

PUBLIC CHAPTER NO. 764

SENATE BILL NO. 2614

**By Black, Marrero, Burks, Kurita, Lowe Finney, Raymond Finney, Tracy,
Harper, Ford**

Substituted for: House Bill No. 2729

**By Favors, Pruitt; Mr. Speaker Naifeh; Sherry Jones, Lois DeBerry,
Richardson, Odom, Shepard, Sontany, Eldridge, Williams, Armstrong,
Harrison, Overbey, Maggart, Fincher, Yokley, Hackworth, Litz, Briley, Pitts,
Bass, Hill, Baird, Lollar, Hensley, Ferguson, DuBois, Coley, Matheny,
McDonald, Hood, Lundberg, Fitzhugh, Hardaway, Cooper, Miller, Brown,
Shaw, Moore, McCormick, Campfield, Mike Turner, Coleman, Bone, Kelsey,
Harry Brooks, Curt Cobb**

AN ACT to amend Tennessee Code Annotated, Title 68, relative to authorizing the provision of hospice services by assisted-care living facilities.

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

SECTION 1. Tennessee Code Annotated, Section 68-11-201(4)(B), is amended by deleting the language "medical services as prescribed" and by substituting instead the language "medical services and hospice services as prescribed".

SECTION 2. Tennessee Code Annotated, Section 68-11-201(5)(B), is amended by adding the following language as a new subdivision (iii):

(iii) Notwithstanding any other provision of this subdivision (5), any assisted-care living facility resident who qualifies for hospice care under Medicare shall be able to receive hospice care services and continue as a resident of the assisted-care living facility so long as the resident's treating physician certifies that hospice care can be appropriately provided at the facility. In addition, the hospice provider and the assisted living facility are jointly responsible for the development of a plan of care that ensures the safety and well-being of the resident's living environment and for the provision of the resident's health care needs. Furthermore, the hospice provider shall be available to assess, plan, monitor, direct and evaluate the resident's palliative care in conjunction with the resident's physician and in cooperation with the assisted care living facility.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.

PASSED: April 3, 2008



RON RAMSEY
SPEAKER OF THE SENATE



JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 21st day of April 2008



PHIL BREDESEN, GOVERNOR