



State of Tennessee

PUBLIC CHAPTER NO. 220

SENATE BILL NO. 28

By Beavers

Substituted for: House Bill No. 68

By Weaver

AN ACT to amend Tennessee Code Annotated, Title 10; Title 33; Title 36 and Title 63, relative to consideration of health care records of a parent in a child custody case.

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

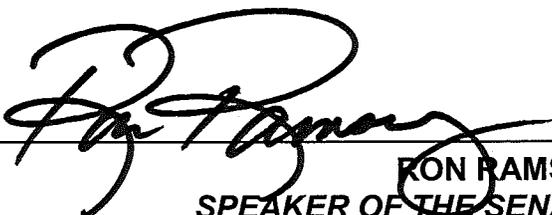
SECTION 1. Tennessee Code Annotated, Section 36-6-106(a)(5), is amended by deleting the semicolon (;) and adding a period (.) at the end of the subdivision, and is further amended by adding the following language after the language "caregivers;":

The court may, when it deems appropriate, order an examination of a party pursuant to Rule 35 of the Tennessee Rules of Civil Procedure and, if necessary for the conduct of the proceedings, order the disclosure of confidential mental health information of a party pursuant to § 33-3-105(3). The court order required by § 33-3-105(3) shall contain a qualified protective order that, at a minimum, expressly limits the dissemination of confidential protected mental health information for the purpose of the litigation pending before the court and provides for the return or destruction of the confidential protected mental health information at the conclusion of the proceedings.

SECTION 2. This act shall take effect July 1, 2013, the public welfare requiring it.

SENATE BILL NO. 28

PASSED: April 16, 2013



RON RAMSEY
SPEAKER OF THE SENATE



BETH HARWELL, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 29th day of April 2013



BILL HASLAM, GOVERNOR