

PUBLIC CHAPTER NO. 377

SENATE BILL NO. 251

By Haynes

Substituted for: House Bill No. 63

By Mike Turner, Odom, Harwell, Jim Cobb, Sherry Jones

AN ACT to amend Tennessee Code Annotated, Title 68, Chapter 11, Part 2, relative to wheeled mobility devices.

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

SECTION 1. Tennessee Code Annotated, Section 68-11-201, is amended by deleting subdivision (12) in its entirety and by adding the following language as a new, appropriately designated subdivision:

() “Qualified rehabilitation professional” means:

(A) A health care professional within the professional’s scope of practice licensed under Title 63; or

(B) An individual who has appropriately obtained the designation of ATS or ATP, meeting all requirements thereof, as established by the Rehabilitation Engineering and Assistive Technology Society of North America (RFSNA).

SECTION 2. Tennessee Code Annotated, Section 68-11-201(41), is amended by deleting the language “and K0006.” and by substituting instead the following language:

K0006, and K0007, as long as the consumer weighs less than three hundred (300) pounds.

SECTION 3. Tennessee Code Annotated, Section 68-11-226(d), is amended:

(1) in subdivision (1) by deleting the language “have on staff a credentialed wheeled mobility person” and by substituting instead the language “have on staff, or contract with, a qualified rehabilitation professional”;

(2) in subdivision (2) by deleting the language “by a credentialed wheeled mobility person” and by substituting instead the language “by a qualified rehabilitation professional”; and

(3) by deleting subdivision (3) in its entirety and by substituting instead the following language:

(3) Home care organizations providing prescribed wheeled mobility devices shall obtain a complete face-to-face written evaluation and recommendation by a qualified rehabilitation professional for consumers of prescribed wheeled mobility devices.

SECTION 4. Tennessee Code Annotated, Section 68-11-226(d), is further amended by adding the following language as new subdivisions:

(4) On and after the effective date of this act, a one-hundred-eighty (180) day grace period shall be provided to organizations that provide prescribed wheeled mobility devices if the qualified rehabilitation professional on staff ceases to be employed and the organization has no other qualified rehabilitation professional on staff.

(5) On and after the effective date of this act, all organizations making available prescribed wheeled mobility devices to consumers in the State of Tennessee shall have a repair service department or a contract with a repair service department located in the state. The organization shall have a qualified technician with knowledge and capability of servicing the product provided to the consumer. As used in this section "consumer" means an individual for whom a wheeled mobility device, manual or powered, has been prescribed by a physician, and required for use for a period of six (6) months or more.

(6) On or after the effective date of this act, delivery and final fitting of a wheeled mobility device shall be determined by a qualified rehabilitation professional. This act exempts wheeled mobility devices under category Group 1 Medicare codes.

SECTION 5. This act shall take effect July 1, 2007, the public welfare requiring it.

PASSED: May 24, 2007



RON RAMSEY
SPEAKER OF THE SENATE



JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 8th day of June 2007



PHIL BREDESEN, GOVERNOR