

## 2020 Legislative Summary

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### MENTAL HEALTH RELATED LEGISLATION

**SB673/HB787 Veterans Services, Dept. of** - As enacted, requires the Department of Veterans Services to provide training in suicide prevention to the employees of the department who directly interact with veterans.

**Public Chapter:** [531](#)

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**SB1959/HB1836 Public Health** - As enacted, adds representatives of the Tennessee Commission on Aging and Disability, the Tennessee Nurses Association, and the Department of Mental Health and Substance Abuse Services as members of the State Alzheimer's Disease and Related Dementia Advisory Council.

**Public Chapter:** [526](#)

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**SB2007/HB1998 Mental Health & Substance Abuse Services, Dept. of** - As enacted, authorizes the department to contract with any licensed community mental health agency for the provision of services under the behavioral health safety net, as long as the community mental health agency can provide to individuals who will be served under the behavioral health safety net all of the behavioral health services that are included within adult behavioral health services for the seriously and persistently mentally ill, as defined in the Medical Assistance Act of 1968.

**Public Chapter:** [578](#)

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**HJR1 General Assembly, Statement of Intent or Position** - Recognizes teen suicide as a health crisis in Tennessee.  
**Resolution Text:** [HJR1](#)

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## SUBSTANCE ABUSE/CONTROLLED SUBSTANCES RELATED LEGISLATION

**SB1912/HB1917 Health Care** - As enacted, adds nonopioid medicinal drugs or drug products, occupational therapy, and interventional procedures or treatments to the alternative treatments that must be disclosed and explained by a healthcare practitioner to a patient or the patient's legal representative as a prerequisite to obtaining informed consent to treatment with an opioid.

**Public Chapter:** 573

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**SB2202/HB2269 Tobacco, Tobacco Products** - As introduced, makes various changes to state law to reflect the change in federal law that raised the minimum age to purchase tobacco products from 18 years of age to 21 years of age.

- Administration Bill

**Public Chapter:** 732

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**SB2552/HB2625 Health Care** - As enacted, requires, by no later than January 1, 2021, the Departments of Health and Mental Health and Substance Abuse Services, and the Bureau of TennCare to collaborate to develop educational materials for providers and facilities where medication assisted treatment including treatment involving controlled substances is prescribed or provided; requires that the materials be made available to prescribers of such treatment for substance abuse disorder.

**Public Chapter:** 747

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**SB1060/HB656 Drugs, Prescription** - Drugs, Prescription - As enacted, authorizes nonphysician healthcare providers who are otherwise permitted to prescribe Schedule II or III drugs to also prescribe a buprenorphine product for the treatment of opioid use disorder if certain requirements are met.

- Allows nurse practitioners and physician assistants who work in community mental health centers or federally qualified health centers to prescribe buprenorphine for use in medication-assisted therapy with certain limitations.
- The prescribing nurse practitioner or physician assistant must work under the supervision of a physician with an active DATA 2000 waiver from the DEA who is actively treating patients with buprenorphine.
- The prescribing nurse practitioner or physician assistant must obtain and hold an active DATA 2000 waiver from the DEA.
- The supervising physician may only supervise four (4) nurse practitioners or physician assistants.
- Nurse practitioners and physician assistants who prescribe buprenorphine may only write prescriptions for fifty (50) or fewer patients at one time.

**Public Chapter:** 761

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- SB1938/HB1980 Drugs, Prescription** - As enacted, creates provisions related to prescribing buprenorphine.
- Allows nurse practitioners and physician assistants who work in licensed, nonresidential office-based opiate treatment facilities (OBOTs) to prescribe buprenorphine for use in medication-assisted therapy with certain limitations.
  - The prescribing nurse practitioner or physician assistant must work under the supervision of a physician with an active DATA 2000 waiver from the DEA who is actively treating patients with buprenorphine.
  - The prescribing nurse practitioner or physician assistant must obtain and hold an active DATA 2000 waiver from the DEA.
  - The supervising physician may only supervise two (2) nurse practitioners or physician assistants.
  - Nurse practitioners and physician assistants who prescribe buprenorphine may only write prescriptions for one hundred (100) or fewer patients at one time.
  - Prohibits cash only and prepaid credit cards, gift cards, or other card not linked to a financial institution as a form of payment for services at OBOTs
  - Requires OBOTs to be credentialed and seek reimbursement for services provided through TennCare.

**Public Chapter:** 771

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**SJR181 General Assembly, Statement of Intent or Position** - Declares that prior authorization requirements from insurance providers should be removed when a healthcare professional provides or seeks to provide medication assisted treatment to a patient with a substance use disorder and declares substance use disorder and opioid use disorder should be insured in the same manner as other diseases such as diabetes and heart disease.

**Resolution Text:** SJR181

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## **GENERAL HEALTH/HEALTH INSURANCE/HEALTH ADMINISTRATION RELATED LEGISLATION**

**SB2183/HB2250 Health Care** - As enacted, extends the CoverKids program from June 30, 2020 to June 30, 2025.

- Administration Bill

**Public Chapter:** 582

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**SB2184/HB2251 Insurance, Health, Accident** - As enacted, extends the Access Tennessee health insurance program from June 30, 2020 to June 30, 2025.

- Administration Bill

**Public Chapter:** 583

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**SB2169/HB2238 Professions and Occupations** - As enacted, changes references to summary suspension of a license to include other licensure restriction or action within the context of a contested case hearing; expands references for disciplinary proceedings against health-related licensees to include all boards, councils, committees, agencies, or regulatory programs.

- Administration Bill

**Public Chapter:** 594

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**SB1888/HB1875 Hospitals and Health Care Facilities** - As enacted, changes the determination of indigence income for the definition of charity care, and the amount of debt that may be deemed charity care and uncollectable, for purposes of a hospital reporting on the joint annual reports to the Department of Health, Center for Health Statistics.

**Public Chapter:** 619

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**SB2022/HB2170 TennCare** - As enacted, enacts the "Annual Coverage Assessment Act of 2020."

**Public Chapter:** 642

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**SB2124/HB2505 Public Health** - As enacted, creates the Tennessee Rare Disease Advisory Council.

**Public Chapter:** 645

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**SB1469/HB1175 TennCare** - As enacted, requires TennCare to reimburse an ambulance service provider that provides a covered service to a TennCare recipient at a rate not less than 67.5 percent of the federal medicare program's allowable charge for participating providers.

**Public Chapter:** 658

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## STATE GOVERNMENT RELATED LEGISLATION

**SB1655/HB1733** **Sunset Laws** - As enacted, extends the Board of Social Work Licensure to June 30, 2026.  
**Public Chapter:** 611

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**SB2176/HB2245** **Mental Health & Substance Abuse Services, Dept. of** - As enacted, reclassifies from preferred service position to executive service position an employee of the department who is a psychiatric hospital assistant superintendent, psychiatric hospital administrator, or psychiatric hospital nurse executive.

- Administration Bill

**Public Chapter:** 623

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**SB1626/HB1632** **Public Records** - As enacted, revises various provisions regarding public records.  
**Public Chapter:** 676

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**SB2161/HB2230** **Finance and Administration, Dept. of** - As enacted, authorizes the department to require its employees and contractors who have elevated and privileged access to data and personal information to submit to a background check to be performed by the TBI as a condition of employment.

- Administration Bill

**Public Chapter:** 689

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**SB2739/HB1707** **State Employees** - As enacted, permits the state, through the attorney general, to seek an injunction against a person who commits harassment against a state employee.  
**Public Chapter:** 694

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**SB2313/HB2578** **Public Records** - As enacted, prohibits a governmental entity from authorizing the destruction of public records subject to disclosure if the governmental entity knows the records are subject to a pending public record request submitted to the governmental entity.  
**Public Chapter:** 738

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**SB1642/HB2075 Disabled Persons** - As enacted, makes changes to the law concerning governmental entities, supported in whole or in part by the general assembly, purchasing services or commodities from the central nonprofit agency that works to provide individuals with severe disabilities competitive integrated employment opportunities.

**Public Chapter:** 782

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### **CRIMINAL/JUVENILE JUSTICE RELATED LEGISLATION**

**SB2066/HB2590 Firearms and Ammunition** - As enacted, allows an elected official of any county or municipality in the actual discharge of official duties who has a valid handgun carry permit to carry inside a building in which judicial proceedings are in progress, but not in the room in which judicial proceedings are in progress; allows the county attorney in the actual discharge of official duties who has a valid handgun carry permit to carry inside a building in which judicial proceedings are in progress, but not in the room in which judicial proceedings are in progress.

**Public Chapter:** 681

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**SB1622/HB1611 Criminal Procedure** - As enacted, authorizes the issuance of electronic citations, and not just written citations on paper, for certain misdemeanor criminal offenses in lieu of arrest.

**Public Chapter:** 781

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**SB2734/HB2517 Sentencing** - As enacted, revises provisions governing drug-free school zones and school safety zones and sentences related to violations.

**Public Chapter:** 803

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## MISCELLANEOUS LEGISLATION

**SB2032/HB2588 Child Custody and Support** - As enacted, requires that the parent educational seminar include at least one 30-minute video on adverse childhood experiences created by the Department of Children's Services in conjunction with the Commission on Children and Youth or as part of the Building Strong Brains Tennessee public awareness campaign; adds to that the requirement of attendance by parents at the parent educational seminar may be waived upon motion by either party and the agreement of the court upon the showing of good cause.

**Public Chapter:** 710

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**SB2520/HB2709 Employees, Employers** - As enacted, enacts the "Tennessee Pregnant Workers Fairness Act."

- Requires employers with fifteen (15) or more employees to make reasonable accommodations for pregnant workers.
- Authorizes enforcement and rulemaking authority for the Department of Labor and Workforce Development to enforce the law.

**Public Chapter:** 745

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## 2<sup>ND</sup> EXTRAORDINARY SESSION LEGISLATION

**SB8002/HB8001 Tort Liability and Reform** - As enacted, enacts "Tennessee COVID-19 Recovery Act."

- Limits an individual's or legal entity's liability for loss, damage, injury, or death that results from COVID-19.

**Public Chapter:** 1

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**SB8003/HB8002 Insurance, Health, Accident** - As enacted, makes various changes to the law concerning the electronic delivery of health care and its coverage under certain insurance policies and TennCare.

- Requires health insurance entities to reimburse for telehealth encounters.
- Expands the definition of "healthcare provider" for the purpose of providing telehealth/telemedicine.

**Public Chapter:** 4

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