



State of Tennessee
PUBLIC CHAPTER NO. 978

SENATE BILL NO. 3535

By Crowe, Burks, Ford

Substituted for: House Bill No. 3058

By Ford, Roach

AN ACT to amend Tennessee Code Annotated, Title 68, Chapter 11, Part 2, relative to adult care home providers.

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

SECTION 1. Tennessee Code Annotated, Section 68-11-209(h)(2), is amended by deleting subdivisions (C) and (D) in their entirety, by substituting instead the following subdivisions as now (C), (D), and (E), and by redesignating subsequent subdivisions accordingly:

(C) A Level 2 adult care home provider serving residents with traumatic brain injury must hold a national certification by the Academy of Certified Brain Injury Specialists as a Certified Brain Injury Specialist (CBIS), or hold a current professional license or employ a resident manager who holds a current professional license as a physician, nurse practitioner, registered nurse, licensed rehabilitation professional, Certified Brain Injury Specialist (CBIS) or licensed mental health professional who is trained and experienced in the care and rehabilitation of residents with traumatic brain injury;

(D) A substitute caregiver for a Level 2 adult care home for persons with traumatic brain injury must hold a national certification by the Academy of Certified Brain Injury Specialists as a Certified Brain Injury Specialist (CBIS), or hold a current professional license as a physician, nurse practitioner, registered nurse, licensed rehabilitation professional or licensed mental health professional who is trained and experienced in the care and rehabilitation of residents with traumatic brain injury and must demonstrate competency in caring for persons with traumatic brain injury;

(E) A Level 2 resident manager serving residents with traumatic brain injury must hold a national certification by the Academy of Certified Brain Injury Specialists as a Certified Brain Injury Specialist (CBIS), or hold a current professional license as a physician, nurse practitioner, registered nurse, licensed rehabilitation professional or licensed mental health professional who is trained and experienced in the care and rehabilitation of residents with traumatic brain injury and must demonstrate competency in caring for persons with traumatic brain injury; and

SECTION 2. Tennessee Code Annotated, Section 68-11-209, is amended by adding the following language as a new, appropriately designated subdivision:

() For developing a plan of care in Level 2 adult care homes, a licensed healthcare professional may include, when appropriate, persons holding a national certification by the Academy of Certified Brain Injury Specialists as a Certified Brain Injury Specialist (CBIS).

SECTION 3. Tennessee Code Annotated, Title 68, Chapter 11, Part 2, is amended by adding the following appropriately numbered new section:

68-11-2__. As an alternative to the licensing condition of off-site day services established by §§ 68-11-273 and 68-11-206(a)(2)(E) (as enacted by Chapter ___ of the Public Acts of 2012 (SB 2816/HB 2928)), a traumatic brain injury residential home serving only private pay or private insurance clients may provide day services for its residents on site as part of its comprehensive services.

SECTION 4. Sections 1 and 2 of this act shall take effect upon becoming a law, the public welfare requiring it. Section 3 shall take effect July 1, 2012, the public welfare requiring it.

SENATE BILL NO. 3535

PASSED: April 27, 2012



RON RAMSEY
SPEAKER OF THE SENATE



BETH HARWELL, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 10th day of May 2012



BILL HASLAM, GOVERNOR