

State of Tennessee
PUBLIC CHAPTER NO. 1093

SENATE BILL NO. 3145

By Burks, Marrero, Kyle, Ford

Substituted for: House Bill No. 3579

By Jones, Richardson, John Deberry, Coley, Shipley, Odom, Mike Turner, Dennis, Gilmore,
Camper, Gotto, Elam, Brown, Armstrong

AN ACT to amend Tennessee Code Annotated, Title 36 and Title 38, relative to the reporting of medical treatment under certain circumstances.

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

SECTION 1. Tennessee Code Annotated, Section 38-1-101, is amended by adding the following new subsection (d):

(d)(1) The reporting provisions in subsection (a) do not apply if the person seeking or receiving treatment:

(A) Is 18 years of age or older;

(B) Objects to the release of any identifying information to law enforcement officials; and

(C) Is a victim of a sexual assault offense or domestic abuse as defined in § 36-3-601.

(2) This exception shall not apply and the injuries shall be reported as provided in subsection (a) if the injuries incurred by the sexual assault or domestic abuse victim are considered by the treating healthcare professional to be life threatening, or the victim is being treated for injuries inflicted by strangulation, a knife, pistol, gun, or other deadly weapon.

(3) A hospital, healthcare provider or other person who is required to report under subsection (a) shall be immune from civil liability for not reporting if in good faith the hospital, healthcare provider or other person does not report the injury in order to comply with this subsection.

(4) If a person injured as provided in subsection (a) is first treated by an EMT, EMT-P, emergency medical or rescue worker, firefighter or other first responder, it shall not be the duty of the first responder to determine if the patient comes within the provisions of subdivision (b)(1). If the first responder transports the patient to a healthcare facility, the first responder's duty is to notify the treating physician or emergency room staff at the facility of the suspected cause of the patient's injury. If the patient is not transported to a healthcare facility, the first responder shall report the result of the call to the 911 center.

SECTION 2. Tennessee Code Annotated, Section 36-3-621, is amended by deleting the section in its entirety.

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

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PASSED: May 1, 2012

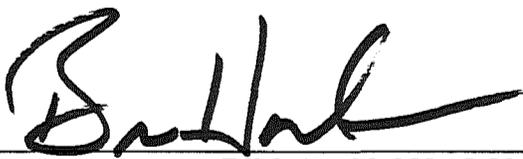


RON RAMSEY
SPEAKER OF THE SENATE



BETH HARWELL, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 21st day of May 2012



BILL HASLAM, GOVERNOR