summary: Recognizes teen suicide as a health crisis in Tennessee.
Amendment Summary: House amendment 2 (004476) deletes all language after the caption and rewrites the resolution.
Amendment Summary: Recognizes teen suicide as a health crisis in Tennessee and acknowledges the need for prevention, research, and support for systems to address the crisis. A certified copy of the resolution is to be transmitted to the Department of Mental Health and Substance Abuse Services and the Department of Health.
Fiscal Note:  
(Dated January 30, 2019) NOT SIGNIFICANT
House Status: 02/25/19 - House adopted after adopting amendment 2 (004476).

HJR2 Recognizes gaming disorder as a mental health condition.
Sponsors: Rep. Staples, Rick
Summary: Recognizes gaming disorder as a mental health condition.
**HJR138**  
**Supports the health of an unborn children.**  
**Sponsors:** Rep. Van Huss, James  
**Summary:** Supports continued medical advancement to protect babies in the womb.  
**Fiscal Note:** (Dated March 28, 2019) NOT SIGNIFICANT  
**House Status:** 04/09/19 - Taken off notice in House Public Health Subcommittee.

**INSURANCE GENERAL**

**SB413/HB348**  
**Insurance company determining its obligations under an insurance policy.**  
**Sponsors:** Sen. Stevens, John, Rep. Cepicky, Scott  
**Summary:** Declares that an insurance company may determine its obligations under a policy of insurance as to any and all parties or claimants through a declaratory judgment action, an interpleader claim or action, or both, under a good faith clause.  
**Fiscal Note:** (Dated February 14, 2019) NOT SIGNIFICANT  
**Senate Status:** 02/25/19 - Senate passed.  
**House Status:** 03/21/19 - House passed.  
**Executive Status:** 04/15/19 - Enacted as Public Chapter 0121 effective April 9, 2019.

**SB774/HB1106**  
**Tennessee Preexisting Conditions Protection Act.**  
**Sponsors:** Sen. Yarbro, Jeff, Rep. Powell, Jason  
**Summary:** Prohibits a medicare supplement policy or certificate from excluding or limiting benefits for losses incurred because of a preexisting condition. Current law specifies benefits cannot be limited for losses incurred more than six months from the effective date of coverage due to a preexisting condition. Also specifies that health benefit plans covering small employers cannot impose a preexisting condition exclusion to limit or deny coverage. Prohibits a group health plan and a health insurance issuer offering group health insurance coverage from imposing a preexisting condition exclusion, with respect to a participant or beneficiary. Make various other revisions regarding preexisting conditions.  
**Fiscal Note:** (Dated February 9, 2019) Increase State Expenditures Not Significant Other Fiscal Impact An increase in premiums for Medicare Supplement and Long-term Care plans will result in an increase in premium tax revenue. The amounts and timing of any increased revenue cannot be reasonably quantified. Potential Impact on Health Insurance Premiums (required by Tenn. Code Ann. 3-2-111): The proposed legislation could result in an increase in the cost of health insurance premiums for Medicare Supplement and Long-Term Care insurance consumers. Any increase as a result of the proposed legislation cannot be quantified due to the multiple factors equated to insurance premiums and could vary greatly within each individual plan.  
**Senate Status:** 02/07/19 - Referred to Senate Commerce & Labor Committee.  
**House Status:** 02/13/19 - Referred to House Life & Health Insurance Subcommittee.  
**Executive Status:** 03/11/19 - Joint Council on Pensions and Insurance released to standing committees with unfavorable comment.

**SB1435/HB64**  
**Recommendations for changes to the Access Tennessee Act of 2006.**  
**Sponsors:** Sen. Bailey, Paul, Rep. Travis, Ron  
**Summary:** Establishes that committees must submit recommendations to the governor and the general assembly no later than February 1 after their annual review of the Tennessee Act of 2006.  
**Fiscal Note:** (Dated February 7, 2019) NOT SIGNIFICANT  
**Senate Status:** 04/16/19 - Taken off notice in Senate Commerce & Labor Committee.  
**House Status:** 01/24/19 - Caption bill held on House clerk's desk.

**INSURANCE HEALTH**

**SB195/HB184**  
**Proton Therapy Access Act.**  
**Sponsors:** Sen. Massey, Becky, Rep. Smith, Robin  
**Summary:** 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:** Senate amendment 2 (006727) 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. Clarifies that the act is repealed on January 1, 2023.

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

Senate Status: 04/04/19 - Senate passed with amendment 2 (006727).
House Status: 04/10/19 - House passed.
Executive Status: 04/30/19 - Enacted as Public Chapter 0193 effective January 1, 2020.

SB322/HB278 Requires drafting of a memorandum of understanding on a comprehensive online healthcare information system.

Summary: Requires commerce and insurance department draft a memorandum of understanding on development of comprehensive online healthcare information system.
Amendment Summary: House Insurance Committee amendment 1 (007837) deletes all language after the enacting clause.

Fiscal Note: (Dated March 24, 2019) Increase State Expenditures - $433,200/FY19-20 $866,400/FY20-21 and Subsequent Years Other Fiscal Impact To the extent individual departments are required to provide healthcare information to the system, existing databases will require modifications. The increases in state expenditures associated with such modifications cannot be quantified with reasonable certainty.

Senate Status: 04/09/19 - Senate Commerce & Labor Committee deferred to 2020.
House Status: 04/30/19 - Taken off notice in House Finance, Ways & Means Subcommittee.

SB348/HB610 Uniform claim forms.

Summary: Authorizes the commissioner of commerce and insurance to make available to healthcare providers on the department's website any prescribed claim form for reporting by healthcare providers. Broadly captioned.
Amendment Summary: House Life & Health Insurance Subcommittee amendment 1 (005352) deletes all language after the enacting clause. Requires a health carrier offering a health benefit plan proving individual or group health insurance coverage to issue the health benefit plan coverage to any eligible individual or employer in this state that applies for the health benefit plan coverage. Requires a health carrier offering a health benefit plan providing individual or small group health insurance coverage to develop its premium rates based on
the following: 1) whether the health benefit plan covers an individual or family; 2) rating areas established by the Commissioner of the Department of Commerce and Insurance (DCI); 3) age, as long as the rate does not vary by a factor of more than five to one for adults; and 4) tobacco use, as long as the rate does not vary by a factor of more than one and one-half to one. Prohibits a health carrier providing individual or group health insurance coverage from limiting or excluding coverage for an individual by imposing a preexisting condition exclusion on that individual, Deletes various references to preexisting conditions. The proposed legislation applies to policies and contracts that are entered into, renewed, amended, or delivered on or after July 1, 2019.

**Fiscal Note:**
(Dated February 8, 2019) NOT SIGNIFICANT

**Senate Status:**
04/09/19 - Taken off notice in Senate Commerce & Labor Committee.

**House Status:**
04/03/19 - Taken off notice in House Life & Health Insurance Subcommittee after adopting amendment 1 (005352).

**SB387/HB517 Creation of a committee to study managed care organizations.**

**Sponsors:**
Sen. Hensley, Joey, Rep. Hill, Timothy

**Summary:**
Creates a committee to study managed care organizations with goal to study the state expenditures on services for patients in areas of care, including Medicare programs in other states. Requires managed care organizations participating in the TennCare program to submit any information and provide assistance as may be requested by the committee for purposes of the study. Requires the study committee to report whether the expenditures are reasonable along with all other findings and recommendations from the study to the governor and the members of the general assembly by January 1, 2020.

**Fiscal Note:**
(Dated February 8, 2019) Increase State Expenditures Exceeds $6,300/One-Time

**Senate Status:**
02/06/19 - Referred to Senate Commerce & Labor Committee.

**House Status:**
02/26/19 - Taken off notice in House Insurance Committee.

**SB415/HB1208 Coverage for stem cell therapy.**

**Sponsors:**

**Summary:**
Requires every insurer authorized to issue an individual or group accident and sickness insurance policy in this state that provides major medical insurance coverage to make available on an optional basis as part of or as an endorsement to each such policy that is issued or renewed in this state on or after January 1, 2020, coverage for stem cell therapy.

**Fiscal Note:**
(Dated February 20, 2019) Increase State Expenditures - $9,432,000 Potential Impact on Health Insurance Premiums (required by Tenn. Code Ann. 3-2-111): Such legislation will result in an increase in the cost of health insurance premiums for procedures and treatments being provided by plans that do not currently offer these benefits at the proposed mandated levels. It is estimated that the increase to each individuals total premium will 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.

**Senate Status:**
02/06/19 - Referred to Senate Commerce & Labor Committee.

**House Status:**
02/13/19 - Referred to House Life & Health Insurance Subcommittee.

**SB416/HB385 Benefits for neurological disorders, including autism.**

**Sponsors:**

**Summary:**
Requires the commissioner of commerce and insurance to conduct a study for the purpose of determining the amount of insurance policies that provide benefits for neurological disorders in this state. Specifies that the study must include the amount of claims for treatment of autism spectrum disorder within the insurance policies that provide benefits for neurological disorders. Requires the commissioner to submit a copy of the report to the insurance committee of the house and the commerce and labor committee of the senate no later than January 1, 2020.

**Fiscal Note:**
(Dated February 9, 2019) NOT SIGNIFICANT

**Senate Status:**
02/06/19 - Referred to Senate Commerce & Labor Committee.

**House Status:**
02/06/19 - Referred to House Life & Health Insurance Subcommittee.

**SB462/HB313 Establishes certain minimum coverage requirements for health benefit plans.**

**Sponsors:**

**Summary:**
Requires that health benefit plans issued, entered into, or renewed on or after January 1, 2020, provide at a minimum coverage for certain items or services, immunizations, preventive care, and screenings.

**Fiscal Note:**
(Dated February 27, 2019) NOT SIGNIFICANT

**Senate Status:**
04/09/19 - Taken off notice in Senate Commerce & Labor Committee.

**House Status:**
04/03/19 - Taken off notice in House Life & Health Insurance Subcommittee.
SB510/HB419  Tennessee Right to Shop Act.


Summary: 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 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.

Amendment Summary: Senate amendment 1 (006205) deletes all language after the enacting clause. Establishes the Tennessee Right to Shop Act to require health insurance carriers, on or after January 1, 2020, to implement a shopping and decision support program that provides shopping capabilities and decision support services for enrollees in a health plan. Requires, on or after January 1, 2021, a health insurance carrier to provide incentives, not to exceed $600 in any year, for enrollees in a health plan who receive a comparable healthcare service from a network provider that is covered by the health plan and is paid less than the average allowed amount paid by that carrier to network providers for comparable healthcare services. Exempts any group insurance plan offered under Title 8, Chapter 27, any managed care organization (MCO) contracting with the state to provide insurance through the TennCare program or the CoverKids program, or any plan described in Section 1251 of the federal Patient Protection and Affordable Care Act and Section 2301 of the federal Health Care and Education Reconciliation Act. Senate amendment 2 (006205) deletes all language after the enacting clause. Establishes the Tennessee Right to Shop Act to require health insurance carriers, on or after January 1, 2020, to implement a shopping and decision support program that provides shopping capabilities and decision support services for enrollees in a health plan. Requires, on or after January 1, 2021, a health insurance carrier to provide incentives, not to exceed $600 in any year, for enrollees in a health plan who receive a comparable healthcare service from a network provider that is covered by the health plan and is paid less than the average allowed amount paid by that carrier to network providers for comparable healthcare services. Exempts any group insurance plan offered under Title 8, Chapter 27, any managed care organization (MCO) contracting with the state to provide insurance through the TennCare program or the CoverKids program, or any plan described in Section 1251 of the federal Patient Protection and Affordable Care Act and Section 2301 of the federal Health Care and Education Reconciliation Act. House amendment 3 (007647) deletes all language after the enacting clause. Establishes the Tennessee Right to Shop Act to require health insurance carriers, on or after January 1, 2020, to implement a shopping and decision support program that provides shopping capabilities and decision support services for enrollees in a health plan. Requires, on or after January 1, 2021, a health insurance carrier to provide incentives, not to exceed $600 in any year, for enrollees in a health plan who receive a comparable healthcare service from a network provider that is covered by the health plan and is paid less than the average allowed amount paid by that carrier to network providers for comparable healthcare services. Exempts any group insurance plan offered under Title 8, Chapter 27, any managed care organization (MCO) contracting with the state to provide insurance through the TennCare program or the CoverKids program, or any plan described in Section 1251 of the federal Patient Protection and Affordable Care Act and Section 2301 of the federal Health Care and Education Reconciliation Act.

Fiscal Note: (Dated March 17, 2019) On March 15, 2019, a fiscal note was issued for this legislation estimating a fiscal impact as follows: Increase State Expenditures - $401,200/FY19-20 $802,400/FY20-21 and Subsequent Years Increase Federal Expenditures - $2,600/FY19-20 $5,200/FY20-21 and Subsequent Years Increase Local Expenditures Exceeds $63,000/FY19-20* Exceeds $126,000/FY20-21 and Subsequent Years* Due to an incorrect

Senate Status: 05/02/19 - Senate adopted conference committee report 2 (009332).

House Status: 05/02/19 - House adopted conference committee report 2 (009332).

Executive Status: 05/02/19 - Sent to the speakers for signatures.

SB539/HB698  Comprehensive listing of participating providers and facilities.


Summary: Requires managed health insurance issuers to update the issuer's comprehensive listing available to covered persons and healthcare providers of participating providers and facilities at least every six months for web-based materials instead of annually for printed materials. Broadly captioned.

Fiscal Note: (Dated February 19, 2019) NOT SIGNIFICANT
SB838/HB139 Health insurance coverage of acupuncture services.
Summary: Orders every individual or group health insurance policy to provide coverage for acupuncture services after January 1, 2020. Allows for more stringent deductible, co-payment requirements and benefit limits than those established for the treatment of other regular health benefits.
Fiscal Note: (Dated January 31, 2019) Increase State Expenditures $720,000/FY19-20 $1,440,000/FY20-21 and Subsequent Years Potential Impact on Health Insurance Premiums (required by Tenn. Code Ann. 3-2-111): Such legislation will result in an increase in the cost of health insurance premiums for procedures and treatments being provided by plans that do not currently offer these benefits at the proposed mandated levels. It is estimated that the increase to each individual’s total premium will 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.

SB939/HB1429 Medical Assistance Savings Act.
Sponsors: Sen. Yarbro, Jeff, Rep. Stewart, Mike
Summary: 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.

SB1120/HB1342 Notice to an insured concerning the potential out-of-network status of physicians.
Summary: 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: House 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. House amendment 2 (006212) removes the provision that requires an insurer, if a property and casualty insurance policy includes a specified medical expense benefit payable without regard to fault, but does not permit assignment of benefit, to establish a process to disburse funds in the names of the insured and the healthcare provider as joint payees. Clarifies that balance billing must be in excess of the cost sharing amount required in accordance with the insured’s health benefits coverage for the times and services provided in order for the healthcare facility that contractually prohibits all facility-based physicians from balance billing patients to be exempt from providing notice.
Fiscal Note: (Dated February 14, 2019) NOT SIGNIFICANT
Senate Status: 04/15/19 - Senate passed.
House Status: 04/11/19 - House passed with amendment 1 (004800) and amendment 2 (006212).
Executive Status: 04/30/19 - Signed by governor.
SB1169/HB1010 Expands telehealth services,


Summary: Adds a patient's residence and place of employment, if equipped to engage in telehealth communications, as locations a patient may be and receive telehealth services covered by health insurance; prohibits health insurance entities from distinguishing among geographic locations in the reimbursement for telehealth services; removes certain types of insurance from telehealth coverage exemption. Broadly captioned.

Amendment Summary: Joint Council on Pensions amendment 1 (006326) deletes and rewrites all language after the enacting clause such that the only substantive change is removing the provision that requires the healthcare insurer to pay an originating site facility fee. House Insurance Committee amendment 1 (007778) deletes all language after the enacting clause. Requires a health insurance entity to provide coverage under a health insurance policy or contract for covered healthcare services delivered through facility-based or provider-based telehealth. Requires a health insurance entity to reimburse a healthcare services provider for the diagnosis, consultation, and treatment of an insured patient for a healthcare service covered under a health insurance policy or contract that is provided through facility-based telehealth or provider-based telehealth without any distinction or consideration of the geographic location, or any federal, state, or local designation or classification of the geographic area where the patient is located. Prohibits a health insurance entity from excluding coverage for a healthcare service solely because it is provided through facility-based telehealth or provider-based telehealth and is not provided through an in-person encounter between a healthcare services provider and a patient. Requires a health insurance entity to reimburse healthcare services providers who are out-of-network for facility-based telehealth services under the same reimbursement policies applicable to other out-of-network healthcare services providers. States that all telehealth encounters described in this section are subject to any and all appropriate utilization review protocols or other protocols for medical treatment and monitoring contained in a contract between healthcare services provider and a health insurance entity as long as the protocols are based on evidence-based guidelines for treatment to ensure that the treatment is consistent with the standard of practice.

Fiscal Note: (Dated March 21, 2019) Increase State Expenditures - $2,370,000 Increase Federal Expenditures - $4,382,500 Increase Local Expenditures - $7,700* Other Fiscal Impact The Division of TennCare and Benefits Administration will experience an increase in telehealth claims. Due to multiple unknown factors such as the extent of any such increase, the cost of services provided, and any realized savings from services that would have been provided in-person under current law, any additional fiscal impact on state, local and federal expenditures cannot be quantified with reasonable certainty.

Senate Status: 04/16/19 - Senate Commerce & Labor Committee deferred to first calendar of 2020.

Executive Status: 03/25/19 - Joint Council on Pensions and Insurance released to standing committees with favorable comment after adopting amendment 1 (006326).

SB1215/HB1010 Restrictions on coverage of off-label drugs by insurers.


Summary: 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 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.

Amendment Summary: House Life & Health Insurance Subcommittee amendment 1 (007523) deletes and rewrites the bill. Establishes that reimbursement for a drug pursuant to a health insurance policy or prescription drug benefit must not be denied on the basis that the drug is not indicated for use with the covered patient's medical condition or disease if the drug is prescribed to the patient to treat or manage the symptoms of a rare disease by a licensed physician acting in good faith medical judgement. Defines "rare disease or condition" as affecting less than 200,000 people in the United States or affecting more than 200,000 people and for which there is no reasonable expectation that the cost of developing and making available in the United States a drug for the disease or condition will be recovered from sales of the drug in the United States.

Fiscal Note: (Dated March 9, 2019) Increase State Expenditures - $15,685,400 Increase Federal Expenditures - $101,300 Increase Local Expenditures Exceeds $2,462,900*

Senate Status: 04/16/19 - Taken off notice in Senate Commerce & Labor Committee.

House Status: 04/15/19 - Returned to House clerk's desk.

Executive Status: 03/25/19 - Joint Council on Pensions and Insurance released to standing committees with unfavorable comment.
SB1222/HB1376 Informing patients about health insurance acceptance.
Summary: 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
Senate Status: 02/11/19 - Referred to Senate Commerce & Labor Committee.
House Status: 03/27/19 - Taken off notice in House Life & Health Insurance Subcommittee.

SB1345/HB421 Notice that the treating physician is out of network.
Summary: 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
Senate Status: 02/11/19 - Referred to Senate Commerce & Labor Committee.
House Status: 02/06/19 - Referred to House Life & Health Insurance Subcommittee.
Executive Status: 03/25/19 - Taken off notice in Joint Council on Pensions and Insurance.

SB1369/HB910 Prohibits HMO payment denial for preventative and diagnostic services.
Summary: Prohibits an HMO from denying payment for preventative and diagnostic services provided by primary care providers or through a provider's supervision of auxiliary personnel. Requires insurance, health and accident commissioner report violations to the general assembly.
Amendment Summary: House TennCare Subcommittee amendment 1 (007417) deletes and replaces language un the original bill that changes, from the 30th day following the Commissioner of DCI's report to the General Assembly, to the 180th day following the Commissioner of DCI's report to the General Assembly, that timeframe in which an HMO is to be automatically expelled from the TennCare program if found guilty of a violation.
Fiscal Note: (Dated February 27, 2019) NOT SIGNIFICANT
Senate Status: 04/01/19 - Referred to Senate Calendar Committee.
House Status: 04/15/19 - Taken off notice in House Insurance Committee.

JUDICIARY

SB540/HB995 Civil liability for treatment of mental health disorders by unlicensed persons.
Summary: Defines "mental health disorder" to mean a serious psychological condition, including, but not limited to, major depressive disorder, anxiety disorder, bipolar disorder, personality disorder, and post-traumatic stress disorder. Requires an unlicensed person who provides mental health psychotherapy services to provide to the client for the client's review and signature, a statement acknowledging the unlicensed status of the provider. Creates civil liability for an unlicensed person providing mental health psychotherapy services for treatment of a mental health disorder.
Amendment Summary: Senate amendment 1 (008111) deletes and replaces all language after the enacting clause such that the only substantive change is removing the requirement for an unlicensed person who provides mental health psychotherapy services to provide to the client for the client's review and signature, a statement acknowledging the unlicensed status of the provider. House amendment 2 (008506) changes references from "diagnosed mental illness" to "mental health disorder" and specifies that it is illegal for an unlicensed person to provide services that fall within any scope of practice for which a license is required for treatment of a mental health disorder.
Fiscal Note: (Dated February 5, 2019) NOT SIGNIFICANT
Senate Status: 04/24/19 - Senate concurred in House amendment 2 (008506).
House Status: 04/22/19 - House passed with amendment 2 (008506).
Executive Status: 05/01/19 - Sent to governor.

SB1034/HB1114 Passive investors in healthcare liability actions.
Redefines "passive investor" as an individual or entity with an ownership interest of under five percent in a licensee.

SUMMARY:

SB1274/HB1237 Excusing a physician from jury service.


Summary: Requires a judge or jury coordinator upon request to excuse any practicing physician from jury service upon request. A physician making a request to be excused from jury service must provide the court with documentation verifying that the person is a physician licensed to practice medicine.

FISCAL NOTE:

Senate Status: 03/19/19 - Taken off notice in Senate Judiciary Committee.

House Status: 02/13/19 - Referred to House Civil Justice Subcommittee.

LABOR LAW


Summary: Declares that an employer shall not discriminate between employee 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:

Senate Status: 03/26/19 - Taken off notice in Senate Commerce & Labor Committee.

House Status: 03/19/19 - Failed in House Employee Affairs Subcommittee.

SB379/HB108 Harassment of government employee.


Summary: 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.

Amendment Summary:

Senate amendment 1 (005183) deletes and rewrites all language after the enacting clause such that the only substantive change would specify such action can only be taken for instances occurring in connection with the employee's status as a local government employee.

FISCAL NOTE:

Senate Status: 04/24/19 - Senate passed with amendment 1 (005183).

House Status: 04/29/19 - House concurred in Senate amendment 1 (005183).

Executive Status: 05/02/19 - Sent to governor.


Summary: Establishes that family and medial leave insurance benefits are payable to a covered individual who meets one of the requirements of birth, adoption, or placement through foster care, or a serious health concern. Establishes maximum number of weeks family and medical leave insurance benefits are payable. Defines benefit time frame and costs associated. Establishes that the state treasury shall create a fund to benefit the family and medical leave program. Establishes the application for receiving benefit and legality in cases of fraud or tampering from an employer. Declares that the act will go into effect on January 1, 2020.

FISCAL NOTE:

Increase State Revenue $178,125,000/FY19-20/Family and Medical Leave Insurance Fund $356,250,000/FY20-21 and Subsequent Years/Family and Medical Leave Insurance Fund Increase State Expenditures $7,500,000/FY19-20/General Fund $15,000,000/FY20-21 and Subsequent Years/General Fund $178,125,000/FY19-20/Family and Medical Leave Insurance Fund Increase Local Expenditures Exceeds $20,625,000/FY19-20* Exceeds $41,250,000/FY20-21 and Subsequent Years* HB 514 - SB 647
Senate Status: 02/07/19 - Referred to Senate Commerce & Labor Committee.
House Status: 03/19/19 - Failed in House Employee Affairs Subcommittee after adopting amendment 1 (005876).

SB758/HB986  Tennessee Pregnant Workers Fairness Act.
Summary: 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
Senate Status: 02/07/19 - Referred to Senate Commerce & Labor Committee.
House Status: 03/25/19 - Taken off notice in House Consumer & Human Resources Committee.

SB986/HB81  Prohibits sexual harassment against contract employees.
Summary: Establishes that harassment of an employee, applicant, or person providing a service pursuant to a contract based on sex to be a discriminatory practice. Defines employer as a person regularly employing one or more individuals or receiving services of pursuant to a contract, an agent of an employer, an employee in a supervising or managing position, and includes state, county, metropolitan governments, municipal governments, or agencies.
Fiscal Note: (Dated February 12, 2019) NOT SIGNIFICANT
Senate Status: 02/11/19 - Referred to Senate Commerce & Labor Committee.
House Status: 01/30/19 - Referred to House Employee Affairs Subcommittee.

SB1006/HB56  Compensation history of applicants for employment.
Summary: Prohibits employers from screening applicants based on their compensation history by requiring the applicant’s compensation history to satisfy minimum or maximum criteria or seeking the compensation history of the applicant orally, in writing, or through an employee or agent. Allows employer to consider the compensation of a current employee during a move of job with the same employer. Specifies that a violation is a Class B misdemeanor punishable by a fine only of a minimum of $100 up to a maximum of $500.
Fiscal Note: (Dated March 3, 2019) NOT SIGNIFICANT
Senate Status: 02/11/19 - Referred to Senate Commerce & Labor Committee.
House Status: 03/05/19 - Failed in House Employee Affairs Subcommittee.

LOCAL GOVERNMENT

SB9/HB9  Smoking on the grounds of a playground.
Summary: Authorizes Knox County to prohibit smoking on the grounds of a playground owned or operated by the local government.
Amendment Summary: House 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
Senate Status: 05/02/19 - Senate adopted conference committee report (009311).
House Status: 05/02/19 - House deferred to 2020.

SB931/HB1110  Adoption of sanctuary policies.
Summary: Allows certain state government organizations, including the department of education, children's services, and health, to adopt or enact sanctuary policies.
SB1179/HB1283  Laws impacting local governments that are not fully funded.

**Sponsors:** Sen. Yarbro, Jeff, Rep. Hawk, David  
**Summary:** Negates mandatory application of certain laws on local governments that are not fully funded. Prohibits a state government agency from creating a new fee that will impact local governments in any year when state revenues to the agency have decreased from the previous year. Broadly captioned.  
**Fiscal Note:** (Dated April 4, 2019) Other Fiscal Impact Due to multiple unknown variables, a precise impact on state and local government cannot reasonably be determined.

**Senate Status:** 02/11/19 - Referred to Senate State & Local Government Committee.  
**House Status:** 02/13/19 - Referred to House Department & Agencies Subcommittee.

PROFESSIONS & LICENSURE

SB37/HB1108  Repeals revocation of professional license for defaulting on student loans.

**Sponsors:** Sen. Gilmore, Brenda, Rep. Powell, Jason  
**Summary:** Repeals revocations of professional licenses in cases where the revocation was the result of defaults on student loans. Requires reinstatement of licenses revoked or denied due to defaulting on repayment of student loans.  
**Fiscal Note:** (Dated February 4, 2019) NOT SIGNIFICANT SB 37

**Senate Status:** 01/19/19 - Referred to Senate Commerce & Labor Committee.  
**House Status:** 03/12/19 - House Business Subcommittee deferred to the first calendar of 2020.

SB53/HB496  Exemptions to licensure and certification requirements for participation in federal Innovative Readiness Training programs.

**Sponsors:** Sen. Kelsey, Brian, Rep. Hurt, Chris  
**Summary:** 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:** Senate amendment 3 (004270) makes this bill's exemption from Tennessee licensure requirements for licensees of other jurisdictions while participating in the federal Innovate Readiness Training applicable to all medical professions that are regulated by a health related board that is attached to the division of health related boards of the department of health. This amendment specifies that the exemptions authorized by this bill will only apply if the services provided by the medical professional are within the scope of practice for the individual's respective profession in this state.  
**Fiscal Note:** (Dated February 2, 2019) NOT SIGNIFICANT

**Senate Status:** 02/14/19 - Senate passed with amendment 3 (004270).  
**House Status:** 04/18/19 - House passed.  
**Executive Status:** 04/30/19 - Signed by governor.

SB162  Requires x-ray operators who hold a certificate of proficiency to be posted.

**Sponsors:** Sen. Roberts, Kerry  
**Summary:** Requires the board of x-ray operators to post the names of every x-ray operator who holds a current certificate of proficiency on its website.  
**Fiscal Note:** (Dated January 28, 2019) NOT SIGNIFICANT

**Senate Status:** 01/30/19 - Referred to Senate Health & Welfare Committee.

SB196/HB261  Expands the Right to Earn a Living Act.

**Sponsors:** Sen. Kelsey, Brian, Rep. Daniel, Martin  
**Summary:** 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 Government Operations amendment 1 (006605), which deletes and rewrites all language after the enacting clause. Makes various changes to the Right to Earn a Living Act. Authorizes an affected person to
petition a licensing authority to repeal or modify an entry regulation within its jurisdiction, including entry regulations promulgated relative to statute. Exempts any state agency, regulatory board, commission, council, or committee that regulates a person under certain circumstances. House Finance Committee amendment 1 (007904) adds language to Amendment 006605 that states a prevailing plaintiff is not entitled to and shall not be awarded damages, costs, or attorney fees, for a cause of action; and deletes the provision that states a cause of action does not exist under Title 1, Chapter 3 to seek damages, costs, or attorney fees.

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.

Senate Status: 04/16/19 - Taken off notice in Senate State & Local Government Committee.
House Status: 04/17/19 - Taken off notice in House Finance, Ways & Means Committee.

SB204/HB36 Suicide prevention training program required for social workers, therapists.
Summary: Requires social workers, marriage and family therapists, professional counselors, pastoral counselors, alcohol and drug abuse counselors, and occupational therapists to complete an approved suicide prevention training program once every four years. Current law requires the completion of the training program every five years.
Fiscal Note: (Dated January 11, 2019) NOT SIGNIFICANT
Senate Status: 03/18/19 - Senate passed.
House Status: 03/14/19 - House passed.
Executive Status: 04/15/19 - Enacted as Public Chapter 0131 effective April 9, 2019.

SB266/HB104 Notification of vacancy - division of health related boards.
Sponsors: Sen. Reeves, Shane , Rep. Todd, Chris
Summary: 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
Senate Status: 04/15/19 - Senate passed.
House Status: 03/18/19 - House passed with amendment 1 (004108).
Executive Status: 04/30/19 - Signed by governor.

SB383/HB386 Board of examiners in psychology - eligibility for reappointment as member.
Summary: Changes from five years to six years the time frame during which board members are ineligible for reappointment after completion of their term. Broadly captioned.
Fiscal Note: (Dated February 2, 2019) NOT SIGNIFICANT
Senate Status: 02/06/19 - Referred to Senate Health & Welfare Committee.
House Status: 02/06/19 - Referred to House Facilities, Licensure & Regulations Subcommittee.

SB384/HB304 Exempts armed forces members and their spouses from licensure requirements.
Summary: 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: Senate 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. House amendment 2 (006630) specifies the person or spouse holds a valid license to practice the regulated occupation or profession issued by another state or jurisdiction having reasonably similar standards for licensure.

Fiscal Note: (Dated February 28, 2019) Decrease State Revenue Exceeds $1,000/Health Regulatory Boards Exceeds $1,000/Commerce Regulatory Boards

Senate Status: 04/15/19 - Senate concurred in House amendment 2 (006630).
House Status: 04/08/19 - House passed with amendment 2 (006630).
Executive Status: 04/30/19 - Enacted as Public Chapter 0195 effective July 1, 2019.

SB392/HB282 Legislation concerning licensure, certification, or registration requirements.
Summary: 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
Senate Status: 02/06/19 - Referred to Senate Government Operations Committee.
House Status: 03/27/19 - Returned to House clerk's desk.

SB467/HB296 Exempts certain medical professionals from massage licensure requirements when employing licensed massage therapists.
Summary: 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.

Senate Status: 04/01/19 - Senate passed.
House Status: 04/30/19 - House passed.
Executive Status: 05/01/19 - Sent to governor.

SB499/HB585 Eliminates restrictions on board of dentistry membership.
Summary: Eliminates the restriction that any person who is regularly employed by or is a member of the governing body of a dental school, college or dental department of any university cannot be eligible for appointment on the board of dentistry.

Fiscal Note: (Dated February 7, 2019) NOT SIGNIFICANT
Senate Status: 02/07/19 - Referred to Senate Health & Welfare Committee.
House Status: 02/11/19 - Referred to House Facilities, Licensure & Regulations Subcommittee.

SB541/HB793 Adverse actions against healthcare professionals for recommending hemp-based products.
Summary: Prohibits adverse administrative action against licenses to practice certain healthcare professions, including chiropractors, dentists, podiatrists, and others based on recommending or marketing industrial hemp-based products. Establishes contingencies for changes in terminology relating to hemp under the federal 2018 Farm Bill.
SB672/HB810  Graduate Physicians Act.
Summary: Requires the board of medical examiners, in consultation with the board of osteopathic examination, to establish the process for licensure of graduate physicians. Define "graduate physician" and specifies that a graduate physician is considered a physician assistant for purposes of the regulations of the Centers for Medicare and Medicaid Services. Also specifies that graduate physicians are subject to the supervision requirements established in any controlling federal law and any supervision requirements established by the board of medical examiners. In order to remain licensed as a graduate physician, requires the graduate physician to successfully complete Step 3 of the United States Medical Licensing Exam (USMLE) no later than one year from the date that the graduate obtained a graduate physician license. Specifies that if the graduate physician does not successfully complete Step 3 of the USMLE, then the graduate physician's license must be revoked. Prohibits a graduate physician from practicing without a graduate physician collaborative practice arrangement. Defines "graduate physician collaborative practice arrangement" as an agreement between a licensed physician and a graduate physician that meets certain requirements. Establishes parameters for graduate physician collaborative arrangements. (12 pp.)
Amendment Summary:
House Facilities, Licensure, & Regulations Subcommittee amendment 1 (004588) redefines "graduate physician collaborative practice arrangement" establishing that this is a one-year agreement that can only be renewed for an additional one-year period. Establishes that the supervision requirements do not apply to physicians assistants or advance practice nurses.
Fiscal Note:
(Dated February 22, 2019) Increase State Revenue - $13,400/FY19-20/Board of Medical Examiners $13,400/FY20-21/Board of Medical Examiners $20,400/FY21-22 and Subsequent Years/ Board of Medical Examiners SB 672 HB 810 Increase State Expenditures Less than $69,300/FY19-20/Board of Medical Examiners Less than $65,000/FY20-21/Board of Medical Examiners Less than $72,000/FY21-22 and Subsequent Years/ Board of Medical Examiners Pursuant to Tenn. Code Ann. 4-29-121, all health related boards are required to be self-supporting over a two-year period. 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.

SB696/HB894  Study on direct primary care.
Summary: 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
Senate Status: 02/07/19 - Referred to Senate Health & Welfare Committee.
House Status: 04/02/19 - Taken off notice in House Facilities, Licensure & Regulations Subcommittee.

SB743/HB422  Practice of nursing - references to human patients.
Summary: 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
Senate Status: 04/17/19 - Senate passed.
House Status: 03/14/19 - House passed with amendment 1 (004830).
Executive Status: 05/02/19 - Signed by governor.

**SB791/HB935** Per-encounter opioid treatment.

**Sponsors:** Sen. Johnson, Jack, Rep. Lamberth, William

**Summary:** Clarifies that per-encounter opioid treatment by a healthcare practitioner is an exception to the prohibition on treatment of a patient with an opioid more frequently than every 10 days. Broadly captioned.

Fiscal Note: (Dated February 20, 2019) NOT SIGNIFICANT
Senate Status: 02/07/19 - Referred to Senate Health & Welfare Committee.
House Status: 02/11/19 - Referred to House Mental Health & Substance Abuse Subcommittee.

**SB807/HB951** Licensure exemptions - direct care services.

**Sponsors:** Sen. Johnson, Jack, Rep. Lamberth, William

**Summary:** Exempts from licensure requirements a person providing direct care services at most four people receiving services through consumer direction in a Medicaid home and community-based services program.

**Amendment Summary:** Senate amendment 1 (004801) replaces this bill's exemption from licensure for a person providing direct care services to no more than four people receiving services through consumer direction in a Medicaid home and community-based services program. This amendment instead adds to present law an exemption for a person providing direct care services to no more than three people receiving services through consumer direction in a Medicaid home- and community-based services program. This amendment specifies that the exemption it adds does not apply to an individual who holds out to the public as being in the business of providing personal support services for compensation.

Fiscal Note: (Dated February 16, 2019) NOT SIGNIFICANT
Senate Status: 02/28/19 - Senate passed with amendment 1 (004801).
House Status: 03/14/19 - House passed.
Executive Status: 04/08/19 - Enacted as Public Chapter 0089 effective April 4, 2019.

**SB884/ HB1377** Doctor of Medical Science Act.

**Sponsors:** Sen. Niceley, Frank, Rep. Sexton, Jerry

**Summary:** 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

Senate Status: 03/19/19 - Set for Senate State & Local Government Committee.
House Status: 02/13/19 - Referred to House Facilities, Licensure & Regulations Subcommittee.

SB937/HB1219
Issuance of temporary occupational licenses to spouses of members of
the armed forces.

**Sponsors:** Sen. Yarbro, Jeff, Rep. Potts, Jason

**Summary:** Directs the department of health and the department of commerce and insurance to promulgate rules for the issuance of temporary occupational licenses to spouses of members of the armed forces of the United States who have been transferred by the military to Tennessee.

**Fiscal Note:** (Dated February 22, 2019) NOT SIGNIFICANT

**Senate Status:** 03/19/19 - Failed in Senate Commerce & Labor Committee.

**House Status:** 02/26/19 - Taken off notice in House Business Subcommittee.

**SB999/HB1218** Reinstatement of professional and occupational licenses under certain circumstances.

**Sponsors:** Sen. Yarbro, Jeff, Rep. Potts, Jason

**Summary:** Allows the reinstatement of a professional or occupational license if there is submission of an application acceptable to the licensing entity, payment of the full renewal fee for an active license, and payment of any reinstatement penalty that may be required by the licensing entity.

**Fiscal Note:** (Dated February 22, 2019) NOT SIGNIFICANT

**Senate Status:** 03/19/19 - Failed in Senate Commerce & Labor Committee for lack of a second.

**House Status:** 02/26/19 - Failed in House Business Subcommittee due to lack of second.

**SB1060/HB656** Adds a timeline for each board to post guidelines and standards.

**Sponsors:** Sen. Dickerson, Steven, Rep. Hill, Matthew

**Summary:** 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 amendment 1 (005261) rewrites this bill. Under present law, only licensed physicians are authorized to prescribe any buprenorphine product for any federal food and drug administration approved use in recovery or medication-assisted treatment. Other healthcare providers who are otherwise permitted to prescribe Schedule II or III drugs are prohibited from prescribing any buprenorphine product for treatment of opioid dependence, but may participate in the assessment and management of patients with an opiate addiction. This amendment revises the above provisions to authorize nonphysician healthcare providers who are otherwise permitted to prescribe Schedule II or III drugs to also prescribe a buprenorphine product for the treatment of opioid use disorder if the healthcare provider: (A) Is licensed and has practiced as a family, adult, or psychiatric nurse practitioner or physician assistant in this state; (B) Has had no limitations or conditions imposed on the provider's license by the provider's licensing authority within the previous three years; (C) Is employed by a community mental health center or a federally qualified health center that employs one or more physicians and has adopted clinical protocols for medication-assisted treatment; (D) Works under the supervision of a physician who holds a waiver registration from the federal drug enforcement agency that authorizes the physician to prescribe buprenorphine products; (E) Obtains a waiver registration from the federal drug enforcement agency that authorizes the provider to prescribe buprenorphine products under federal law; (F) Prescribes buprenorphine products only to patients who are treated through the organization that employs the provider; and (G) Writes prescriptions that can only be dispensed by a licensed pharmacy to ensure entry into the controlled substance database.

**Fiscal Note:** (Dated February 9, 2019) NOT SIGNIFICANT

**Senate Status:** 04/10/19 - Taken off notice in Senate Health & Welfare Committee.

**House Status:** 04/17/19 - House passed with amendment 1 (005261).

**SB1128/HB1350** Report on nursing training needs.

**Sponsors:** Sen. Kyle, Sara, Rep. Deberry Jr., John

**Summary:** Requires the board of nursing executive director report on workforce needs for nurses in healthcare institutions and facilities and the need for any beneficial changes to the educational training of nurses in order to meet those needs to the health committees of both legislative houses. Broadly captioned.

**Amendment Summary:** House amendment 1 (007662) rewrites this bill. Under present law, to be a "registered nurse first assistant," a person must: (1) Be licensed as a registered nurse in this state; (2) Be certified in perioperative nursing; and (3) Have successfully completed a registered nurse first assistant education program that meets the education standard of the Association of Perioperative Registered Nurses for a registered nurse first assistant. This amendment adds as an alternative to meeting the certification requirement described in (2) above, that the person is certified as an advanced practice registered nurse and is qualified by education and training to perform tasks involved in perioperative nursing, as determined by the board. This bill as amended will take effect upon becoming law for rulemaking purposes and on July 1, 2020, for all other purposes.
Fiscal Note: (Dated March 27, 2019) Increase State Expenditures $500,000/One-Time/Board of Nursing Pursuant to Tenn. Code Ann. 4-29-121, all health related boards are required to be self-supporting over a two-year period. The Board of Nursing had an annual surplus of $1,564,664 in FY16-17, an annual surplus of $1,674,535 in FY17-18, and a cumulative reserve balance of $10,142,909 on June 30, 2018.

Senate Status: 04/22/19 - Senate passed.
House Status: 04/18/19 - House passed with amendment 1 (007662).
Executive Status: 04/29/19 - Sent to governor.

SB1142/HB1121 Annual report of board of examiners in psychology submitted to governor.
Summary: Authorizes the board of examiners in psychology to submit its annual report to the governor in electronic form. Broadly captioned.
Fiscal Note: (Dated February 7, 2019) NOT SIGNIFICANT
Senate Status: 03/06/19 - Taken off notice in Senate Health & Welfare Committee.
House Status: 03/05/19 - Taken off notice in House Facilities, Licensure & Regulations Subcommittee.

SB1156/HB1203 Report on number of certificates issued to practice acupuncture in state.
Summary: Requires advisory committee for acupuncture report to the medical examiners board the number of certificates issued to practice acupuncture in this state in 2019, and a 10-year plan to grow the practice in this state. Broadly captioned.
Fiscal Note: (Dated February 20, 2019) NOT SIGNIFICANT
Senate Status: 04/10/19 - Taken off notice in Senate Health & Welfare Committee.
House Status: 04/02/19 - Taken off notice in House Facilities, Licensure & Regulations Subcommittee.

SB1327/HB1088 Application of licensure expedited for military spouses.
Summary: Deletes requirement that spouses armed forces service members of the United States be actively employed in a profession when moving to this state in order to have their licensure application expedited. Broadly captioned.
Fiscal Note: (Dated February 14, 2019) NOT SIGNIFICANT
Senate Status: 03/12/19 - Taken off notice in Senate Commerce & Labor Committee.
House Status: 02/19/19 - Taken off notice in House Business Subcommittee.

PUBLIC EMPLOYEES

SB57/HB978 Public employment by women with pregnancy-related conditions.
Summary: Prohibits public employers from discriminating against employees with pregnancy-related conditions, defined as taking adverse action, denying employment opportunities, or requiring employees to take leave. Employers are granted exceptions if providing accommodations for these conditions would result in undue hardship. The human rights commission is charged with developing courses to inform employers, employees, and applicants of their rights and responsibilities, and with hearing complaints from those claiming to be aggrieved by these prohibited discriminatory practices.
Fiscal Note: (Dated January 29, 2019) NOT SIGNIFICANT
Senate Status: 04/09/19 - Taken off notice in Senate State & Local Government Committee.
House Status: 04/03/19 - Taken off notice in House Public Service & Employee Subcommittee.

SB579/HB643 Removes law enforcement as mental health department transportation method for people with certain conditions.
Summary: Removes law enforcement as a transportation option provided by the mental health and substance abuse services department for people with developmental disabilities, mental illness, or serious emotional disturbance.
Amendment Summary: House amendment 1 (008322) deletes all language after the enacting clause. Creates a grant program through the Department of Finance and Administration, in consultation with the Department of Mental Health and Substance Abuse Services and the Division of TennCare, to assist sheriffs required to transport persons to a hospital or treatment resource for emergency mental health transport under this section.
Prohibits assistance from the grant program for emergency mental health transports where a physician, psychologist, or designated professional determines that the person can be transported by friends, neighbors, or other mental health professionals familiar with the person, relatives, or member of the clergy. Authorizes a sheriff to contract with one or more third parties or other law enforcement agencies to transport persons to a hospital or treatment resource. Sheriffs may use grant funds to pay for the services. Authorizes hospitals or treatment resources to conduct an evaluation for admission through telehealth if such services are available and offered.

Fiscal Note: (Dated February 8, 2019) NOT SIGNIFICANT
Senate Status: 05/01/19 - Senate passed.
House Status: 04/22/19 - House passed with amendment 1 (008322).
Executive Status: 05/01/19 - Sent to the speakers for signatures.

SB1499/HB1274 Attorney general duties regarding biological sex bathroom policy tribunals.
Summary: Expands the attorney general and reporter's duties to include court representation of an LEA or certain LEA employees regarding policies requiring students, faculty, and staff use of facilities that corresponds to that individual's biological sex.
Amendment Summary: House amendment 2 (008504) deletes and replaces all language after the enacting clause such that the substantive changes are to: (1) limit such duties to a policy, rather than a policy or practice, adopted by an LEA, and (2) specify that an LEA policy that in the opinion of the Attorney General and Reporter is not constitutional upon consideration of definitive court decisions on the constitutionality of similar policies.
Fiscal Note: (Dated March 27, 2019) Other Fiscal Impact To the extent the Attorney General determines that a private attorney would be in the best interest of the local education agency (LEA) or the LEAs employee, there will be an increase in state expenditures for reimbursement of defense costs. The timing and extent of any such impact cannot be reasonably determined.
Senate Status: 05/01/19 - Re-referred to Senate State & Local Committee.
House Status: 04/30/19 - House passed with amendment 2 (008504).

PUBLIC FINANCE

SB988/HB1024 Notification regarding estimate of board fees.
Sponsors: Sen. Stevens, John , Rep. Lynn, Susan
Summary: 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
Senate Status: 04/02/19 - Senate Finance Revenue Subcommittee returned to full committee with a negative recommendation.
House Status: 02/11/19 - Caption bill held on House clerk's desk.

SB1050/HB1019 Grant payments under grant assistance program for nursing home care.
Sponsors: Sen. Watson, Bo , Rep. Lynn, Susan
Summary: Authorizes grant payments under the grant assistance program for nursing home care to be made either monthly or quarterly. Broadly captioned.
Fiscal Note: (Dated February 8, 2019) NOT SIGNIFICANT
Senate Status: 04/30/19 - Taken off notice in Senate Finance, Ways & Means Committee.
House Status: 02/13/19 - Referred to House Finance, Ways & Means Subcommittee.

TAXES BUSINESS

SB1099/HB330 Amusement tax on dues or fees to membership sport and recreation clubs.
Sponsors: Sen. Dickerson, Steven , Rep. White, Mark
Summary: Removes amusement tax on dues or fees to membership sports and recreation clubs.
Fiscal Note: (Dated March 20, 2019) Decrease State Revenue $21,078,400 Decrease Local Revenue $8,601,500
Senate Status: 03/12/19 - Taken off notice in Senate Finance Revenue Subcommittee.
House Status: 02/05/19 - Referred to House Finance, Ways & Means Subcommittee.

TAXES PROPERTY
SB321/HB543  Requirement of notice from the delinquent tax attorney relative to property tax.
Summary: 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.
Senate Status: 04/09/19 - Senate State & Local Government Committee deferred to final calendar.
House Status: 04/10/19 - Taken off notice in House Finance, Ways & Means Subcommittee.

TAXES SALES

SB946/HB1213  Eliminates food tax, increases sin taxes on tobacco.
Summary: Eliminates the four percent state sales tax on food for human consumption. Increases the tax on cigarettes from three cents per cigarette to 8.35 cents per cigarette. Increases the tax on other tobacco products from 6.6 percent to 17 percent of the wholesale cost price.
Fiscal Note: (Dated April 12, 2019) Decrease State Revenue Net Impact $92,745,000 Decrease Local Revenue Net Impact $327,856,800
Senate Status: 03/19/19 - Taken off notice in Senate Finance Revenue Subcommittee.
House Status: 02/13/19 - Referred to House Finance, Ways & Means Subcommittee.

TENNCARE

SB378/HB378  Authorizes governor to make decisions regarding medical assistance programs.
Summary: Removes requirement for the governor to receive authorization from the general assembly to make decisions pertaining to expanding optional enrollment in medical assistance programs.
Fiscal Note: (Dated February 6, 2019) NOT SIGNIFICANT
Senate Status: 02/06/19 - Referred to Senate Health & Welfare Committee.
House Status: 02/06/19 - Referred to House TennCare Subcommittee.

SB464/HB1050  Expands governor's authority with medicaid.
Summary: 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.
Senate Status: 04/16/19 - Taken off notice in Senate Commerce & Labor Committee.
House Status: 04/10/19 - Failed in House TennCare Subcommittee.

Summary: 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.
Amendment Summary: House amendment 1 (006210) deletes all language after the enacting clause. Enacts the Annual Coverage Assessment Act of 2019, which establishes an annual coverage assessment on hospitals of 4.87 percent of a covered hospital's annual coverage assessment base.
SB476/HB498  Reduces time for mailing documentation - TennCare applications.

Sponsors: Sen. Roberts, Kerry , Rep. Whitson, Sam
Summary: Reduces from 30 to 15 days the time for a medical assistance applicant to mail documentation of a material change affecting their TennCare application. Broadly captioned.
Amendment Summary: House amendment 1 (006388) deletes all language after the caption of the proposed legislation. Directs the Commissioner of the Department of Finance and Administration, no later than 120 days after the effective date of this act, to submit a waiver or waivers pursuant to Section 1115 of the Social Security Act to the federal Centers for Medicare and Medicaid Services (CMS) for the purpose of establishing a distinct Katie Beckett program. Requires the program to be designed in consultation with the Commissioner of the Department of Intellectual and Developmental Disabilities. House amendment 2 (008921) deletes the provision in 006388 that requires Part A and Part B to be approved by CMS for the Katie Beckett program to be administered and replaces it with the provision to authorize the approval of either Part A or Part B by CMS for the program to be administered without the other part.

Fiscal Note: (Dated February 3, 2019) NOT SIGNIFICANT
Senate Status: 05/01/19 - Senate passed.
House Status: 04/30/19 - House passed with amendment 1 (006388) and amendment 2 (008921).
Executive Status: 05/01/19 - Sent to the speakers for signatures.

SB608/HB702 Reimbursement for qualifying home and community-based services received from non-contracted providers.

Summary: Requires amendments to rules concerning home-based and community-based settings be consistent with an intent for services to be received in the most integrated setting appropriate to the person's needs. Authorizes the Bureau of TennCare to make to make eligible for consumer direction and reimbursement qualifying home-based and community-based services received from non-contracted providers when: services are provided by a state-licensed program or provider; services are provided in the most integrated setting appropriate to the individual's needs; services are comparable to those included in the home- and community-based CHOICES program; services align with the person-centered individualized support plan; and services do not exceed annual cost limits assigned to a CHOICES benefit group.

Fiscal Note: (Dated February 18, 2019) Increase State Expenditures Exceeds $3,183,000
Senate Status: 02/7/19 - Referred to Senate Health & Welfare Committee.
House Status: 02/20/19 - Taken off notice in House TennCare Subcommittee.

SB744/HB857 Actuarial study of the medical assistance program and participating managed care organizations.

Summary: 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
Senate Status: 04/16/19 - Senate Commerce & Labor Committee deferred to first calendar of 2020.
House Status: 04/10/19 - Taken off notice in House TennCare Subcommittee.

SB974/HB1094 Federal waiver to establish VolunteerCare.

Summary: Allows the commissioner of finance and administration to enter into a contract with one or more insurers to provide coverage to those who enroll in the VolunteerCare plan and to grant a person aged 55 or older, ineligible for coverage through medicare, to purchase coverage through VolunteerCare. Requires the commissioner to establish the VolunteerCare plan within TennCare. Defines coverage granted by VolunteerCare.
Fiscal Note: (Dated February 9, 2019) Other Fiscal Impact If the waiver amendment is approved by Centers for Medicare & Medicaid Services (CMS), it is assumed the Division of TennCare would experience an increase in state expenditures to administer the program. The extent to which such expenditures will be offset with premiums and copayments from enrollees is unknown. Otherwise, any fiscal impact is considered not significant.

Senate Status: 04/09/19 - Taken off notice in Senate Commerce & Labor Committee.
House Status: 04/10/19 - Taken off notice in House TennCare Subcommittee.

SB983/HB1092 Medicaid expansion.
Summary: 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.


Senate Status: 04/09/19 - Taken off notice in Senate Commerce & Labor Committee.
House Status: 04/10/19 - Taken off notice in House TennCare Subcommittee.

SB987/HB1179 Removes the use of state-funded pharmacy benefits managers.
Sponsors: Sen. Reeves, Shane , Rep. Terry, Bryan
Summary: 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*

Senate Status: 04/02/19 - Taken off notice in Senate Commerce & Labor Committee.
House Status: 04/03/19 - Taken off notice in House Life & Health Insurance Subcommittee.
Executive Status: 03/04/19 - Joint Council on Pensions and Insurance released to standing committees with unfavorable comment.

SB1029/HB1430 Medicaid expansion.
Sponsors: Sen. Yarbro, Jeff , Rep. Stewart, Mike
Summary: 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.


Senate Status: 04/16/19 - Taken off notice in Senate Commerce & Labor Committee.
House Status: 04/10/19 - Taken off notice in House TennCare Subcommittee.

SB1049/HB1259 Medicaid expansion for residents with opioid addictions.
Summary: Requires the TennCare bureau submit to the federal health and human services department a Section 1115 waiver that would expand medicaid eligibility to residents who suffer from an opioid addiction and earn less than 138 percent of the federal poverty level if eligibility only lasts for the duration of the person's involvement in a substance abuse treatment program. Broadly captioned.

Fiscal Note: (Dated March 26, 2019) Increase State Expenditures - $111,285,400/FY19-20 $64,319,400/FY20-21 and Subsequent Years Increase Federal Expenditures - $210,116,500/FY19-20 $121,440,600/FY20-21 and Subsequent Years

Senate Status: 04/02/19 - Taken off notice in Senate Commerce & Labor Committee.
House Status: 02/13/19 - Referred to House TennCare Subcommittee.

SB1428/HB1280 TennCare II funding by means of a block grant indexed for inflation and population growth.
Summary: 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 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. Senate amendment 1 (008269) increases the number of days after the effective date of this act for the submission of a waiver amendment to the existing TennCare II waiver, or for the submission of a new waiver, from 120 days to 180 days. Adds that the block grant authorized must convert the federal share of all medical assistance funding for this state into an allotment that excludes from the block grant financing amount any expenses that are not included in the state's existing 1115 demonstration waiver, factors the current inaccurate reflection of the state's labor costs in the state's Medicare Wage Index, excludes administrative costs from the block grant financing amount, permits the state to continue to draw federal matching funds for administrative costs, provides the state with minimum flexibility with regard to existing federal mandates, provides the state with maximum flexibility regarding pharmacy benefits, provides the state with maximum flexibility to serve other needy populations with distinct financial needs, and remains at the level set according to the block grant without any decrease in the federal share of all medical assistance funding for this state based on deflation or a reduction in population.

**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.

**Senate Status:**
05/02/19 - Senate adopted conference committee report (009338).
**House Status:**
05/02/19 - House adopted conference committee report (009338).
**Executive Status:**
05/02/19 - Sent to the speakers for signatures.

**SB1469/HB1175 Reports on use of technical assistance groups of healthcare providers in developing episodes of care.**

**Sponsors:**

**Summary:**
Clarifies that the bureau of TennCare and the health care finance and administration of the department of finance and administration may submit by electronic means the quarterly reports on the use of technical assistance groups of healthcare providers in developing episodes of care. Broadly captioned.

**Amendment Summary:**
House TennCare Subcommittee amendment 1 (008011) deletes all language after the enacting clause. Requires the Division of TennCare (Division) to reimburse ambulance service providers for covered services provided to TennCare at the current maximum contracted reimbursement rate for those services as of May 31, 2019. Senate Commerce & Labor Committee amendment 1 (008352) rewrites the bill. Defines ambulance service provider. Requires the bureau of TennCare to reimburse ambulance service providers for covered services provided to TennCare recipients at a rate not less than 70 percent of the federal medicare program's allowable charge for participating providers.

**Fiscal Note:**
(Dated February 8, 2019) NOT SIGNIFICANT

**Senate Status:**
04/30/19 - Taken off notice in Senate Finance, Ways & Means Committee.
**House Status:**
04/15/19 - Taken off notice in House Insurance Committee.

**SJR171 Urges TennCare improve treatment access for opioid addiction.**

**Sponsors:**
Sen. Yarbro, Jeff

**Summary:**
Encourages the bureau of TennCare to improve access to and quality of treatment for eligible Tennessee residents suffering from addiction to opiates and other substances by means of an appropriate federal Section 1115 waiver for medicaid services.

**Senate Status:**
02/11/19 - Referred to Senate Commerce & Labor Committee.

**SJR172 Medicaid eligibility expansion.**

**Sponsors:**
Sen. Yarbro, Jeff

**Summary:**
Authorizes governor to expand Medicaid eligibility.

**Senate Status:**
02/11/19 - Referred to Senate Commerce & Labor Committee.

**TRANSPORTATION VEHICLES**

**SB636/HB1162 Tests for alcohol or drug content of blood.**

**Sponsors:**

**Summary:**
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
SB951/HB1037  Proceeds from the sale of specialty license plates.


**Summary:** Prevents proceeds received by nonprofit organization from sale of specialty license plates from being spent on attorney's fees, court costs, or other expenses for lawsuits filed against state or local government.

**Fiscal Note:** (Dated April 2, 2019) NOT SIGNIFICANT

**Senate Status:** 02/11/19 - Referred to Senate Transportation & Safety Committee.

**House Status:** 02/13/19 - Referred to House Safety & Funding Subcommittee.

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SB1409/HB716  Creates per se DUI offense - blood contains certain controlled substances.

**Sponsors:** Sen. Bell, Mike , Rep. Griffey, Bruce

**Summary:** Establishes the School Zone Safety Act. Doubles the penalties for misdemeanor violations as well as violations of consent law and increases a felony violation to one classification higher only if these offenses are perpetrated within 1,000 feet of a school. Specifically targets impaired driving in school zones. Creates per se DUI offense of driving while the person's blood includes any amount of Schedule I controlled substance or Schedule II, III, IV, or V controlled substance that cannot be dispensed without a prescription when the person does not have a valid prescription.

**Amendment Summary:** Senate Judiciary Committee amendment 1, House Judiciary Committee amendment 1 (007824) deletes and rewrites all language after the enacting clause such that the substantive changes are: (1) adds a person's regular healthcare provider and the person's child's regular healthcare provider to the list of eligible places a court issuing an order to allow a person to operate a motor vehicle with geographic restrictions or a restricted license is authorized to go to and from, (2) removes enhancements for impaired driving in a school zone and for vehicular assault, aggravated vehicular assault, and vehicular homicide by intoxication, and (3) specifies that broadening the offense of DUI is effective July 1, 2019, and is required to apply to violations occurring on or after that date and the remaining portions of the proposed legislation are effective upon becoming law.

**Fiscal Note:** (Dated March 20, 2019) Increase State Revenue Exceeds $9,300/Electronic Monitoring Indigency Fund Exceeds $1,500/Impaired Drivers Trust Fund Exceeds $800/Department of Safety Exceeds $400/Finance and Administration Exceeds $30,700/Alcohol and Drug Addiction Treatment Fund Increase State Expenditures $7,009,600 Incarceration* Exceeds $9,300/Electronic Monitoring Indigency Fund Exceeds $1,500/Impaired Drivers Trust Fund Exceeds $800/Department of Safety Exceeds $400/Finance and Administration Exceeds $30,700/Alcohol and Drug Addiction Treatment Fund Increase Local Expenditures $663,000**

**Senate Status:** 04/23/19 - Senate Judiciary Committee deferred to first calendar of 2020 after adopting amendment 1 (007824).

**House Status:** 04/30/19 - Taken off notice in House Finance, Ways & Means Subcommittee.

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VETERANS & MILITARY AFFAIRS

SB673/HB787  Department employee training for those assisting veterans with mental health issues.

**Sponsors:** Sen. Briggs, Richard , Rep. Hall, Mark

**Summary:** Requires veteran services department provide training in mental health crisis management to the employees who assist veterans with mental health issues.

**Amendment Summary:** Senate amendment 1 (006589) deletes all language after the enacting clause. Requires the Department of Veterans Services (DVS) to provide training in suicide prevention to employees who directly interact with veterans. Authorizes DVS to utilize resources from nonprofit organizations to provide training.

**Fiscal Note:** (Dated February 25, 2019) Increase State Expenditures $1,700/One-Time $88,800/Recurring

**Senate Status:** 04/17/19 - Senate passed with amendment 1 (006589).

**House Status:** 04/30/19 - Taken off notice in House Finance, Ways & Means Subcommittee.

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WELFARE

SB550/HB110  Employment Opportunities for Parents Act.

**Sponsors:** Sen. Roberts, Kerry , Rep. Cepicky, Scott

**Summary:** Increases employment and self-sufficiency among families by assigning able-bodied parents who have school-aged children and receive food stamps to workforce programs, as authorized by federal law.
**SB1210/HB1375** Removes language regarding expired special joint committee that studied issues on CoverKids.

**Sponsors:** Sen. Crowe, Rusty, Rep. Sexton, Jerry

**Summary:** Deletes code section that created a special joint committee to study issues pertaining to the Diabetes Prevention and Health Improvement, Access Tennessee, Cover Tennessee, and CoverKids programs, which ceased to exist as of January 15, 2011. Broadly captioned.

**Fiscal Note:** (Dated February 8, 2019) NOT SIGNIFICANT

**Senate Status:** 02/11/19 - Referred to Senate Commerce & Labor Committee.

**House Status:** 02/11/19 - Caption bill held on House clerk’s desk.

**SB1279/HB1238** Verification of citizenship required for certain public benefits.

**Sponsors:** Sen. Pody, Mark, Rep. Griffey, Bruce

**Summary:** 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.

**Amendment Summary:** House Criminal Justice Subcommittee amendment 1 (005958) rewrites the bill to: (1) require the District Attorney General (DAG) prosecuting a criminal case, the investigator assigned to a criminal case, or the official of the jail in which the defendant in a criminal case is held, to take affirmative steps to determine the defendant's immigration status with the Bureau of Immigration and Customs Enforcement (ICE) of the United States Department of Homeland Security prior to a preliminary proceedings in the criminal case. (2) Require the judge of the court of general sessions presiding over a criminal case to inquire at a preliminary proceeding as to whether the DAG, the investigator or the official of the jail has determined the defendant's immigration status. (3) Establish that a defendant charged with a criminal offense who is determined to be unlawfully present in the United States is presumed to be a flight risk. (4) Require a judge to set bail at an amount sufficient enough to cover the cost of retrieving the defendant from outside of the United States. (5) Require all state and local law enforcement, prisons, jails, detention centers, jail administrations and similar agencies to cooperate to the fullest extent possible with any detention detainers of ICE, within the limits of state and federal law.

**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.

**Senate Status:** 02/11/19 - Referred to Senate Health & Welfare Committee.

**House Status:** 03/27/19 - Failed in House Criminal Justice Subcommittee after adopting amendment 1 (005958).

**SJR98** Revisions and updates to the Medicare Wage Index factor.

**Sponsors:** Sen. Niceley, Frank

**Summary:** Urges Congress and the United States Department of Health and Human Services to revise and update the Medicare Wage Index factor.

**Fiscal Note:** (Dated February 13, 2019) NOT SIGNIFICANT

**Senate Status:** 02/28/19 - Senate adopted.

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