

**CHAPTER NO. 388**

**HOUSE BILL NO. 1286**

**By Representative Odom**

**Substituted for: Senate Bill No. 1366**

**By Senator Crutchfield**

AN ACT to amend Tennessee Code Annotated, Section 63-1-136, relative to assistance to impaired health practitioners.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 63-1-136, is amended by inserting the language "their affiliated" immediately after the language "nonprofit professional associations or" in subsection (b).

Tennessee Code Annotated, Section 63-1-136, is further amended by adding the language "The provision of such grants shall not deem recipient peer assistance programs to be the functional equivalent of the state." at the end of subsection (c).

Tennessee Code Annotated, Section 63-1-136, is further amended by inserting the language "its affiliated" immediately after the language "professional association or", wherever that language appears in subsection (d).

Tennessee Code Annotated, Section 63-1-136, is further amended by inserting the word "affiliated" between the language "such proceedings of the" and the language "foundation or association" in subsection (d).

SECTION 2. Nothing in this act shall interfere with any existing contract.

SECTION 3. Tennessee Code Annotated, Section 63-1-136, is amended by adding the following new section:

(e) If a regulatory board, commission or agency attached to the division of health related boards determines that an association or its affiliated foundation is not providing adequate services under this section, then the board, commission or agency may contract with another nonprofit organization in order to assist impaired professionals.

(f) Organizations that directly provide alcohol and drug treatment services or behavioral health services on an inpatient or outpatient basis for remuneration shall be prohibited from contracting with such board, commission or agency to provide a professional assistance program.

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it.

PASSED: May 29, 2003

  
JIMMY RAIFEH, SPEAKER  
HOUSE OF REPRESENTATIVES

  
JOHN S. WILDER  
SPEAKER OF THE SENATE

APPROVED this 23<sup>rd</sup> day of June 2003

  
PHIL BREDESEN, GOVERNOR