



State of Tennessee

PUBLIC CHAPTER NO. 242

HOUSE BILL NO. 528

By Representatives Hawk, Casada, Kumar, Ragan, Eldridge

Substituted for: Senate Bill No. 1203

By Senators Norris, Crowe

AN ACT to amend Tennessee Code Annotated, Section 68-11-201; Section 68-11-204 and Section 68-11-210, relative to regulation of healthcare facilities.

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

SECTION 1. Tennessee Code Annotated, Section 68-11-204(a), is amended by adding the following as a new, appropriately designated subdivision:

() An independent living facility is exempt from the licensure requirements of this part.

SECTION 2. Tennessee Code Annotated, Section 68-11-210(a)(1), is amended by deleting the subdivision in its entirety and substituting instead the following language:

(a)(1) Unless exempt under subdivision (c)(5), every facility licensed under this part as an adult care home, ambulatory surgical treatment center, assisted care living facility, home for the aged, hospice, hospital, nursing home, residential hospice, or traumatic brain injury residential home shall be inspected within fifteen (15) months following the date of the last inspection. All other facilities for which a license has been issued shall be inspected within three (3) years following the date of the last inspection. All inspections shall be conducted by a duly appointed representative of the department under the rules promulgated under this part.

SECTION 3. Tennessee Code Annotated, Section 68-11-201(18), is amended by adding the following as a new subdivision (C):

A residential home for the aged is authorized to administer medications to residents only if it employs or contracts with a physician, nurse, or physician assistant to administer medications to residents;

SECTION 4. Tennessee Code Annotated, Section 68-11-201, is amended by adding the following as a new, appropriately designated subdivision:

() "Independent living facility" means a single-family residence, building, establishment, or complex used as a boarding home; an active adult community; a 55+ community; senior apartments; a retirement community; or a retirement home that provides housing for adults who are fifty-five (55) years of age or older. An independent living facility may provide meals, housekeeping services, and social activities for the entertainment of its residents, but does not provide any nursing or medical care, including medication administration or assistance with medication administration, and each resident is able to live independently, though a resident may independently contract for medical or nursing care with a home health agency or similar service.

SECTION 5. This act shall take effect upon becoming a law, the public welfare requiring it.

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PASSED: April 20, 2017


BETH HARWELL, SPEAKER
HOUSE OF REPRESENTATIVES


RANDY MCNALLY
SPEAKER OF THE SENATE

APPROVED this 2nd day of May 2017


BILL HASLAM, GOVERNOR