

**CHAPTER NO. 831**

**HOUSE BILL NO. 1093**

**By Representative Lois DeBerry**

**Substituted for: Senate Bill No. 1202**

**By Senator Dixon**

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

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:  
by deleting all language following the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 49-7-207(e), is amended by deleting the period at the end of the subsection and adding the following language and punctuation to the end of the sentence:

; or if, in their judgment, there is insufficient evidence that adequate employment opportunities exist in related occupations for persons successfully completing such program and that the costs of such program are reasonable in relation to the reasonably expected earnings in occupations for which the program is designed. The regionally accredited, degree granting institutions shall be exempted from this provision.

SECTION 2. Tennessee Code Annotated, Section 49-7-2005(a), is amended by adding the following language:

The Tennessee higher education commission shall study and report to the general assembly by February 1, 2005, on the appropriateness and the relevance of current training and educational programs offered by institutions authorized pursuant to this part for members of the allied health care professions to determine the extent to which training and educational activities are structured to assure the availability of up to date training that reflects current responsibilities of the various allied health fields. The regionally accredited, degree granting institutions shall be exempted from this provision.

SECTION 3. Tennessee Code Annotated, Section 49-7-2008(f), is amended by adding the following language:

The commission may require an institution to publish placement rates and other information indicating actual employment and earnings in relevant occupations post successful completion of offered programs.

SECTION 4. There is created a special committee to study issues related to the cost and adequacy of certain programs of postsecondary education provided by institutions authorized pursuant to title 49, Chapter 7, Part 20 of the Tennessee Code.

SECTION 5. The committee shall specifically study the appropriateness and the relevance of current training and education provided to students enrolled in allied health and massage therapy programs by institutions authorized pursuant to Title 49, Chapter 7, Part 20, of the Tennessee Code, to determine the extent to which training and educational activities are

structured to assure the availability of up-to-date training that reflects current responsibilities of the various allied health fields.

SECTION 6. The committee shall also review new certificate and diploma programs, as well as, all allied health and massage therapy programs authorized pursuant to Title 49, Chapter 7, Part 20, of the Tennessee Code, between July 1, 2003 and June 30, 2004. The special committee shall determine the extent that adequate employment opportunities exist in related occupations for persons successfully completing such programs and whether the costs of such programs are reasonable in relation to the reasonably expected earnings in occupations for which the program is designed.

SECTION 7. The committee shall survey other states to determine which requires the institutions it regulates to track placement rates and other information indicating actual employment and earnings in relevant occupations post successful completion of offered programs. The survey shall also include if, and how such information is required to be published or posted or otherwise be made known to the public and/or prospective students.

SECTION 8. The committee shall consist of seven (7) members:

- (1) Three (3) members of the senate, appointed by the speaker of the senate;
- (2) Three (3) members of the house of representatives, appointed by the speaker of the house; and
- (3) The president of the Tennessee Proprietary Business Schools Association.

SECTION 9. The committee shall be convened by the legislative member with the most years of continuous legislative service and, at its organizational meeting, shall elect from the legislative membership a chair, a vice chair, and such other officers as it may deem necessary.

SECTION 10. Members of the committee shall serve without compensation, except that any member of the committee who is not a state employee shall be reimbursed for all travel expenses incurred as a result of his or her duties with the committee in accordance with the provisions of the comprehensive travel regulations promulgated by the department of finance and administration and approved by the attorney general.

SECTION 11. The postsecondary authorization division of the commission shall provide any staffing assistance requested by the committee.

SECTION 12. The committee shall report its findings and recommendations to the governor and the general assembly by February 1, 2005, at which time the committee shall cease to exist. As part of the report, the commission shall make recommendations regarding any legislation that should be pursued to strengthen consumer protection measures for students.

SECTION 13. For the purpose of appointing the members of the committee, this act shall take effect upon becoming a law, the public welfare requiring it. For all other purposes, it shall take effect on July 1, 2004, the public welfare requiring it.

PASSED: May 21, 2004

  
JIMMY RAIFEH, SPEAKER  
HOUSE OF REPRESENTATIVES

  
JOHN S. WILDER  
SPEAKER OF THE SENATE

APPROVED this 8<sup>th</sup> day of June 2003

  
PHIL BREDESEN, GOVERNOR