



Weekly Legislative Update 2018

February 9, 2018

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Abuse and Neglect

SB1193/HB305 INSURANCE HEALTH: Annual report on info submitted pursuant to TN Health Care Liability Reporting Act.

Sponsors: Sen. Norris, Mark , Rep. Hawk, David
Summary: Extends the time that the commissioner has to submit the annual report to the speakers summarizing the information submitted pursuant to the Tennessee Health Care Liability Reporting Act from November 1 to December 1. Part of Administration Package.
Fiscal Note: (Dated February 8, 2017) NOT SIGNIFICANT
Senate Status: 02/13/17 - Referred to Senate Commerce & Labor Committee.
House Status: 02/07/17 - Referred to House Insurance & Banking Subcommittee.
Caption: AN ACT to amend Tennessee Code Annotated, Title 56, relative to insurance.

Budget and Appropriations

SB1965/HB2027 PUBLIC FINANCE: Grant payments for nursing home care.

Sponsors: Sen. Watson, Bo , Rep. Johnson, Curtis
Summary: STATE SUMMARY - As introduced, authorizes grant payments under the grant assistance program for nursing home care to be made either monthly or quarterly.
Fiscal Note: (Dated January 31, 2018) NOT SIGNIFICANT
Senate Status: 02/01/18 - Referred to Senate Finance, Ways & Means Committee.
House Status: 02/05/18 - Referred to House Finance, Ways & Means Subcommittee.
Caption: AN ACT to amend Tennessee Code Annotated, Title 3; Title 4; Title 5; Title 6; Title 7; Title 8; Title 9; Title 10; Title 11; Title 12; Title 13; Title 16; Title 17; Title 18; Title 29; Title 33; Title 36; Title 37; Title 38; Title 39; Title 40; Title 41; Title 42; Title 43; Title 44; Title 45; Title 47; Title 48; Title 49; Title 50; Title 53; Title 54; Title 55; Title 56; Title 57; Title 58; Title 59; Title 60; Title 61; Title 62; Title 63; Title 64; Title 65; Title 66; Title 67; Title 68; Title 69; Title 70 and Title 71, relative to statutory revisions required for implementation of the annual appropriations act.

SB1966/HB2176 PUBLIC FINANCE: Appropriations - FY 2017-2018.

Sponsors: Sen. Watson, Bo , Rep. Hazlewood, Patsy
Summary: STATE SUMMARY - As introduced, makes appropriations for the purpose of defraying the expenses of certain legislative enactments passed during the 2018 session of the 110th General Assembly; earmarks sufficient state funds for the purpose of funding any bill naming a highway or bridge in honor of a service member killed in action.



Senate Status: 02/01/18 - Referred to Senate Finance, Ways & Means Committee.
House Status: 02/05/18 - Referred to House Finance, Ways & Means Subcommittee.
Caption: AN ACT to make appropriations for the purpose of defraying the expenses of the state government for the fiscal years beginning July 1, 2017, and July 1, 2018, in the administration, operation, and maintenance of the legislative, executive, and judicial branches of the various departments, institutions, offices, and agencies of the state; for certain state aid and obligations; for capital outlay, for the service of the public debt, for emergency and contingency; to repeal certain appropriations and any acts inconsistent herewith; to provide provisional continuing appropriations; and to establish certain provisions, limitations, and restrictions under which appropriations may be obligated and expended. This act makes appropriations for the purposes described above for the fiscal years beginning July 1, 2017, and July 1, 2018.

SB2552/HB2644 PUBLIC FINANCE: Appropriations - FY 2017 -2018.

Sponsors: Sen. Norris, Mark , Rep. Sargent, Charles
Summary: Makes appropriations for the fiscal years beginning July 1, 2017, and July 1, 2018.
Senate Status: 02/05/18 - Referred to Senate Finance, Ways & Means Committee.
House Status: 02/07/18 - Referred to House Finance, Ways & Means Subcommittee.
Caption: AN ACT to make appropriations for the purpose of defraying the expenses of the state government for the fiscal years beginning July 1, 2017, and July 1, 2018, in the administration, operation and maintenance of the legislative, executive and judicial branches of the various departments, institutions, offices and agencies of the state; for certain state aid and obligations; for capital outlay, for the service of the public debt, for emergency and contingency; to repeal certain appropriations and any acts inconsistent herewith; to provide provisional continuing appropriations; and to establish certain provisions, limitations and restrictions under which appropriations may be obligated and expended. This act makes appropriations for the purposes described above for the fiscal years beginning July 1, 2017, and July 1, 2018.

SB2553/HB2646 PUBLIC FINANCE: Statutory revisions required for implementation of the annual appropriations act.

Sponsors: Sen. Norris, Mark , Rep. Sargent, Charles
Summary: Allows for grant payments under the grant assistance program for nursing home care being made monthly or quarterly. Makes statutory revisions required for implementation of the annual appropriations act.
Fiscal Note: (Dated February 2, 2018) NOT SIGNIFICANT
Senate Status: 02/05/18 - Referred to Senate Finance, Ways & Means Committee.
House Status: 02/07/18 - Referred to House Finance, Ways & Means Subcommittee.



Caption: AN ACT to amend Tennessee Code Annotated, Title 4; Title 5; Title 6; Title 8; Title 9; Title 10; Title 11; Title 12; Title 13; Title 16; Title 17; Title 18; Title 29; Title 33; Title 36; Title 37; Title 38; Title 39; Title 40; Title 41; Title 43; Title 45; Title 47; Title 48; Title 49; Title 50; Title 53; Title 54; Title 55; Title 56; Title 57; Title 58; Title 59; Title 60; Title 62; Title 63; Title 64; Title 65; Title 66; Title 67; Title 68; Title 69; Title 70 and Title 71, relative to statutory revisions required for implementation of the annual appropriations act.

Conservatorship

SB2077/HB2117 ESTATES & TRUSTS: Public guardianship for elderly persons and adults with disabilities.

Sponsors: Sen. Yager, Ken , Rep. Kumar, Sabi
Summary: Lowers the age requirement in the statewide public conservatorship program from 60 years or older to 40 years or older. Changes statutory language to broaden the program to include adults with disabilities.
Senate Status: 02/05/18 - Referred to Senate Judiciary Committee.
House Status: 02/05/18 - Referred to House Civil Justice Subcommittee.
Caption: AN ACT to amend Tennessee Code Annotated, Title 34, Chapter 7 and Title 71, Chapter 2, relative to the public guardianship for elderly persons and adults with disabilities.

Criminal Law

SB477/HB1411 CRIMINAL LAW: Abuse or neglect of a child who is handicapped.

Sponsors: Sen. Bowling, Janice , Rep. Weaver, Terri
Summary: Enhances the punishment for child abuse and child neglect or endangerment if the child is vulnerable because the child is handicapped. Defines "handicapped" to mean: (A) The person has a physical and permanent disability to such a degree that the person is unable to move from place to place without the aid of a wheelchair; (B) The person is blind; or (C) The person is deaf.
Amendment Summary: House Criminal Justice Subcommittee Amendment 1 (007044) rewrites the bill to limit application of the proposed legislation to children that are intellectually disabled.
Fiscal Note: (Dated February 26, 2017) Increase State Expenditures \$1,247,500/Incarceration* Increase Local Expenditures Net Impact Exceeds \$48,600/Incarceration** General
Senate Status: 04/18/17 - Taken off notice in Senate Judiciary Committee.
House Status: 04/19/17 - Taken off notice in House Criminal Justice Committee.



Caption: AN ACT to amend Tennessee Code Annotated, Title 39, Chapter 13; Title 39, Chapter 15 and Title 40, Chapter 35, relative to criminal offenses and criminal sentencing.

SB775/HB794 CRIMINAL LAW: Interrogation or interview of a child suspected of committing a delinquent act or unruly conduct.

Sponsors: Sen. Beavers, Mae , Rep. Sparks, Mike

Summary: Prohibits interrogation of a child who has been taken into custody for committing a delinquent act except in the presence of the child's legal counsel, parent, guardian, or custodian. Requires that a video recording be made of the interview and that the child be informed of their rights pertaining to this law.

Fiscal Note: (Dated March 30, 2017) Increase State Expenditures \$200/One-Time/Department of Safety Exceeds \$246,600/Recurring/Indigent Defense Fund Increase Local Expenditures Exceeds \$56,000/One-Time* Exceeds \$11,200/Recurring*

Senate Status: 02/13/17 - Referred to Senate Judiciary Committee.

House Status: 02/14/17 - Referred to House Criminal Justice Subcommittee.

Caption: AN ACT to amend Tennessee Code Annotated, Title 37 and Title 39, relative to juvenile justice.

SB2277/HB2043 CRIMINAL LAW: Rape of a person with an intellectual disability.

Sponsors: Sen. Pody, Mark , Rep. Deberry Jr., John

Summary: STATE SUMMARY - As introduced, increases punishment, from Class B felony to Class A felony Range II offender, for defendant convicted of rape of a person with an intellectual disability.

Senate Status: 02/05/18 - Referred to Senate Judiciary Committee.

House Status: 02/05/18 - Referred to House Criminal Justice Subcommittee.

Caption: AN ACT to amend Tennessee Code Annotated, Title 39, Chapter 13, Part 5 and Title 40, relative to intellectually disabled victims.

SB2621/HB2159 CRIMINAL LAW: Elderly and Vulnerable Adult Protection Act of 2018.

Sponsors: Sen. Norris, Mark , Rep. Keisling, Kelly

Summary: Creates a Class E felony offense for abuse of an elderly adult and creates a Class D felony offense for abuse of a vulnerable adult. Also creates the offense of aggravated abuse of an elderly or vulnerable adult and specifies that a violation is a Class C felony if the act results in serious psychological injury or serious physical harm. Also specifies that a violation is a Class B felony if a deadly weapon is used to accomplish the act, the abuse is



committed by two or more persons, or the abuse results in serious bodily injury. Creates a Class E felony offense for a caregiver to knowingly neglect an elderly or vulnerable adult, so as to adversely affect the person's health or welfare. Establishes other felony offenses in regard to elderly and vulnerable adults. (10 pp.)

Senate Status: 02/05/18 - Referred to Senate Judiciary Committee.

House Status: 02/07/18 - Referred to House Health Subcommittee.

Caption: AN ACT to amend Tennessee Code Annotated, Title 39; Title 40 and Title 71, relative to elderly and vulnerable adults.

Education

SB115/HB364 EDUCATION: Individualized education account (IEA) available for certain students with denied admittance.

Sponsors: Sen. Briggs, Richard , Rep. Zachary, Jason

Summary: Allows a student who was denied admittance to the individualized education account (IEA) program for the 2016-2017 school year because the student was not previously enrolled in a Tennessee public school the two semesters preceding the semester with an IEA to enroll in the program, if the student has the required disability and had an IEP at a Tennessee public school during the 2015-2016 school year.

Fiscal Note: (Dated February 17, 2017) Increase State Revenue \$4,700/Department of Education/FY17-18 \$2,300/Department of Education/Each Year FY18-19 through FY30-31 Increase State Expenditures \$38,600/Each Year FY18-19 through FY30-31/BEP Decrease Local Revenue - \$117,000/FY17-18/BEP Increase Local Expenditure \$19,200/Each Year FY18-19 through FY30-31/BEP

Senate Status: 03/29/17 - Taken off notice in Senate Education Committee.

House Status: 02/21/17 - Taken off notice in House Education Administration and Planning Subcommittee.

Caption: AN ACT to amend Tennessee Code Annotated, Title 49, Chapter 10, Part 14, relative to the individualized education act.

SB161/HB126 EDUCATION: Creation of the Opportunity Scholarship Pilot Program.

Sponsors: Sen. Kelsey, Brian , Rep. Brooks, Harry

Summary: Enacts the "Opportunity Scholarship Pilot Program," which awards scholarships to eligible students in certain LEAs (local education agencies), identified on a list approved by the state board of education as having at least thirty schools in the bottom five percent of schools in overall achievement as determined by the performance standards and other criteria set by the state board.



*Amendment
Summary:*

Senate Education Committee Amendment 1 (004726) rewrites the bill and makes the following substantive changes: 1) limits the pilot program to five years starting in the 2018 academic year, 2) limits the pilot program to LEAs with the most schools in the bottom five percent of overall achievement, 3) requires the Office of Research and Education Accountability (OREA) under the Comptroller of the Treasury (COT) to provide a detailed report on the pilot program on a bi-annual basis as well as at the end of the pilot program, 4) includes schools within the Achievement School District (ASD) within the geographic footprint of each LEA as in the LEA for the purpose of counting schools in the bottom five percent, 5) provides the DOE with discretion on whether participating schools must submit a financial audit, 6) requires LEAs to notify the DOE with names of parents of students eligible for the pilot program, 7) authorizes participating students to continue beyond the end of the pilot program as scholarship students, and 8) changes the proposed enrollment caps as follows--for LEAs with a school that is in the bottom five percent of achievement at 2,500 scholarships for FY18-19, 5,000 scholarships in FY19-20 and subsequent years. House Education Administration and Planning Committee Amendment 1 (005169) amends Amendment 2 by deleting 49-1-1204(a)(4) in Section 1 of the bill and substituting instead: "Annually administer to scholarship students the same state-mandated assessments in grades 3-12 that are administered by the LEA in which the program is located." House Education Administration and Planning Committee Amendment 2 (005059) rewrites the bill. It establishes a five-year program for the LEA having the most schools identified on the priority list. It'll be monitored by the OREA in the office of the comptroller of the treasury, which will report to the general assembly on the second and fourth full years of the program's operation of its effectiveness. OREA will determine 1) achievement results, 2) graduation rates, 3) retention rates, and 4) other important information for all participating schools. In order to administer the program, the department shall 1) require the LEAs to provide the department with the names and physical addresses of parents of eligible students, 2) provide notice to parents of student eligibility and of participating schools, 3) accept applications from parents of eligible students and award scholarships to eligible students, 4) determine and approve school and student eligibility and participation pursuant to the requirements of this part, 5) establish application and participation timelines that will maximize student and school participation, 6) remit scholarship payments to participating schools on behalf of scholarship recipients, 7) annually publish achievement results, graduation rates, and retention rates, and 8) make information available on the department's website to inform parents of eligible students of all available scholarship options. The department may suspend a school's participation in the program if their levels of student achievement growth are at a level of "below expectations" or "significantly below expectations" for two consecutive years. An eligible student is entitled to one scholarship per school year, which is equal to



the lesser of 1) the cost of tuition and fees that would otherwise be charged by the school, or 2) the amount representing the per pupil state and local funds generated and required through the BEP for the LEA in which the program is established. For the 2018-19 school year, the department shall award no more than 2,500 scholarships. For the 2019-20 through the 2022-23 school years, the department shall award no more than 5,000 scholarships each school year. The pilot program terminates at the conclusion of the 2022-23 school year. House Government Operations Amendment 1 (006474) removes the requirement that participating students take only the state assessment test.

Fiscal Note: (Dated February 14, 2017) Increase State Expenditures Exceeds \$330,400/FY17-18 \$230,400/FY18-19 and Subsequent Years Other Fiscal Impact For local education agencies that have schools in the bottom five percent of achievement and are mandated to participate in the statewide scholarship program, the shift of state and required local BEP funding from these local education agencies to the non-public participating schools is estimated as follows: \$8,867,500 in FY17-18; \$13,633,100 in FY18- 19; \$18,632,500 in FY19-20; and an amount exceeding \$18,632,500 in FY18-19 and subsequent years.

Senate Status: 04/25/17 - Senate Finance, Ways & Means Committee deferred to 05/02/17.

House Status: 01/17/18 - Taken off notice in House Finance, Ways & Means Subcommittee.

Caption: AN ACT to amend Tennessee Code Annotated, Title 49, Chapter 1, relative to opportunity scholarships.

SB481/HB501 EDUCATION: Adds funding for three Response to Instruction and Intervention positions within each public school.

Sponsors: Sen. Tracy, Jim , Rep. Pitts, Joe

Summary: Adds funding for three Response to Instruction and Intervention positions within each public school to the BEP calculation.

Fiscal Note: (Dated March 11, 2017) Increase State Expenditures \$246,212,800 Increase Local Expenditures Exceeds \$550,000*

Senate Status: 03/24/17 - Senate sponsor changed from Green to Tracy.

House Status: 03/28/17 - House Education Administration and Planning Committee deferred to Summer Study.

Caption: AN ACT to amend Tennessee Code Annotated, Title 49, Chapter 3, Part 3, relative to funding.



SB534/HB503

EDUCATION: Increases the number of BEP funded full-time public school nurse positions.

Sponsors: Sen. Southerland, Steve , Rep. Hawk, David
Summary: Increases the number of BEP funded full-time public school nurse positions from one for every 3,000 students to one for every 750 students. Increases the number of full-time public school nurses considered sufficient for the public school nurse program to adequately provide services from one nurse for every 3,000 students to one nurse for every 750 students.
Fiscal Note: (Dated March 24, 2017) Increase State Expenditures \$42,583,800/FY17-18 and Subsequent Years/BEP Increase Local Expenditures \$4,015,500/FY17-18 and Subsequent Years/BEP* Up to \$10,179,100/FY17-18 and Subsequent Years/Permissive
Senate Status: 03/29/17 - Taken off notice in Senate Education Committee.
House Status: 03/28/17 - House Education Administration and Planning Subcommittee deferred to Summer Study.
Caption: AN ACT to amend Tennessee Code Annotated, Title 49 and Title 68, Chapter 1, Part 12, relative to school nurses.

SB558/HB372

EDUCATION: Tom Cronan Physical Education Act.

Sponsors: Sen. Ketron, Bill , Rep. Kane, Roger
Summary: Requires each student in elementary school to participate in a physical education class that meets at least twice per week for no less than 60 minutes total. Requires that the teacher of these classes be licensed with an endorsement in physical education. Allows students with medical conditions or disabilities to be excused from this requirement by a physician's certification in writing. Requires each LEA to file an annual report verifying that it has met these requirements.
Amendment Summary: Senate Amendment 1, House Education Instruction & Programs Committee Amendment 1 (004654) rewrites the bill. It requires each student in elementary school to participate in physical education twice a week for a total of at least sixty minutes. The teacher must be qualified and have a licensed endorsement in physical education. The classes must accommodate students of all needs, including physical disabilities. Local governments will bear any expenditures. The LEA will look over the schools' physical education programs. The fiscal cost accounts for the fact that some counties do not currently employ full-time physical education teachers.
Fiscal Note: (Dated February 18, 2017) Increase Local Expenditures \$253,600*
Senate Status: 05/09/17 - Senate passed with amendment 1 (004654).
House Status: 02/07/18 - House Finance Subcommittee placed behind the budget.



Caption: AN ACT to amend Tennessee Code Annotated, Title 49, Chapter 1; Title 49, Chapter 2; Title 49, Chapter 5 and Title 49, Chapter 6, relative to physical education.

SB573/HB715 EDUCATION: Students diagnosed with disability may be considered for Individualized Education Act.

Sponsors: Sen. Gresham, Dolores , Rep. Moody, Debra
Summary: Expands eligibility of students for the Individual Education act to those who have been diagnosed with a disability by a licensed physician or psychologist.

Fiscal Note: (Dated March 2, 2017) Increase State Revenue \$170,800/FY17-18/Department of Education \$176,800/FY18-19/Department of Education \$183,000/FY19-20/Department of Education Exceeds \$183,000/FY20-21 and Subsequent Years/Department of Education Increase State Expenditures \$237,900/FY17-18 \$234,900/FY18-19 and Subsequent Years Other Fiscal Impact For LEAs with students that opt to participate in the IEA program, the net shift of state and required local BEP funding from these LEAs to the participating entities, is estimated as follows: \$4,100,000 in FY17- 18; \$4,243,400 in FY18-19; \$4,391,100 in FY19-20; and amounts exceeding \$4,391,100 in FY18-19 and subsequent years.

Senate Status: 03/08/17 - Taken off notice in Senate Education Committee.

House Status: 03/07/17 - Taken off notice in House Education Administration and Planning Subcommittee.

Caption: AN ACT to amend Tennessee Code Annotated, Title 49, Chapter 10, Part 14, relative to the eligibility requirements for the Individual Education Act.

SB805/HB1278 EDUCATION: Clarifies who constitutes a parent for presence on school premises.

Sponsors: Sen. Dickerson, Steven , Rep. Love Jr., Harold
Summary: Clarifies who is a parent for purposes of being on school premises. Defines "parent" to include a parent, foster parent, legal guardian, or person having physical custody of a child.

Fiscal Note: (Dated March 2, 2017) NOT SIGNIFICANT

Senate Status: 04/05/17 - Senate Education Committee deferred to 2018.

House Status: 01/16/18 - Taken off notice in House Education Administration and Planning Subcommittee.

Caption: AN ACT to amend Tennessee Code Annotated, Title 49, relative to education.

SB831/HB841 EDUCATION: K-12 Block Grant Act.

Sponsors: Sen. Yarbro, Jeff , Rep. Fitzhugh, Craig



Summary: Enacts the "K-12 Block Grant Act," which distributes block grants to each LEA to improve the quality of education in a manner deemed appropriate by the local board of education. Prohibits block grant funds from being used for salaries or other recurring expenditures. Appropriates \$250 million from excess state tax revenues over collected in fiscal years 2015-2016 and 2016-2017 for K-12 block grants.

Amendment Summary: House Amendment 1 (008721) deletes and rewrites the bill such that the only substantive changes are: to create an Education Investment Endowment Fund (EIEF) from which K-12 block grant funding is distributed where the State Treasurer serves as the chair of the trustees; authorizes funds transferred to the EIEF to be invested with other funds; authorizes funds to be transferred to the revenue fluctuation reserve in any year in which the revenue fluctuation reserve is used to meet unexpected shortfalls of revenue; moves the first required report date from February 1, 2018 to February 1, 2019, and to each February 1 thereafter, on LEA uses of block grant funding; and changes the first year for which block grants are to be distributed from FY17-18 to FY19-20. House Amendment 2 (008748) requires the state treasurer to submit a written report on all investments, reinvestments, deposits, transfers, appropriations, balances, withdrawals, expenses, allocations, distributions, and trust income generated each fiscal year in the education investment endowment fund to the education administration and planning committee of the house of representatives and to the education committee of the senate by February 1, 2019, and on each February 1 thereafter.

Fiscal Note: (Dated March 18, 2017) Increase State Revenue \$250,000,000/FY17-18/K-12 Block Grant Fund Increase State Expenditures \$250,147,700/FY17-18/General Fund \$142,200/Each Year FY18-19 through FY26-27/General Fund \$25,000,000/Each FY17-18 through FY26-27/K-12 Block Grant Fund Increase Local Revenue \$25,000,000/Each Year FY17-18 through FY26-27/Local Education Agencies

Senate Status: 05/09/17 - Senate Finance, Ways & Means Committee deferred to 2018.

House Status: 05/09/17 - House passed with amendments 1 (008721) and 2 (008748).

Caption: AN ACT to amend Tennessee Code Annotated, Title 9 and Title 49, relative to kindergarten through grade twelve (K-12) education funding. This act makes appropriations for kindergarten through grade twelve education funding for the fiscal year beginning July 1, 2017.

SB987/HB1109 EDUCATION: Requirements for IEA.

Sponsors: Sen. Kelsey, Brian , Rep. Deberry Jr., John

Summary: Removes requirement that an eligible student be previously enrolled in a public school for two semesters prior to receiving an individualized education account, attend a Tennessee school for the first time, or receive an account in the previous school year in order to be considered



eligible to receive an individualized education account. Broadly captioned.

Fiscal Note: (Dated March 7, 2017) Increase State Revenue \$5,000/FY18-19/Department of Education \$5,400/FY19-20/Department of Education \$5,500/FY20-21/Department of Education Exceeds \$5,500/FY21-22 and Subsequent Years/Department of Education Increase Local Expenditures Exceeds \$37,400/FY18-19* Other Fiscal Impact For local education agencies (LEAs) with students that opt to participate in the IEA program, the net shift of state and required local BEP funding from these local education agencies to the participating entities, is estimated as follows: \$119,600 in FY18-19; \$129,400 in FY19-20; \$133,300 in FY20-21; and amounts exceeding \$133,300 in FY21-22 and subsequent years.

Senate Status: 04/05/17 - Senate Education Committee recommended. Sent to Senate Finance.

House Status: 04/05/17 - House Education Instruction and Programs Subcommittee deferred to 01/01/18.

Caption: AN ACT to amend Tennessee Code Annotated, Title 49, relative to education.

SB1091/HB1334 EDUCATION: Extends deadline for annual report of virtual education program.

Sponsors: Sen. Roberts, Kerry , Rep. Shaw, Johnny

Summary: Changes from July 1 to August 1 the date by which the department of education must submit its annual report of virtual education program operation, success, improvement efforts, and funding adequacy to the governor, the general assembly, the state board of education, and the BEP review committee. Broadly captioned.

Fiscal Note: (Dated February 14, 2017) NOT SIGNIFICANT

Senate Status: 03/29/17 - Taken off notice in Senate Education Committee.

House Status: 02/15/17 - Referred to House Education Administration and Planning Subcommittee.

Caption: AN ACT to amend Tennessee Code Annotated, Title 49, relative to education.

SB1108/HB1301 EDUCATION: Deadline for submitting the department of education's annual report on virtual education programs.

Sponsors: Sen. Kyle, Sara , Rep. Turner, Johnnie

Summary: Changes from July 1 to September 1 the date by which the department of education must submit its annual report on virtual education programs to the governor, the general assembly, the state board of education, and the BEP review committee. Broadly captioned.

Fiscal Note: (Dated February 13, 2017) NOT SIGNIFICANT



Senate Status: 02/13/17 - Referred to Senate Education Committee.
House Status: 02/15/17 - Referred to House Education Administration and Planning Subcommittee.
Caption: AN ACT to amend Tennessee Code Annotated, Title 49, relative to education.

SB1617/HB2197 EDUCATION: Notification to department regarding high performing school districts.

Sponsors: Sen. Gresham, Dolores , Rep. Littleton, Mary
Summary: Requires a local board of education that declares its LEA to be a high performing school district to notify the commissioner of education. Requires the commissioner to include the school district on a list of high performing districts on the department's website beginning on July 1 following the local board action and for three years thereafter. Broadly captioned.

Fiscal Note: (Dated January 22, 2018) NOT SIGNIFICANT
Senate Status: 01/18/18 - Referred to Senate Education Committee.
House Status: 02/05/18 - Referred to House Education Administration and Planning Subcommittee.

Caption: AN ACT to amend Tennessee Code Annotated, Title 49, relative to kindergarten through grade twelve (K- 12) education.

SB1618/HB1968 EDUCATION: Notice to LEAs regarding reports germane to K-12 education.

Sponsors: Sen. Gresham, Dolores , Rep. Rudd, Tim
Summary: Requires the commissioner of the department of education to notify LEAs when the office of research and education accountability publishes a report germane to K-12 education. Broadly captioned.

Fiscal Note: (Dated January 23, 2018) NOT SIGNIFICANT
Senate Status: 01/18/18 - Referred to Senate Education Committee.
House Status: 02/05/18 - Referred to House Education Administration and Planning Subcommittee.

Caption: AN ACT to amend Tennessee Code Annotated, Title 49, relative to K-12 education.

SB1619/HB1928 EDUCATION: Reporting on early postsecondary courses LEAs are offering.

Sponsors: Sen. Gresham, Dolores , Rep. Moody, Debra
Summary: Requires the department of education to survey LEAs as to the early postsecondary courses the LEAs are offering and report back so that partnerships to offer courses may more readily be formed. Allows department to provide the report electronically. Broadly captioned.



Fiscal Note: (Dated January 23, 2018) NOT SIGNIFICANT
Senate Status: 01/18/18 - Referred to Senate Education Committee.
House Status: 01/31/18 - Referred to House Education Instruction and Programs Subcommittee.

Caption: AN ACT to amend Tennessee Code Annotated, Title 49, relative to kindergarten through grade twelve (K- 12) education.

SB1625/HB1685 EDUCATION: Individualized implementation plans for RTI² education.

Sponsors: Sen. Gresham, Dolores , Rep. Smith, Eddie
Summary: Requires the department of education to create a process to allow LEAs to develop individualized implementation plans for RTI² education. Specifies that the process must require, at a minimum, all RTI² implementation plans submitted to the department for approval to provide the LEA's strategy for funding RTI² education. Gives the department the authority to approve or deny any LEA's individualized implementation plan for RTI² education.

Senate Status: 01/18/18 - Referred to Senate Education Committee.
House Status: 01/24/18 - Referred to House Education Instruction and Programs Subcommittee.

Caption: AN ACT to amend Tennessee Code Annotated, Title 49, relative to response to instruction and intervention (RTI²).

SB1649/HB1599 EDUCATION: Guidelines for employers of work-based learning students.

Sponsors: Sen. Norris, Mark , Rep. Forgety, John
Summary: Specifies that an employer that accepts or employs a student who is receiving a secondary education to participate in work-based learning coordinated through the LEA shall not be liable for actions relating to that student unless the employer acted willfully or with gross negligence. Authorizes such employer to provide workers' compensation insurance coverage to compensate a participating student for any injury that is covered under Tennessee's Workers' Compensation Law. Requires an LEA that coordinates work-based learning for students receiving a secondary education to maintain liability insurance coverage for all participating students. Establishes a franchise and excise tax credit for an employer for each work-based learning student employed for the tax period covered by the return. Limits the credit allowed to \$5,000 per taxpayer in any year.

Senate Status: 01/24/18 - Referred to Senate Education Committee.
House Status: 01/22/18 - Referred to House Education Instruction and Programs Subcommittee.



Caption: AN ACT to amend Tennessee Code Annotated, Title 49; Title 50, Chapter 6 and Title 67, relative to work- based learning.

SB1663/HB1699 EDUCATION: Use of excess instructional time.

Sponsors: Sen. Dickerson, Steven , Rep. Love Jr., Harold
Summary: Specifies that excess instructional time may be used for individualized education program team meetings and school-wide or system-wide instructional planning meetings. Requires proposals for use of excess time for instructional planning meetings to be approved by the commissioner of education.

Fiscal Note: (Dated January 24, 2018) NOT SINGNIFICANT

Senate Status: 02/05/18 - Senate passed.

House Status: 01/24/18 - Referred to House Education Instruction and Programs Subcommittee.

Caption: AN ACT to amend Tennessee Code Annotated, Section 49-6-3004, relative to instructional time.

SB1666/HB1583 EDUCATION: Education of children in state custody.

Sponsors: Sen. Dickerson, Steven , Rep. Kane, Roger
Summary: Requires the department of children's services to provide a residential mental health facility that contracts with the department for provision of services to children in state custody education funding equal to the average daily rate of education funding. Specifies that in order to receive such funding the mental health facility must be approved to operate as a Category I special purpose school pursuant to state board of education rules and regulations and must provide a minimum of sixteen and one-half hours per week of education instruction to the students admitted.

Senate Status: 01/24/18 - Referred to Senate Health & Welfare Committee.

House Status: 01/22/18 - Referred to House Education Administration and Planning Subcommittee.

Caption: AN ACT to amend Tennessee Code Annotated, Section 49-3-363, relative to the education of children in state custody.

SB1778/HB1747 HEALTH CARE: Staffing of telehealth services at school site.

Sponsors: Sen. Crowe, Rusty , Rep. Hill, Matthew
Summary: Amends language by adding licensed educational personnel trained in conducting the telecommunications encounter and equipped to engage in telehealth services at a school clinic.

Senate Status: 01/25/18 - Referred to Senate Commerce & Labor Committee.

House Status: 01/30/18 - Referred to House Health Subcommittee.

Caption: AN ACT to amend Tennessee Code Annotated, Title 56; Section 63-1-155 and Title 71, relative to telehealth.



SB1779/HB2246 EDUCATION: Report on traineeships and fellowships for students in training programs for the education of students with disabilities.

Sponsors: Sen. Crowe, Rusty , Rep. Faison, Jeremy
Summary: Requires the commissioner of education to include in its an annual report information on traineeships and fellowships for students who are enrolled in teacher preparation programs and are in training programs for the education of students with disabilities.
Senate Status: 01/25/18 - Referred to Senate Education Committee.
House Status: 02/05/18 - Referred to House Education Administration and Planning Subcommittee.
Caption: AN ACT to amend Tennessee Code Annotated, Title 49, relative to students with disabilities.

SB1901/HB1870 EDUCATION: Special education services association - charter schools.

Sponsors: Sen. Gresham, Dolores , Rep. Dunn, Bill
Summary: Requires charter schools overseen by the district to send all excess cost reimbursement funds received due to students generating costs to the individual schools, whereas previously the requirement was only for elementary and high school students. Requires the special education services association to provide services for all the areas within the school districts, including any charter schools participating in it.
Senate Status: 01/31/18 - Referred to Senate Education Committee.
House Status: 01/31/18 - Referred to House Education Instruction and Programs Subcommittee.
Caption: AN ACT to amend Tennessee Code Annotated, Title 49, Chapter 10, relative to special education.

SB1947/HB2331 EDUCATION: Report on use of corporal punishment.

Sponsors: Sen. Crowe, Rusty , Rep. Powell, Jason
Summary: STATE SUMMARY - As introduced, requires each LEA to submit annually a report to the department of education detailing the LEA's use of corporal punishment; requires the department of education to report the number of instances of corporal punishment on its website.
Senate Status: 02/01/18 - Referred to Senate Education Committee.
House Status: 01/31/18 - Filed for Introduction
Caption: AN ACT to amend Tennessee Code Annotated, Title 49, Chapter 1; Title 49, Chapter 2 and Title 49, Chapter 6, relative to corporal punishment.



SB1969/HB2628 EDUCATION: Creation of policy to provide special education services to students with documented learning disabilities.

Sponsors: Sen. Harper, Thelma , Rep. Turner, Johnnie
Summary: Requires the governing board of each state university, the trustees of the University of Tennessee, and the board of regents to create a policy to provide special education services to students with documented learning disabilities and special needs. Specifies that the policy shall require each state institution of higher education to provide, at a minimum, tutoring services and career placement guidance for students with learning disabilities.

Senate Status: 02/01/18 - Referred to Senate Education Committee.
House Status: 02/01/18 - Filed for Introduction
Caption: AN ACT to amend Tennessee Code Annotated, Title 49, Chapter 7; Title 49, Chapter 8 and Title 49, Chapter 9, relative to special education services in state institutions of higher education.

SB2018/HB2005 EDUCATION: Allows a parent or a parent's designee to observe instruction.

Sponsors: Sen. Haile, Ferrell , Rep. Pitts, Joe
Summary: STATE SUMMARY - As introduced, requires LEAs to create a policy to allow a parent or a parent's designee to observe instruction and other school activities involving the parent's student upon request.

Senate Status: 02/01/18 - Referred to Senate Education Committee.
House Status: 02/05/18 - Referred to House Education Instruction and Programs Subcommittee.
Caption: AN ACT to amend Tennessee Code Annotated, Title 49, Chapter 6, relative to observation of students in schools.

SB2029/HB2690 EDUCATION: Privacy protections for students' education and health records.

Sponsors: Sen. Green, Mark , Rep. Weaver, Terri
Summary: Specifies materials a parent or legal guardian is entitled to review concerning their child. Exempts students without written consent from parent or guardian from any non-academic analysis, evaluation, or survey and allows parents or legal guardians access to review materials prior to consenting.

Senate Status: 02/01/18 - Referred to Senate Education Committee.
House Status: 02/01/18 - Filed for Introduction
Caption: AN ACT to amend Tennessee Code Annotated, Title 49, relative to privacy.



SB2138 EDUCATION: Meetings of the basic education program review committee.

Sponsors: Sen. Gresham, Dolores ,
Summary: Requires the state board of education to make meetings of the basic education program review committee available for public viewing over a live broadcast and archived from the board's website.
Senate Status: 02/05/18 - Referred to Senate Education Committee.
Caption: AN ACT to amend Tennessee Code Annotated, Title 49, relative to education.

SB2143/HB2149 EDUCATION: Electronic textbooks in elementary and secondary schools.

Sponsors: Sen. Haile, Ferrell , Rep. Pitts, Joe
Summary: Requires the commissioner of education to make recommendations to house and senate education committees regarding the availability of electronic textbooks for students in elementary and secondary schools. Requires the commissioner to send a report of their findings to the education committees by February 01, 2019.
Senate Status: 02/05/18 - Referred to Senate Education Committee.
House Status: 02/05/18 - Referred to House Education Instruction and Programs Subcommittee.
Caption: AN ACT to amend Tennessee Code Annotated, Title 49, relative to education.

SB2259/HB2114 EDUCATION: Complete College Tennessee Act.

Sponsors: Sen. Norris, Mark , Rep. Hawk, David
Summary: "Complete College Tennessee Act." Requires students receiving the Tennessee Promise scholarship to complete 30 college credit hours by their third semester and sets stipulations for reducing scholarships of students who do not meet their credit requirements. Allows students enrolled in summer courses part-time to receive the Tennessee Promise scholarship. Exempts students with learning disabilities from the new requirements. Establishes similar rules for students receiving the Tennessee HOPE scholarship. Outlines framework for program as well as a timeline for delivering reports. Charges the Tennessee board of regents with overseeing and implementing these rule changes. Part of administration package.
Senate Status: 02/05/18 - Referred to Senate Education Committee.
House Status: 02/08/18 - Set for House Education Administration and Planning Subcommittee 02/13/18.



Caption: AN ACT to amend Tennessee Code Annotated, Title 49, Chapter 4, Part 7; Title 49, Chapter 4, Part 9 and Title 49, Chapter 8, Part 1, relative to higher education.

SB2330/HB2330 EDUCATION: Corporal punishment against a disabled students.

Sponsors: Sen. Kyle, Sara , Rep. Powell, Jason
Summary: Prohibits the use of corporal punishment against a student with defined disabilities.

Senate Status: 02/05/18 - Referred to Senate Education Committee.

House Status: 01/31/18 - Filed for Introduction

Caption: AN ACT to amend Tennessee Code Annotated, Title 49, relative to corporal punishment of students with disabilities.

SB2545/HB2516 EDUCATION: Annual implicit bias in-service training for school personnel.

Sponsors: Sen. Tate, Reginald , Rep. Akbari, Raumesh
Summary: Requires all school personnel to receive annual implicit bias in-service training in order to deliver more equitable education to all students. Requires the department of education to develop a model evidence-based bias reducing program to be used by school personnel. Authorizes the LEA to develop its own program to be approved by the commissioner. Requires students desiring a license to teach to complete implicit bias training.

Senate Status: 02/05/18 - Referred to Senate Education Committee.

House Status: 02/07/18 - Referred to House Education Instruction and Programs Subcommittee.

Caption: AN ACT to amend Tennessee Code Annotated, Title 49, relative to implicit bias training.

SB2582/HB1595 EDUCATION: Expelling of student for offenses committed against teacher or LEA employee.

Sponsors: Sen. Hensley, Joey , Rep. Butt, Sheila
Summary: Reduces the offense level for which a student must be expelled from school for a period of not less than one calendar year if the offense is committed against a teacher, principal, administrator, any other employee of the LEA, or school resource officer from aggravated assault to an assault resulting in bodily injury,

Senate Status: 02/05/18 - Referred to Senate Education Committee.

House Status: 01/22/18 - Referred to House Education Administration and Planning Subcommittee.



Caption: AN ACT to amend Tennessee Code Annotated, Title 49, Chapter 6, relative to school safety.
SB2587/HB2003 EDUCATION: Annual report of dyslexia advisory council.

Sponsors: Sen. Hensley, Joey , Rep. Terry, Bryan
Summary: STATE SUMMARY - As introduced, requires the dyslexia advisory council to submit its annual report to the education committee of the senate, the education administration and planning committee of the house of representatives, and the education instruction and programs committee of the house of representatives no later than December 31 of each year.

Senate Status: 02/05/18 - Referred to Senate Education Committee.
House Status: 02/05/18 - Referred to House Education Administration and Planning Subcommittee.

Caption: AN ACT to amend Tennessee Code Annotated, Title 49, relative to K-12 education.

SB2608/HB2491 EDUCATION: Purchase of workbooks and instructional materials with funds from Individual Education Accounts.

Sponsors: Sen. Gresham, Dolores , Rep. Holt, Andy
Summary: Permits a parent to not only buy textbooks, but also student workbooks and other instructional material by a participating school from the funds the parents agreed to use in a participating student's individual education accounts (IEA).

Senate Status: 02/05/18 - Referred to Senate Education Committee.
House Status: 02/07/18 - Referred to House Education Instruction and Programs Subcommittee.

Caption: AN ACT to amend Tennessee Code Annotated, Title 49 and Title 67, Chapter 4, relative to education savings accounts.

SB2610/HB2474 EDUCATION: Eligibility for an individualized education account.

Sponsors: Sen. Gresham, Dolores , Rep. Moody, Debra
Summary: Extends eligibility for an individualized education account to an eligible student with an individualized education program (IEP). Sets requirements to be met for an eligible student requesting participation in the program.

Senate Status: 02/05/18 - Referred to Senate Education Committee.
House Status: 02/07/18 - Referred to House Education Administration and Planning Subcommittee.



Caption: AN ACT to amend Tennessee Code Annotated, Title 49, Chapter 10, Part 14, relative to student eligibility for an individualized education account.

Elections

SB1121/HB79 CAMPAIGNS & LOBBYING: Eligible identification for voting.

Sponsors: Sen. Kyle, Sara , Rep. Hardaway, G.A.
Summary: Permits the use of a photo identification card issued by the State of Tennessee, the United States, or an accredited postsecondary institution of education in Tennessee for purposes of verifying the identity of an eligible voter.
Fiscal Note: (Dated March 9, 2017) Increase State Expenditures - \$400/One-Time
Senate Status: 04/05/17 - Taken off notice in Senate State & Local Government Committee.
House Status: 04/04/17 - Failed in House Local Government Subcommittee.
Caption: AN ACT to amend Tennessee Code Annotated, Title 2, Chapter 7, relative to evidence of identification for voting.

SB1379/HB184 CAMPAIGNS & LOBBYING: Obtaining a photo identification license for voting purposes.

Sponsors: Sen. Tate, Reginald , Rep. Favors, JoAnne
Summary: Adds language to allow any person who is 65 years of age or older, who has never been issued a birth certificate, to be issued a photo identification license for voting purposes by providing a social security card, Medicare card, health insurance card, or other satisfactory document substantiating the person's identity.
Fiscal Note: (Dated February 26, 2017) NOT SIGNIFICANT
Senate Status: 03/28/17 - Taken off notice in Senate State & Local Government Committee.
House Status: 03/21/17 - Failed in House Local Government Subcommittee.
Caption: AN ACT to amend Tennessee Code Annotated, Title 55, Chapter 50, Part 3, relative to obtaining a photo identification license for voting purposes.

Employment

SB1904/HB1899 LABOR LAW: Disability discrimination.

Sponsors: Sen. Yager, Ken , Rep. Brooks, Kevin
Summary: Forbids employers from discriminating against potential employees on the basis of their disability. Requires an employer to provide reasonable accommodation or prove that such an accommodation would put an undue burden on the business in defense of a discrimination charge.
Senate Status: 01/31/18 - Referred to Senate Commerce & Labor Committee.



House Status: 01/31/18 - Referred to House Consumer & Human Resources Subcommittee.
Caption: AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 21, relative to disability discrimination.

SB2249/HB1824 EDUCATION: Division of rehabilitation services - requirements concerning services offered.

Sponsors: Sen. Norris, Mark , Rep. Hawk, David
Summary: Authorizes the division of rehabilitation services with approval from the commissioner to contract with public and private entities to provide rehabilitation services. Authorizes the division of rehabilitation services to create a rehabilitation center at Smyrna.

Senate Status: 02/05/18 - Referred to Senate Health & Welfare Committee.

House Status: 01/30/18 - Referred to House Education Administration and Planning Subcommittee.

Caption: AN ACT to amend Tennessee Code Annotated, Title 49, Chapter 11, Part 6; Title 49, Chapter 11, Part 7 and Title 49, Chapter 11, Part 8, relative to vocational rehabilitation.

Government Organization

SB183 GOVERNMENT REGULATION: Copy of emergency rules prior to effective date.

Sponsors: Sen. Overbey, Doug ,
Summary: Requires an agency to provide a copy of an emergency rule to any person upon request prior to the rule's effective date.

Fiscal Note: (Dated February 6, 2017) NOT SIGNIFICANT

Senate Status: 02/02/17 - Referred to Senate Government Operations Committee.

Caption: AN ACT to amend Tennessee Code Annotated, Title 4, relative to the Uniform Administrative Procedures Act.

SB189 GOVERNMENT REGULATION: Providing copies of emergency rules filed.

Sponsors: Sen. Overbey, Doug ,
Summary: Requires an agency to provide a copy of emergency rules filed with the secretary of state to any person upon request. Requires an agency to take steps to make emergency rules known to persons affected by the rules.

Fiscal Note: (Dated February 6, 2017) NOT SIGNIFICANT

Senate Status: 02/02/17 - Referred to Senate Government Operations Committee.

Caption: AN ACT to amend Tennessee Code Annotated, Title 4, relative to the Uniform Administrative Procedures Act.



SB1531/HB1625 GOVERNMENT ORGANIZATION: Sunset - department of intellectual and developmental disabilities.

Sponsors: Sen. Bell, Mike , Rep. Faison, Jeremy
Summary: Extends the department of intellectual and developmental disabilities for four years to June 30, 2022. Requires the department to report back to the committee concerning the findings in its 2017 performance audit report.
Fiscal Note: (Dated January 21, 2018) NOT SIGNIFICANT
Senate Status: 01/17/18 - Referred to Senate Government Operations Committee.
House Status: 01/24/18 - Referred to House Government Operations Committee.
Caption: AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 29 and Title 4, Chapter 3, relative to the department of intellectual and developmental disabilities.

Health

SB2008/HB2053 HEALTH CARE: Department of health to make available information on Down syndrome to certain persons.

Sponsors: Sen. Massey, Becky , Rep. Staples, Rick
Summary: Requires the department of health to make up-to-date information on Down syndrome available to certain persons and to publish the information on the department's website.
Senate Status: 02/01/18 - Referred to Senate Health & Welfare Committee.
House Status: 02/08/18 - Set for House Health Subcommittee 02/14/18.
Caption: AN ACT to amend Tennessee Code Annotated, Title 63 and Title 68, relative to Down syndrome.

SB2244/HB1820 HEALTH CARE: Revises requirements for nursing homes, assisted care living facilities, and adult care homes.

Sponsors: Sen. Norris, Mark , Rep. Hawk, David
Summary: Authorizes the commissioner to halt new admissions to nursing homes, assisted care living facilities and adult care homes if conditions are likely to be detrimental to the health of residents. Nursing homes, assister care living facilities and adult care homes are required to inform residents verbally and in writing of the right to file a complaint with the state at any time. The complaints are not to be discouraged or retaliated against. The board for licensing health care facilities is authorized to assess penalties to nursing homes, assisted care living facilities and adult care homes if found in severe violation of laws and regulations. Licensed facilities are allowed three opportunities to submit an accepted plan of action.
Senate Status: 02/05/18 - Referred to Senate Health & Welfare Committee.
House Status: 01/30/18 - Referred to House Health Subcommittee.



Caption: AN ACT to amend Tennessee Code Annotated, Title 63 and Title 68, relative to health.

SB2362/HB2219 HEALTH CARE: Report on the implementation of the Public Acts of 2016.

Sponsors: Sen. Crowe, Rusty , Rep. Sexton, Cameron

Summary: Directs the commissioner of health to study issues related healthcare access and healthcare status of populations affected by the implementation of Chapter 1043 of the Public Acts of 2016. Requires the commissioner to report the findings and any recommendations arising out of the study to the health committee of the house of representatives and the health and welfare committee of the senate on or before January 15, 2019.

Senate Status: 02/05/18 - Referred to Senate Health & Welfare Committee.

House Status: 02/05/18 - Referred to House Health Subcommittee.

Caption: AN ACT to amend Tennessee Code Annotated, Title 4; Title 7; Title 33; Title 53; Title 56; Title 63; Title 68 and Title 71, relative to health care.

Insurance

SB991/HB960 INSURANCE HEALTH: Coverage of prescription drugs outside of open enrollment periods.

Sponsors: Sen. Green, Mark , Rep. Terry, Bryan

Summary: Prohibits a health insurance entity that provides health insurance coverage and coverage for prescription drugs from removing any covered prescription drug from its list of covered drugs during health plan year unless the U.S. FDA questions clinical safety or manufacturer notified manufacturing discontinuance or potential discontinuance. Prohibits reclassifying a drug to a more restrictive or higher cost-sharing tier or reducing the maximum coverage of prescription drug benefits. Does not prohibit addition of prescription drugs to list of covered drugs.

Amendment Summary: Joint Council on Pensions and Insurance Amendment 1 (005346) deletes and replaces language of the original bill such that the act does not alter the ability of a pharmacist to substitute a generic drug or interchangeable biological product in Tenn. Code Ann. § 53-10-204 and § 53-10-211, which have to do with the Tennessee Affordable Drug Act of 2005.

Fiscal Note: (Dated March 10, 2017) NOT SIGNIFICANT

Senate Status: 04/04/17 - Failed in Senate Commerce & Labor Committee.

House Status: 04/05/17 - Taken off notice in House Insurance & Banking Subcommittee.

Executive Status: 03/27/17 - Joint Council on Pensions and Insurance released to standing committees with favorable comment after adopting amendment 1 (005346).

Caption: AN ACT to amend Tennessee Code Annotated, Title 56, relative to limiting changes to commercial health insurers' prescription drug formularies during the health plan year.

Position: Support



SB1169/HB426 TAXES SALES: Exemption - CPAP supplies.

Sponsors: Sen. Hensley, Joey , Rep. Butt, Sheila
Summary: Exempts CPAP supplies from being subject to sales and use tax.
Fiscal Note: (Dated March 8, 2017) Decrease State Revenue Net Impact \$1,275,000
Decrease Local Revenue Net Impact \$520,300
Senate Status: 05/09/17 - Taken off notice in Senate Finance, Ways & Means Committee.
House Status: 05/08/17 - Taken off notice in House Finance Subcommittee.
Caption: AN ACT to amend Tennessee Code Annotated, Title 67, Chapter 6, Part 3, relative to exemptions from sales and use tax.

SB1609/HB2045 INSURANCE HEALTH: Durable medical equipment providers - participation in a health plan.

Sponsors: Sen. Kelsey, Brian , Rep. Ragan, John
Summary: Prohibits health insurance issuers from denying providers of durable medical equipment participation in health plans. Also prohibits preventing any beneficiary of a plan from selecting the durable medical equipment provider of their choice.
Senate Status: 01/18/18 - Referred to Senate Commerce & Labor Committee.
House Status: 02/05/18 - Referred to House Insurance & Banking Subcommittee.
Executive Status: 02/08/18 - Set for Joint Council on Pensions and Insurance 02/12/18.
Caption: AN ACT to amend Tennessee Code Annotated, Title 56; Title 63 and Title 68, relative to certain practices of health insurance issuers and similar entities concerning durable medical equipment.

Intellectual and Developmental Disability

SB264/HB941 FAMILY LAW: Supported Decision Making Agreement Act.

Sponsors: Sen. Massey, Becky , Rep. Carter, Mike
Summary: Enacts the Supported Decision Making Agreement Act, which allows for an adult with a disability to seek assistance in making certain decisions without forfeiting their self-determination as the ultimate decision-maker in their life.
Amendment Summary: Committee Amendment 1 (012729)- "Least restrictive alternatives" means techniques and processes that preserve as many decision-making rights as possible for the person with a disability.
Fiscal Note: (Dated February 2, 2017) NOT SIGNIFICANT
Senate Status: 02/06/18 - Senate Judiciary Committee recommended with amendment 1 (012729), which states the definition of "Least restrictive alternatives" as such, techniques and processes that preserve as many decision-making rights as possible for the person with a disability. Sent to Senate Calendar Committee.



House Status: 01/24/18 - Taken off notice in House Civil Justice Subcommittee.
Caption: AN ACT to amend Tennessee Code Annotated, Title 34, relative to supported decision-making agreements.
Position: Support
SB533/HB504 HEALTH CARE: Requires alternative payment from intermediate care facility for those with intellectual disabilities.

Sponsors: Sen. Southerland, Steve , Rep. Hawk, David
Summary: Adds language to require that if property being used as an intermediate care facility for individuals with intellectual disabilities (ICF/IID) is exempt from property taxes, the owners of the property shall agree to make payments in lieu of taxes to the tax jurisdictions in which they are located in an amount negotiated to cover the cost of improvements, facilities, or services rendered by the tax jurisdictions. If no amount is agreed, the payments must be no less than twenty-five percent (25%) of the amount of property tax that would be due if the project were not exempt.
Fiscal Note: (Dated March 16, 2017) Increase State Expenditures \$58,200 Increase Federal Expenditures - \$111,000 Increase Local Revenue - Exceeds \$215,800
Senate Status: 03/21/17 - Taken off notice in Senate State & Local Government Committee.
House Status: 02/14/17 - Referred to House Local Government Subcommittee.
Caption: AN ACT to amend Tennessee Code Annotated, Title 33; Title 67, Chapter 5 and Title 71, Chapter 5, relative to intermediate care facilities.
SB810/HB905 PUBLIC EMPLOYEES: Costs and compensation when a disabled person does not qualify for SSI benefits.

Sponsors: Sen. Yager, Ken , Rep. Kumar, Sabi
Summary: Provides that all proceeds for costs and compensation must be kept by the district public guardian to support the ongoing operations of that respective district public guardian. This applies when a disabled person does not qualify for SSI benefits.
Fiscal Note: (Dated February 24, 2017) NOT SIGNIFICANT
Senate Status: 03/14/17 - Taken off notice in Senate Judiciary Committee.
House Status: 03/22/17 - Taken off notice in House Civil Justice Subcommittee.
Caption: AN ACT to amend Tennessee Code Annotated, Section 34-7-104, relative to the Public Guardianship for the Elderly Law.
SB918/HB1385 PUBLIC FINANCE: Transfer of Clover Bottom property to metro government from department of general services.

Sponsors: Sen. Dickerson, Steven , Rep. Jernigan, Darren



Summary: Requires the department of general services to transfer the Clover Bottom property to Metropolitan Government of Nashville-Davidson County by sale or land swap no later than June 30, 2018. Earmarks any proceeds from a sale to the Employment and Community First CHOICES Program.

Senate Status: 02/13/17 - Referred to Senate State & Local Government Committee.

House Status: 02/15/17 - Referred to House State Government Subcommittee.

Caption: AN ACT to amend Tennessee Code Annotated, Title 4; Title 7; Title 9 and Title 12, relative to state property.

SB1109/HB1110 TRANSPORTATION VEHICLES: Special designation on driver and photo identification licenses for persons with developmental disabilities.

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

Summary: Authorizes department of safety to issue special designation on driver and photo identification licenses for persons with developmental disabilities. Establishes a set of procedures for law enforcement interactions with persons with developmental disabilities.

Amendment Summary: Senate Transportation & Safety Committee Amendment 1 (004958) deletes and replaces language of the original bill to specify the type of physician that can provide documentation that an applicant has a disability, and to change the effective date from July 1, 2017, to January 1, 2018.

Fiscal Note: (Dated March 9, 2017) Increase State Expenditures Exceeds \$60,000/One-Time Other Fiscal Impact To the extent redesign of the driver license card can be accomplished with one of two available allowances permitted by the current third party vendor contract, any impact would be not significant. Otherwise, redesign of the card will result in an additional one-time state expenditure estimated to be \$100,000.

Senate Status: 05/09/17 - Senate Finance, Ways & Means Committee deferred to the first calendar of 2018.

House Status: 01/17/18 - Taken off notice in House Transportation Subcommittee.

Caption: AN ACT to amend Tennessee Code Annotated, Title 38; Title 40 and Title 55, relative to persons with disabilities.

SB1830/HB1908 TAXES PROPERTY: Property being used as an intermediate care facility for individuals with intellectual disabilities.

Sponsors: Sen. Southerland, Steve , Rep. Hawk, David

Summary: Requires certain counties with intermediate care facilities on tax exempt property negotiate appropriate payments to the tax jurisdiction in which they are located. If no amount is agreed upon the payments must be at least 25% of the amount the tax would be if the property were not exempt.

Senate Status: 01/29/18 - Referred to Senate State & Local Government Committee.

House Status: 01/31/18 - Referred to House Local Government Subcommittee.



Caption: AN ACT to amend Tennessee Code Annotated, Title 33; Title 67, Chapter 5 and Title 71, Chapter 5, relative to intermediate care facilities.

Mental Health

SB45/HB70 HEALTH CARE: New behavioral health pilot project funded by the department of mental health and substance abuse services.

Sponsors: Sen. Massey, Becky , Rep. Smith, Eddie
Summary: Appropriates a non-recurring \$4.5 million sum to the department of mental health and substance abuse services to make a grant for a three-year behavioral health pilot project in Knox County.

Fiscal Note: (Dated January 23, 2017) Increase State Expenditures \$4,500,000/FY17-18/General Fund Other Fiscal Impact Funds appropriated from the General Fund to the Department of Mental Health and Substance Abuse Services will be expended in three annual payments of \$1,500,000 beginning in FY17-18 in the form of grants to fund a three-year behavioral health pilot program in Knox County.

Senate Status: 02/01/17 - Referred to Senate Finance, Ways & Means Committee.

House Status: 02/17/17 - Referred to House Finance Subcommittee.

Caption: AN ACT to amend Tennessee Code Annotated, Title 4; Title 9; Title 54 and Title 67, relative to behavioral health. This act makes appropriations for a behavioral health pilot project for the fiscal year beginning July 1, 2017.

SB1718/HB1795 HEALTH CARE: Adds community mental health centers to definition of healthcare organization.

Sponsors: Sen. Stevens, John , Rep. Farmer, Andrew
Summary: Adds community mental health centers to definition of "healthcare organization" in order to add them to quality improvement committees.

Fiscal Note: (Dated January 28, 2018) NOT SIGNIFICANT

Senate Status: 01/25/18 - Referred to Senate Health & Welfare Committee.

House Status: 02/08/18 - Set for House Health Subcommittee 02/14/18.

Caption: AN ACT to amend Tennessee Code Annotated, Title 33; Title 63 and Title 68, relative to adding community mental health centers to healthcare organizations for quality improvement committees.

SB1726/HB1901 HEALTH CARE: Mental health service providers - list of accrediting organizations.

Sponsors: Sen. Bell, Mike , Rep. Brooks, Kevin
Summary: Recognizes certain organizations as accredited mental health service providers.

Senate Status: 01/25/18 - Referred to Senate Health & Welfare Committee.



House Status: 01/31/18 - Referred to House Health Subcommittee.
Caption: AN ACT to amend Tennessee Code Annotated, Title 33, Chapter 2, Part 4, relative to service providers.

SB2040/HB2026 TORT LIABILITY: Unlicensed persons who treat or diagnose mental health disorders.

Sponsors: Sen. Lundberg, Jon , Rep. Farmer, Andrew
Summary: STATE SUMMARY - As introduced, imposes tort liability on unlicensed persons who treat or diagnose mental health disorders.
Senate Status: 02/01/18 - Referred to Senate Judiciary Committee.
House Status: 02/05/18 - Referred to House Civil Justice Subcommittee.
Caption: AN ACT to amend Tennessee Code Annotated, Title 29; Title 33 and Title 63, relative to mental health disorders.

SB2720/HB2427 TAXES BUSINESS: Extends business tax exemption for mental or behavioral health services.

Sponsors: Sen. Johnson, Jack , Rep. White, Mark
Summary: Extends business tax exemption for mental and behavioral health services by persons engaged in the business of providing foster care, residential treatment, therapeutic and rehabilitative care, or other social assistance programs.
Senate Status: 02/05/18 - Referred to Senate Finance, Ways & Means Committee.
House Status: 02/07/18 - Referred to House Finance, Ways & Means Subcommittee.
Caption: AN ACT to amend Tennessee Code Annotated, Title 67, Chapter 4, Part 7, relative to application of business tax to persons providing mental or behavioral health services.

Miscellaneous

SB33/HB31 PROFESSIONS & LICENSURE: Expands barbers' ability to perform services.

Sponsors: Sen. Harris, Lee , Rep. Parkinson, Antonio
Summary: Expands barbers' ability to perform services in the residence of any person suffering from illness to include persons with disability. Broadly captioned.
Fiscal Note: (Dated February 5, 2017) NOT SIGNIFICANT
Senate Status: 02/01/17 - Referred to Senate Commerce & Labor Committee.
House Status: 03/21/17 - Taken off notice in House Business & Utilities Subcommittee.
Caption: AN ACT to amend Tennessee Code Annotated, Title 62, relative to barbers.

SB1513/HB1702 MEDIA & PUBLISHING: Renames the regional library for the blind and physically handicapped.

Sponsors: Sen. Massey, Becky , Rep. Jernigan, Darren



Summary: Renames the regional library for the blind and physically handicapped to the regional library for accessible books and media; updates antiquated language regarding persons with disabilities within statutory provisions relative to the state library system.

Fiscal Note: (Dated January 25, 2018) NOT SIGNIFICANT

Senate Status: 02/08/18 - Set for Senate Education Committee 02/14/18.

House Status: 02/08/18 - Set for House consent calendar on 02/12/18.

Caption: AN ACT to amend Tennessee Code Annotated, Title 10, Chapter 1, Part 1, relative to the state library system.

TennCare/Medicaid

SB118/HB69 TENNCARE: Expansion of TennCare waiver.

Sponsors: Sen. Briggs, Richard , Rep. Smith, Eddie

Summary: Directs the commissioner of finance and administration to submit a waiver request to the federal centers for medicare and medicaid services to enable the state to provide medical assistance to the existing TennCare II waiver population and persons with incomes below 138 percent of the federal poverty line by means of a block grant of federal funds.

Fiscal Note: (Dated January 31, 2017) Increase State Expenditures Not Significant
Other Fiscal Impact If approved by the federal government, the block grant received will be at the current federal funding level of \$7,163,104,200 for FY17-18. Additional state funds will be needed to cover the expanded population of 280,000 enrollees or the TennCare benefit structure will need to be amended so that benefits can be provided to the entire population at the current funding level.

Senate Status: 04/04/17 - Taken off notice in Senate Commerce & Labor Committee.

House Status: 04/11/17 - Taken off notice in House Health Committee.

Caption: AN ACT to amend Tennessee Code Annotated, Title 4; Title 33; Title 56 and Title 71, relative to medical assistance.

Position: Neutral

SB165/HB178 WELFARE: Medical assistance to those who take part in the medicaid program.

Sponsors: Sen. Crowe, Rusty , Rep. Sexton, Cameron

Summary: Changes the administering agency for the medicaid program from the department of health to the department of finance and administration. Alters the reporting date for the annual actuarial study by the comptroller of the treasury from April 15 to April 1.

Fiscal Note: (Dated January 30, 2017) NOT SIGNIFICANT

Senate Status: 04/10/17 - Senate Health & Welfare Committee deferred to 01/01/18.



House Status: 03/29/17 - Taken off notice in House Insurance & Banking Subcommittee.
Caption: AN ACT to amend Tennessee Code Annotated, Title 3; Title 4; Title 9; Title 33; Title 56; Title 63; Title 68 and Title 71, relative to medical assistance.

SB166/HB359 WELFARE: Medical assistance to those who take part in the medicaid program.

Sponsors: Sen. Kelsey, Brian , Rep. Zachary, Jason
Summary: Changes the administering agency for the medicaid program from the department of health to the department of finance and administration. Alters the reporting date for the annual actuarial study by the comptroller of the treasury from April 15 to April 1.

Fiscal Note: (Dated January 31, 2017) NOT SIGNIFICANT

Senate Status: 02/02/17 - Referred to Senate Commerce & Labor Committee.

House Status: 02/07/17 - Referred to House Health Subcommittee.

Caption: AN ACT to amend Tennessee Code Annotated, Title 3; Title 4; Title 9; Title 33; Title 56; Title 63; Title 68 and Title 71, relative to medical assistance.

SB191/HB643 WELFARE: Health care safety net.

Sponsors: Sen. Overbey, Doug , Rep. McDaniel, Steve
Summary: Deletes language associated with the creation and implementation of the health care safety net's 24/7 hotline, designed to assist and direct individuals in need of medical care and services to available resources in their areas.

Fiscal Note: (Dated March 8, 2017) NOT SIGNIFICANT

Senate Status: 02/02/17 - Referred to Senate Health & Welfare Committee.

House Status: 02/14/17 - Referred to House Health Subcommittee.

Caption: AN ACT to amend Tennessee Code Annotated, Section 71-5-148, relative to health care.

SB697/HB1091 INSURANCE HEALTH: Prohibits an HMO from denying payment for preventative and diagnostic services.

Sponsors: Sen. Yager, Ken , Rep. Keisling, Kelly
Summary: Prohibits an HMO or subcontractor from denying payment for preventative and diagnostic services provided by primary care providers or through a provider's supervision of auxiliary personnel.

Fiscal Note: (Dated March 18, 2017) Increase State Expenditures \$55,272,800 Increase Federal Expenditures - \$105,427,200

Senate Status: 11/21/17 - Set for Summer Study Committee 12/11/17.

House Status: 03/22/17 - House Insurance & Banking Subcommittee deferred to summer study.

Caption: AN ACT to amend Tennessee Code Annotated, Title 56, Chapter 32, relative to health maintenance organizations.



SB1155/HB290 TENNCARE: TennCare advisory commission.

Sponsors: Sen. Hensley, Joey , Rep. Kumar, Sabi

Amendment Senate Government Operations Committee Amendment 1 (005302)

Summary: requires the comptroller of the treasury to reestablish a TennCare advisory commission. Increases the number of members on the commission from 15 to 21. Adds a member of the senate commerce & labor committee, senate government operations committee, housing insurance & banking committee, house government operations committee, and a member of the house finance ways & means committee, to the commission. Creates revisions for initial appointments of a nonlegislative member, including the initial joint appointment of the member representing the advocacy community, to serve until June 30, 2018. Requires the commission to review any amendment or changes to Title XIX state plan. Deletes the requirement for the commission to present its recommendation in writing to the governor and the general assembly. Authorizes the commission to employ staff. Senate Health & Welfare Committee Amendment 1, House Health Committee Amendment 1 (006257) deletes all language after the enacting clause. Reestablishes the TennCare Advisory Commission consisting of 21 members who should reflect the broad impact that the TennCare program has on the state of Tennessee. The 21 members will be appointed by Speaker of the House of Representatives and the Speaker of the Senate; 8 members will be legislative members, 12 members will be from the industry, and one will be a nonvoting ex officio member designee of the Commissioner of Finance and Administration. Requires the Commission to review the health care operations, including but not limited to, cost-management analysis, benefits, enrollment, eligibility, costs, and performance of the TennCare program annually. Authorizes the Commission to employ staff. Requires the review of the TennCare program to include the holding of public hearings on any proposed amendment to any federal waiver governing the provision of medical assistance under Title 71, and attention to behavioral health services and the Long Term Care Community Choices Act of 2008. Prohibits the submission of any application for an amendment to any federal waiver governing the provision of medical assistance under Title 71 or the Title XIX state plan to any agency of the federal government unless the Commission has been afforded 30 days in which to hold a public hearing on the proposed waiver before submission. Any waiver application failing to receive the opportunity to hold such public hearing before submission to an agency of the federal government shall be void and of no effect. Requires the Commission to meet quarterly to perform certain duties. Adds the Commission to the sunset cycle provisions under the Tennessee Governmental Entity Review Law, thereby creating a termination date for the Commission of June 30, 2019.

Fiscal Note: (Dated March 1, 2017) Increase State Expenditures - \$1,900/Each One-Day Meeting



Senate Status: 05/09/17 - Senate Finance, Ways & Means Committee deferred to first calendar of 2018.
House Status: 05/08/17 - Taken off notice in House Finance Subcommittee.
Caption: AN ACT to amend Tennessee Code Annotated, Title 4 and Title 71, relative to a TennCare advisory commission.

SB1213/HB324 TENNCARE: Time period for enrollee to mail documentation of material changes to information.

Sponsors: Sen. Norris, Mark , Rep. Hawk, David
Summary: Changes time period for a TennCare enrollee or applicant to mail documentation of material changes to information in a TennCare application from 30 to 15 days. Requires the court to notify the appropriate state facility if the court commits the defendant to a public hospital has available with suitable accommodations in lieu of the state facility. Prohibits the delivery of mental health information of a patient without the patient's consent. Requires the commissioner to consult the bureau of TennCare when determining the contents of the report of health statistics. Broadly captioned. Part of Administration Package.

Fiscal Note: (Dated March 21, 2017) NOT SIGNIFICANT
Senate Status: 02/13/17 - Referred to Senate Commerce & Labor Committee.
House Status: 02/07/17 - Referred to House Health Subcommittee.
Caption: AN ACT to amend Tennessee Code Annotated, Title 33; Title 56; Title 63; Title 68 and Title 71, relative to health care.

SB1319/HB328 TENNCARE: Medicaid estate recovery claims.

Sponsors: Sen. Crowe, Rusty , Rep. VanHuss, James
Summary: Requires that if a notice to creditors is provided to the bureau of TennCare within six months of the decedent's date of death, the bureau shall file a claim for recovery, for personal representatives of a decedent recipient of TennCare. If a notice to creditors is provided to the bureau after six months of the decedent's date of death and before the end of twelve months from the date of death, the bureau shall file a claim for recovery before the end of twelve months from the date notice was provided to the bureau. If a notice to creditors is not provided to the bureau before the end of twelve months from the decedent's date of death, the bureau shall file a petition to open the decedent's estate as a creditor and file a claim for recovery before the end of thirty-six months from the decedent's date of death. Sets additional guidelines for recovery, if no claim for recovery is filed by the bureau before the end of thirty-six months from the decedent's date of death.

Fiscal Note: (Dated March 5, 2017) Decrease State Revenue - \$141,700
Senate Status: 04/05/17 - Taken off notice in Senate Health & Welfare Committee.
House Status: 01/31/18 - Taken off notice in House Health Subcommittee.



Caption: AN ACT to amend Tennessee Code Annotated, Title 30 and Section 71-5-116, relative to TennCare.

SB1364/HB807 HEALTH CARE: The department required to administer the Medical Assistance Act.

Sponsors: Sen. Bailey, Paul , Rep. Keisling, Kelly

Summary: Designates the department of finance and administration instead of the department of health as the department required to administer the Medical Assistance Act.

Amendment Summary: Senate Commerce & Labor Committee Amendment 1, House Health Committee Amendment 1 (006729) deletes all language after the enacting clause. Establishes a task force to study various issues relative to TennCare. Requires the Chairs of the Health Committee of the House of Representatives (HHC) and the Commerce and Labor Committee of the Senate (SCLC) to each appoint three members of the General Assembly to the task force and authorizes the staff of the HHC and the SCLC to provide support to the task force if requested. Requires the task force to provide a report with recommendations to the HHC and the SCLC by January 15, 2018, at which time it shall cease to exist.

Fiscal Note: (Dated March 16, 2017) NOT SIGNIFICANT

Senate Status: 04/10/17 - Re-referred to Senate Calendar Committee.

House Status: 05/01/17 - Taken off notice in House Study Subcommittee of Finance.

Caption: AN ACT to amend Tennessee Code Annotated, Title 56; Title 68 and Title 71, relative to medical assistance.

SB1494/HB1542 TENNCARE: Aging caregiver priority provisions - referral list for the TennCare CHOICES program.

Sponsors: Sen. Haile, Ferrell , Rep. Ramsey, Bob

Summary: Applies aging caregiver priority provisions to persons eligible for the TennCare CHOICES program.

Fiscal Note: (Dated January 28, 2018) Increase State Expenditures - \$2,011,400/FY18-19 \$3,017,100/FY19-20 and Subsequent Years Increase Federal Expenditures - \$3,879,900/FY18-19 \$5,819,800/FY19-20 and Subsequent Years

Senate Status: 01/17/18 - Referred to Senate Health & Welfare Committee.

House Status: 02/08/18 - Set for House Health Committee 02/13/18.

Caption: AN ACT to amend Tennessee Code Annotated, Title 33 and Title 71, relative to services and supports for people with disabilities.

SB1659/HB2493 TENNCARE: Use of generic drugs.

Sponsors: Sen. Dickerson, Steven , Rep. Holt, Andy

Summary: Makes the use of generic drugs pursuant to the Tennessee Affordable Drug Act of 2005 applicable to the TennCare program.



Fiscal Note: (Dated January 28, 2018) NOT SIGNIFICANT
Senate Status: 01/24/18 - Referred to Senate Health & Welfare Committee.
House Status: 02/07/18 - Referred to House Health Subcommittee.
Caption: AN ACT to amend Tennessee Code Annotated, Title 53, Chapter 10 and Title 71, Chapter 5, relative to the use of generic medications in the TennCare program.

SB1728/HB1551 TENNCARE: Work requirements for certain adult enrollees.

Sponsors: Sen. Bell, Mike , Rep. Harwell, Beth
Summary: Directs the commissioner of finance and administration to submit to the federal centers for medicare and medicaid services a waiver amendment to the existing TennCare II waiver imposing reasonable work requirements upon able-bodied working age adult enrollees without dependent children under the age of six.

Senate Status: 01/25/18 - Referred to Senate Health & Welfare Committee.
House Status: 02/08/18 - Set for House Health Subcommittee 02/14/18.
Caption: AN ACT to amend Tennessee Code Annotated, Title 71, relative to imposing requirements on recipients of medical assistance.

SB1881/HB2083 TENNCARE: Time period for mailing documentation regarding material change affecting TennCare application.

Sponsors: Sen. Briggs, Richard , Rep. McDaniel, Steve
Summary: Reduces the time period for an enrollee or applicant for medical assistance to mail documentation of a material change affecting the enrollee or applicant's TennCare application from 30 days to 15 days. Broadly captioned.

Fiscal Note: (Dated January 28, 2018) NOT SIGNIFICANT
Senate Status: 01/31/18 - Referred to Senate Health & Welfare Committee.
House Status: 02/05/18 - Referred to House Health Subcommittee.
Caption: AN ACT to amend Tennessee Code Annotated, Title 68 and Title 71, relative to TennCare.

SB2164/HB2347 INSURANCE GENERAL: Annual report of necessary changes to Access Tennessee Act.

Sponsors: Sen. Green, Mark , Rep. Williams, Ryan
Summary: Specifies February 1 as the date by which the commerce and labor committee of the senate, the insurance and banking committee of the house of representatives, the finance, ways and means committee of the senate, and the finance, ways and means committee of the house of representatives, annually reviews and recommends necessary changes to



the governor and the general assembly regarding Access Tennessee Act of 2006.

Senate Status: 02/05/18 - Referred to Senate Commerce & Labor Committee.
House Status: 02/07/18 - Referred to House Insurance & Banking Subcommittee.
Caption: AN ACT to amend Tennessee Code Annotated, Title 3; Title 4; Title 9; Title 33; Title 56; Title 63; Title 68 and Title 71, relative to medical assistance.

SB2312/HB2608 TENNCARE: Online submission of TennCare forms for recipients under the age of 18.

Sponsors: Sen. Harris, Lee , Rep. Mitchell, Bo
Summary: Requires the bureau of TennCare to establish a procedure that allows recipients who are under the age of 18 to reapply for medical assistance benefits online without requiring any paper forms.

Senate Status: 02/05/18 - Referred to Senate Health & Welfare Committee.
House Status: 02/01/18 - Filed for Introduction
Caption: AN ACT to amend Tennessee Code Annotated, Title 71, relative to applications for medical benefits.

SB2364/HB1541 TENNCARE: Payment reform initiatives - behavioral healthcare episodes.

Sponsors: Sen. Crowe, Rusty , Rep. Ramsey, Bob
Summary: Excludes behavioral health from episodes of care in any payment reform initiative developed or implemented with respect to medical assistance provided under the bureau of TennCare or the health care finance and administration (HCFA) of the department of finance and administration.
Fiscal Note: (Dated January 30, 2018) Other Fiscal Impact The proposed legislation could result in cost savings of unknown amounts. The extent and timing of any cost savings cannot be reasonably determined for such impacts are dependent upon unknown factors.

Senate Status: 02/05/18 - Referred to Senate Health & Welfare Committee.
House Status: 01/19/18 - Referred to House Health Subcommittee.
Caption: AN ACT to amend Tennessee Code Annotated, Title 71, relative to payment reform initiatives.

SB2367/HB2599 TENNCARE: Timely filing of a claim from a healthcare provider within TennCare.

Sponsors: Sen. Crowe, Rusty , Rep. Hill, Timothy
Summary: Requires TennCare to accept a claim from a healthcare provider as timely filed if the claim is filed within one year of the service provided. Establishes a review process for the denial of claims under the prompt payment requirements of the Health Maintenance Organization Act of 1986.

Senate Status: 02/05/18 - Referred to Senate Commerce & Labor Committee.



House Status: 02/01/18 - Filed for Introduction
Caption: AN ACT to amend Tennessee Code Annotated, Title 56 and Title 71, relative to the TennCare program.

SB2456/HB2542 TENNCARE: Waiver to allow for health savings account options.

Sponsors: Sen. Roberts, Kerry , Rep. Harwell, Beth
Summary: Requires the commissioner of the department of finance and administration to negotiate and submit to the federal centers for medicare and medicaid services a waiver amendment to the existing TennCare II waiver that includes a plan for health savings account options for recipients under certain requirements.

Senate Status: 02/05/18 - Referred to Senate Health & Welfare Committee.
House Status: 02/07/18 - Referred to House Health Subcommittee.
Caption: AN ACT to amend Tennessee Code Annotated, Title 4; Title 33; Title 56 and Title 71, relative to medical assistance.

SB2585/HB1990 TENNCARE: Episodes of care in payment reform.

Sponsors: Sen. Hensley, Joey , Rep. Kumar, Sabi
Summary: STATE SUMMARY - As introduced, requires the comptroller of the treasury to study the implementation of episodes of care concerning the implementation of bonuses and penalties within episodes of care with attention to the equity of the system with respect to providers and its relationship to costs associated with independent actors within individual episodes of care; the comptroller shall report on or before January 15, 2019, to the health committee of the house of representatives and the health and welfare committee of the senate.

Senate Status: 02/05/18 - Referred to Senate Commerce & Labor Committee.
House Status: 02/07/18 - Referred to House Insurance & Banking Subcommittee.
Caption: AN ACT to amend Tennessee Code Annotated, Title 33; Title 56; Title 63; Title 68 and Title 71, relative to episodes of care in payment reform.

SJR44 INSURANCE HEALTH: Expresses support for conversion of Medicaid funding to a block grant.

Sponsors: Sen. Green, Mark ,
Summary: Expresses support for conversion of Medicaid funding to a block grant and opposes expansion of Medicaid under the federal Patient Protection and Affordable Care Act, Pub. L. No. 111-148.

Fiscal Note: (Dated February 7, 2017) Pursuant to Tenn. Code Ann. 3-2-107, this fiscal note has been corrected to include an Impacto Commerce Statement. The fiscal analysis of the original fiscal note dated January 29, 2017has not changed. NOT SIGNIFICANT

Senate Status: 02/01/17 - Referred to Senate Commerce & Labor Committee.



SB1212/HB323 WELFARE: Consumer-directed care.

Sponsors: Sen. Norris, Mark , Rep. Hawk, David
Summary: Makes self-directed health care available to anyone receiving medicaid-reimbursed home and community based long-term care services, support in accord with state plan or federal waiver. Part of Administration Package.
Senate Status: 03/08/17 - Senate Health & Welfare Committee deferred until 3/15/17.
House Status: 02/07/17 - Referred to House Health Subcommittee.
Caption: AN ACT to amend Tennessee Code Annotated, Section 71-5-1414, relative to consumer-directed care.

Transportation

SB1660/HB1705 TRANSPORTATION GENERAL: Airport parking for persons with disabilities - fees prohibited.

Sponsors: Sen. Dickerson, Steven , Rep. Jernigan, Darren
Summary: Prohibits an airport or airport authority in this state from charging a parking fee for airport parking designated for persons with disabilities.
Senate Status: 01/24/18 - Referred to Senate Transportation & Safety Committee.
House Status: 01/24/18 - Referred to House Transportation Subcommittee.
Caption: AN ACT to amend Tennessee Code Annotated, Title 42 and Title 55, Chapter 21, Part 1, relative to airport parking for persons with disabilities.

SB2627/HB2074 TRANSPORTATION GENERAL: Report detailing plans or initiatives to increase public transportation system access and service.

Sponsors: Sen. Norris, Mark , Rep. Cooper, Barbara
Summary: Requires transportation authorities to draft reports by July 1, 2019, regarding plans to maximize system effectiveness and accessibility for economically disadvantaged communities. Orders municipalities to review projects receiving street aid funds by 2020 and prioritize the projects deemed useful for completion by 2025.
Senate Status: 02/05/18 - Referred to Senate Transportation & Safety Committee.
House Status: 02/05/18 - Referred to House Transportation Subcommittee.
Caption: AN ACT to amend Tennessee Code Annotated, Title 7, Chapter 56, Part 1 and Title 54, Chapter 4, relative to transportation.



Welfare

SB7/HB632

GOVERNMENT REGULATION: Capping the total value of certain public assistance at the level of average household income in the state.

Sponsors:

Sen. Green, Mark , Rep. Holt, Andy

Summary:

Places a cap on the total value of public assistance benefits a household can receive that is not to exceed the median household income for the State of Tennessee. States that once a household reaches the median income level, the household is ineligible for further public assistance. The department of finance and administration shall develop a system for calculating the value of public assistance a household is receiving and monitor affected households.

Fiscal Note:

(Dated March 2, 2017) Increase State Expenditures - \$2,925,600/FY17-18 \$2,041,100/FY18-19 \$1,348,200/FY19-20 and Subsequent Years Other Fiscal Impact -- The provisions of the bill conflict with federal laws governing the states participation and operation of the Supplemental Nutrition Assistance Program (SNAP), the Child Care Development Block Grant (CCDBG), and Unemployment Insurance (UI) and would jeopardize federal funding. The federal funding for these programs of approximately \$1,909,000,000 for SNAP, \$127,000,000 for CCDBG, and \$32,000,000 for UI, will be in jeopardy in FY17-18 and subsequent years.

Senate Status:

03/22/17 - Taken off notice in Senate Health & Welfare Committee.

House Status:

03/22/17 - Taken off notice in House Health Subcommittee.

Caption:

AN ACT to amend Tennessee Code Annotated, Title 4; Title 50 and Title 71, relative to capping the total value of certain public assistance at the level of average household income in the state.

SB504/HB1215

WELFARE: Report on recommendations regarding the supplemental nutrition assistance program.

Sponsors:

Sen. Tracy, Jim , Rep. Hicks, Gary

Summary:

Requires the commissioner of human services to study and report any appropriate recommendations to the health and welfare committee of the senate and the health committee of the house concerning options for reducing or prohibiting the purchase of harmful products with no or little nutritional value by recipients of benefits under the supplemental nutrition assistance program.

Fiscal Note:

(Dated February 14, 2017) NOT SIGNIFICANT

Senate Status:

03/29/17 - Senate Health & Welfare Committee deferred to Summer Study.

House Status:

04/05/17 - Taken off notice in House Health Subcommittee.

Caption:

AN ACT to amend Tennessee Code Annotated, Title 4 and Title 71, relative to food stamps.



SB505/HB1218 WELFARE: Federal waiver of work requirements for adults in the supplemental nutrition assistance program.

Sponsors: Sen. Tracy, Jim , Rep. Hicks, Gary
Summary: Prohibits the department of human services from seeking, applying for, accepting, or renewing a federal waiver of work requirements for adults in the supplemental nutrition assistance program.
Fiscal Note: (Dated March 22, 2017) NOT SIGNIFICANT
Senate Status: 05/09/17 - Taken off notice in Senate Finance, Ways & Means Committee.
House Status: 04/12/17 - Taken off notice in House Health Subcommittee.
Caption: AN ACT to amend Tennessee Code Annotated, Title 4 and Title 71, relative to food stamps.

SB1172/HB91 WELFARE: Requirements for recipients of food assistance (SNAP).

Sponsors: Sen. Hensley, Joey , Rep. VanHuss, James
Summary: Requires recipients of food assistance (SNAP), as a condition of participation and eligibility, to periodically submit proof that the recipient has been employed for at least 20 hours of work each week, has been engaged in at least 24 hours of community service each month, has participated at an employment center in classes to improve skills or in actively seeking employment for at least 20 hours each week, or is enrolled as a full-time student in a higher education institution or technical school. Specifies certain exemptions to this requirement.
Amendment Summary: House Health Subcommittee amendment 1 (004172), which codifies standard practices by the Department of Human Services with respect to county by county waivers.
Fiscal Note: (Dated March 5, 2017) Increase State Expenditures - \$8,600 Increase Federal Expenditures - \$8,600 Other Fiscal Impact -- The provisions of the bill could jeopardize federal funding if it is determined the state is noncompliant with federal law. The DHS reports that if someone is denied benefits that would otherwise be eligible by virtue of meeting general work requirements and requirements applicable to Able-Bodied Adults with Dependents, and such action is considered noncompliant with federal law, then the Departments federal funding, approximately \$1,909,112,700 in FY17-18, could be in jeopardy.
Senate Status: 03/29/17 - Taken off notice in Senate Health & Welfare Committee.
House Status: 04/04/17 - Taken off notice in House Finance, Ways & Means.
Caption: AN ACT to amend Tennessee Code Annotated, Title 71, relative to participation in certain public assistance programs.

SB1487/HB1498 WELFARE: Licensure exemption for religious organizations providing limited respite care services programs.



Sponsors: Sen. Haile, Ferrell , Rep. Rogers, Courtney
Summary: Exempts religious organizations and religious institutions that provide limited respite care services programs from licensure for providing adult day care.
Fiscal Note: (Dated January 22, 2018) NOT SIGNIFICANT
Senate Status: 01/17/18 - Referred to Senate Health & Welfare Committee.
House Status: 01/16/18 - Referred to House Health Subcommittee.
Caption: AN ACT to amend Tennessee Code Annotated, Title 71, relative to adult day care.

SB1632/HB1505 WELFARE: State funds used to continue CoverKids program.

Sponsors: Sen. Yarbro, Jeff , Rep. Powell, Jason
Summary: Clarifies that state funds may be used to continue the CoverKids program in the event that federal funds are no longer available. Expresses the intent of the General Assembly to provide additional state funds for the CoverKids program in the event that federal funds are no longer available.
Fiscal Note: (Dated January 18, 2018) Other Fiscal Impact To the extent federal funds cease to be available and the General Assembly elects to appropriate funding sufficient to continue the CoverKids program at current funding levels, an additional recurring appropriation of at least \$242,600,000 from the General Fund will be required.
Senate Status: 01/18/18 - Referred to Senate Health & Welfare Committee.
House Status: 01/17/18 - Referred to House Insurance & Banking Subcommittee.
Caption: AN ACT to amend Tennessee Code Annotated, Title 71, relative to the CoverKids program.

SB2129/HB2443 WELFARE: Status of caregivers for public assistance programs.

Sponsors: Sen. Yarbro, Jeff , Rep. Shaw, Johnny
Summary: Requires a caregiver who is a relative to the patient to take responsibility over the care of their relative. Allows the caregiver to reside at a different residence and to take part in a different food assistance program.
Senate Status: 02/05/18 - Referred to Senate Health & Welfare Committee.
House Status: 02/07/18 - Referred to House Health Subcommittee.
Caption: AN ACT to amend Tennessee Code Annotated, Title 4 and Title 71, relative to the status of caregivers for public assistance programs.

SB2247/HB1822 WELFARE: Revises various provisions relative to public assistance.

Sponsors: Sen. Norris, Mark , Rep. Hawk, David



Summary: Grants the department of human services with various powers when investigating fraud and abuse of the program.

Senate Status: 02/05/18 - Referred to Senate Health & Welfare Committee.

House Status: 02/08/18 - Set for House Health Subcommittee 02/14/18.

Caption: AN ACT to amend Tennessee Code Annotated, Title 71, Chapter 1, Part 1; Section 71-3-104; Section 71-3- 105; Section 71-5-314 and Section 71-5-316, relative to public assistance.

SB2464/HB2124 TENNCARE: Waiver amendment to the TennCare II waiver.

Sponsors: Sen. Roberts, Kerry , Rep. Williams, Ryan

Summary: Requires the commissioner of finance and administration to seek a waiver amendment to the TennCare II waiver. Waiver requires certain TennCare enrollees to spend at least 20 hours working every week and another 20 volunteering in order to receive coverage. Excludes enrollees who are pregnant, over the age of 64, and those who are a caretaker responsible for a child under the age of one. Requires enrollees to undergo routine drug tests.

Senate Status: 02/05/18 - Referred to Senate Commerce & Labor Committee.

House Status: 02/05/18 - Referred to House Health Subcommittee.

Caption: AN ACT to amend Tennessee Code Annotated, Title 4; Title 56 and Title 71, relative to medical assistance.