

## 2021 Legislative Summary

To view a bill from this list, [click here](#).

**HJR175 Memorials** - Ellen Lee Abbott

Resolution Text: [HJR175](#)

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### Mental Health Related Legislation

**SB753/HB81\*** **Mental Health & Substance Abuse Services, Dept. of** - As enacted, requires the chief officer of a facility to notify certain persons within a certain time after the death of a person admitted to the facility; requires the department to strive to ensure at least a majority of the members of each regional citizen-based planning and policy council are former service recipients or family members of service recipients; makes other changes relative to mental health and substance abuse services.

- Administration Bill
- Defines who qualifies as a state employee for membership on the Regional Mental Health Institute (RMHI) Boards of Trustees.
- Establishes procedures for notifying certain individuals of a death at an RMHI.
- Codifies membership structure for the Regional Planning and Policy Councils.
- Clarifies that Licensed Alcohol and Drug Abuse Counselors are authorized to provide telehealth/telemedicine services.

**Public Chapter:** [62](#)

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**SB167/HB100 Guardians and Conservators** - As enacted, requires that petitions for appointment of a conservator include results of searches of the proposed conservator in the Department of Health's registry of persons who have abused, neglected, or misappropriated the property of vulnerable persons and the national sex offender registry.

**Public Chapter:** 84

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**SB729/HB140 Guardians and Conservators** - As enacted, specifies, for purposes of the appointment of a conservator, the county of residence of a person incarcerated in a Department of Correction facility as the county in which the facility is located and the county of residence of a person involuntarily hospitalized in an institution of the Department of Mental Health and Substance Abuse Services as the county in which the institution is located.

- Administration Bill

**Public Chapter:** 133

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**SB1440/HB581 Guardians and Conservators** - As enacted, specifies the procedures for giving notice in conservatorship proceedings; specifies that certain examination reports in conservatorship proceedings are confidential and not open for inspection by the public.

**Public Chapter:** 305

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**SB161/HB455 Psychologists** - As enacted, enacts the "Psychology Interjurisdictional Compact Act."

- Establishes Tennessee as a member of the Psychology Interjurisdictional Compact.

**Public Chapter:** 352

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**SB449/HB713 Local Education Agencies** - As enacted, requires an LEA to allocate prorated daily per pupil state and local funding to an out-of-state residential mental health facility if a student of the LEA is admitted to the facility and certain conditions are met.

**Public Chapter:** 589

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**SB739/HB73 Education** - As enacted, enacts the "K-12 Mental Health Trust Fund Act."

- Administration Bill
- Establishes the K-12 Mental Health Trust Fund to provide funding for mental health services and treatment for K-12 students.

**Public Chapter:** 595

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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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**SB748/HB80 Controlled Substances** - As enacted, makes various revisions to the controlled substance monitoring database.

- Administration Bill
- Changes the quorum requirement for the Controlled Substances Database Committee.
- Adds certain individuals who work with a medical examiner to the list of individuals who can access database information.
- Makes certain deidentified data from the database accessible to certain individuals.
- Allows certain database data to be shared with the CDC or other states.

**Public Chapter:** **136**

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**SB574/HB626 Drug and Alcohol Rehabilitation** - As enacted, requires certain state agencies to seek funding for the development of substance use disorder recovery programs for pregnant women and women with children; requires those agencies to annually report to the general assembly certain information about the recovery programs and funding.

**Public Chapter:** **197**

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**SB759/HB88 Motor Vehicles** - As enacted, changes the criteria that a private entity must meet to conduct driver education courses and community education courses.

- Administration Bill

**Public Chapter:** **220**

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**SB706/HB976 Controlled Substances** - As enacted, excludes from the definition of marijuana "a product," instead of "a cannabidiol product" approved as a prescription medication by the United States food and drug administration; specifies that such a product will be redesignated, rescheduled, or deleted as a controlled substance.

**Public Chapter:** **230**

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**SB207/HB215 Drug and Alcohol Rehabilitation** - As enacted, enacts the "Stopping Addiction and Fostering Excellence (SAFE) Act."

- Provides notice requirements for municipalities regarding unlicensed facilities.
- Creates prohibited practices by certain treatment facilities.
- Requires TDMHSAS to maintain a list of approved recovery residence standards organization.
- Requires recovery residences not certified under an approved recovery residence standards organization to post certain notices at facilities.
- Requires referrals to recovery residences to be to facilities that are certified by a recovery residence standards organization or funded by state or federal agencies.
- Establishes certain consumer protection violations who engage in prohibited practices.

**Public Chapter:** 309

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**SB1590/HB187 Local Government, General** - As enacted, specifies that a local governmental entity is immune from liability for any cause of action or claim for damages arising out of a person's participation in a private appropriately licensed substance abuse treatment program approved by the court as an alternative facility.

**Public Chapter:** 386

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**SB484/HB582 Controlled Substances** - As enacted, adds required information to the report issued by the Commissioner of Health regarding the impact and effects of restrictions and limitations on the use of opioids to treat patients.

**Public Chapter:** 468

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**SB558/HB1132 Opioids** - As enacted, establishes the opioid abatement fund; enacts the "Opioid Abatement Council Act"; enacts the "Tennessee Opioid Abatement Act"; authorizes the attorney general and reporter to settle claims against opioid manufacturers.

**Public Chapter:** 491

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**SB118/HB490 Health Care** - As enacted, creates the Medical Cannabis Commission; exempts from the definition of marijuana oil containing the substance cannabidiol, with less than 0.9% of THC for use by a person with certain health issues, if certain other requirements met.

**Public Chapter:** 577

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## **General Health/Health Insurance/Health Administration Related Legislation**

**SB1265/HB508\*** **Health Care** - As enacted, authorizes unlicensed graduates and students of certain medical training programs to provide telehealth services as long as those graduates and students adhere to the same standards for the provision of telehealth services that licensed medical professionals must meet.

**Public Chapter:** **179**

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**SB151/HB360** **Insurance, Health, Accident** - As enacted, revises requirement for the Department of Commerce and Insurance to report on coverage for mental health, alcoholism, and drug dependency.

**Public Chapter:** **244**

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**SB615/HB180** **Health Care** - As enacted, establishes certain requirements and procedures to be followed when a patient who is an inpatient at a healthcare facility, or seeking services from an emergency department, expresses to a healthcare provider a recent threat or attempt at suicide or infliction of bodily harm to themselves.

**Public Chapter:** **259**

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**SB1267/HB1353** **Nurses, Nursing** - As enacted, authorizes a graduate nurse to engage in the practice of professional nursing without a license for a limited period of time if certain conditions are met.

**Public Chapter:** **340**

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**SB777/HB778** **Public Health** - As enacted, specifies certain authority of the Commissioner of Health and pharmacists regarding epidemics, vaccines, and a statewide collaborative pharmacy practice agreement.

**Public Chapter:** **346**

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**SB929/HB967\*** **Health Care** - As enacted, authorizes certain healthcare professionals licensed in other states to practice telehealth while providing healthcare services on a volunteer basis through a free clinic in this state.

**Public Chapter:** **357**

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**SB1264/HB559 Medical Occupations** - As enacted, establishes provisions governing the practice of certified medical assistants.  
**Public Chapter:** 396

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**SB123/HB181 TennCare** - As enacted, enacts the "Annual Coverage Assessment Act of 2021."  
**Public Chapter** 459

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**SB212/HB1045 Health, Dept. of** - As enacted, requires licensing authority, upon learning a healthcare prescriber was indicted for or convicted of certain criminal offenses, to restrict or revoke, respectively, the prescriber's ability to prescribe controlled substances; requires licensing authority to suspend the license of certain healthcare professionals upon finding the healthcare professional failed to comply with physician collaboration requirements; requires facility administrators to report certain information.  
**Public Chapter** 461

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**SB187/HB13 Public Health** - As enacted, establishes certain restrictions on requiring persons to be vaccinated for the SARS-CoV-2 virus.  
**Public Chapter** 513

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**SB858/HB575 Public Health** - As enacted, repeals private acts enacting county boards of health or departments of health; requires the Commissioner of Health to report information regarding certain quarantines to the Joint Government Operations Committee, the Health Committee of the House, and the Health and Welfare Committee of the Senate; limits the county health officer's quarantine power; prohibits a state or local governmental official, entity, department, or agency requiring physical documentation or digital storage of protected health information related to an individual's immunization or vaccination against COVID-19 as a condition of entering upon the premises of a state or local government entity, or utilizing services provided by a state or local government entity.  
**Public Chapter:** 550

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**SB1047/HB705 Tobacco, Tobacco Products** - As enacted, adds use of vapor products to the acts that are prohibited in enclosed public places under the Non-Smoker Protection Act; revises provision whereby a local government may prohibit smoking by a distance of up to 50 feet from a hospital's entrance unless the application of a 50-foot limit would place hospital patients in a potentially unsafe condition to make the provision mandatory instead of discretionary and to also apply to the use of vapor products.  
**Public Chapter:** 551

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**SB1281/HB948 Hospitals and Health Care Facilities** - As enacted, enacts the "Tennessee Health Services and Planning Act of 2021," which revises various provisions of and renames the Tennessee Health Services and Planning Act of 2002.

- Makes various changes to Tennessee's certificate of need laws and the Health Services and Development Agency.

**Public Chapter:** [557](#)

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**SB28/HB1028 Tobacco, Tobacco Products** - As enacted, authorizes a municipality, a county, or a county having a metropolitan form of government to prohibit the use of tobacco products or vapor products, or both, on the grounds of a public park, public playground, or public greenway as long as the public park, public playground, or public greenway is owned or controlled by the respective municipality or county. - Amends TCA Title 4; Title 5; Title 6; Title 7; Title 39; Title 54 and Title 66.

**Public Chapter:** [574](#)

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**SB671/HB1080 Medical Occupations** - As enacted, makes various changes to laws regulating physician assistants.

- Creates the Board of Physician Assistants.

**Public Chapter:** [565](#)

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**SJR25 TennCare** - Authorizes the governor to implement the TennCare III demonstration waiver.

**Resolution Text:** [SJR25](#)

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\* Comprehensive telehealth legislation passed during the 2<sup>nd</sup> Extraordinary Session of the 111<sup>th</sup> General Assembly in 2020. Please click the [link to Public Chapter 4](#) to view the language.

## State Government Related Legislation

**SB51/HB276 Sunset Laws** - As enacted, extends the Department of Mental Health and Substance Abuse Services to June 30, 2025.  
**Public Chapter:** 12

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**SB78/HB318 Sunset Laws** - As enacted, extends the Statewide Planning and Policy Council for the Department of Mental Health and Substance Abuse Services to June 30, 2025.  
**Public Chapter:** 29

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**SB101/HB183 Professions and Occupations** - As enacted, creates the Professional Art Therapist Advisory Committee of the Board of Examiners in Psychology to regulate the practice of art therapy.  
**Public Chapter:** 160

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**SB145/HB146 Human Services, Dept. of** - As enacted, requires the department to report quarterly to certain persons at the general assembly regarding the availability and use of federal funds for programs administered by the department for adult and family services, child support, and rehabilitation services.  
**Public Chapter:** 308

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**SB1608/HB159 Privacy, Confidentiality** - As enacted, enacts the "Personal Privacy Protection Act."  
• Prohibits the release of personal information by a public agency with certain exceptions  
**Public Chapter:** 516

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**SB773/HB779 Civil Emergencies** - As enacted, adds provisions relative to COVID-19 response to authorize the Commissioner of Labor and Workforce Development to take certain actions in regard to unemployment compensation and to authorize the substitution of a copy of certain documentation in regard to transport by sheriff or transportation agent of a person for involuntary admission for mental health treatment.  
• Administration Bill  
• Authorizes a transportation agent to accept an electronic copy of a second certificate of need when transporting a patient to a psychiatric hospital.  
**Public Chapter:** 538

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**SB868/HB1130 Civil Procedure** - As enacted, establishes process for a three-judge panel hearing civil actions in which the complaint: challenges the constitutionality of a statute, executive order, or rule; includes a claim for declaratory judgment or injunctive relief; and is brought against the state, a state department or agency, or a state official acting in their official capacity.

**Public Chapter:** 566

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## **Criminal/Juvenile Justice Related Legislation**

**SB765/HB786 Firearms and Ammunition** - As enacted, creates an exception to the offense of unlawful carrying of a firearm, if a person meets age requirements, lawfully possesses the handgun, and is in a place that the person is lawfully present; revises other firearm statutes.

- Administration Bill
- Allows the carrying of a firearm without a permit if certain conditions are met.

**Public Chapter:** **108**

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**SB766/HB783 Juvenile Offenders** - As enacted, requires the juvenile court clerk and the Department of Mental Health and Substance Abuse Services to report certain juvenile justice information to the Administrative Office of the Courts each month; deletes certain reporting to the Council of Juvenile and Family Court Judges.

- Administration Bill

**Public Chapter:** **184**

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**SB767/HB784 Correction, Dept. of** - As enacted, allows the department to contract with entities and organizations, including local governments, to create or operate community-based alternatives to incarceration; rewrites various provisions regarding community corrections, probation, probation revocation, and release on bail.

- Administration Bill

**Public Chapter:** **409**

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**SB768/HB785 Probation and Parole** - As enacted, enacts the "Reentry Success Act of 2021"

- Administration Bill
- Makes various changes to provisions for incarcerated individuals who are being or are soon to be released.

**Public Chapter:** **410**

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**SB1531/HB427 Sexual Offenses** - As enacted, states that a victim of sexual battery is incapable of consenting to sexual contact with a member of the clergy, healthcare professional, or alcohol and drug abuse counselor who was treating the victim for a mental, emotional, or physical condition if the sexual contact occurs during the course of a consultation, examination, ongoing treatment, therapy, or other provision of such professional services.

**Public Chapter:** **509**

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**SB100/HB112 Human Resources, Department of** - As enacted, creates the state as a model employer (SAME) program within the department to ensure certain employment practices in regard to individuals with disabilities.

**Public Chapter:** 575

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## Miscellaneous Legislation

**SB110/HB40 Motor Vehicles, Titling and Registration** - As enacted, enacts the "2021 Precious Cargo Act," which establishes procedures for certain citizens with intellectual or developmental disability or medical condition to communicate specific needs to law enforcement and first responders.

**Public Chapter:** 55

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**SB459/HB177 Landlord and Tenant** - As enacted, authorizes property managers to testify against tenants in the same manner as landlords or owners of rental property.

**Public Chapter:** 100

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**SB995/HB553 Workers Compensation** - As enacted, adds to those acquired infectious diseases for which an emergency rescue worker is given a presumption to have a disability suffered in the line of duty a virus or other communicable disease for which a pandemic has been declared by the World Health Organization or the federal Centers for Disease Control and Prevention, and for which the governor has declared a state of emergency.

**Public Chapter:** 142

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**SB474/HB855 Business and Commerce** - As enacted, enacts the "Business Fairness Act," allowing businesses that comply with safety precautions and guidelines issued by the government or authorized agency during declared states of emergency to continue or resume business.

**Public Chapter:** 155

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**SB102/HB119 Tennessee Bureau of Investigation** - As enacted, requires the bureau to implement a program to assist in the locating of missing, vulnerable citizens, called the Silver Alert program, that will supersede the Care Alert program.

**Public Chapter:** 350

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**SB1567/HB943 Employees, Employers** - As enacted, clarifies that non-compliance with state and federal anti-discrimination laws is not included in the definition of "illegal activities" as it relates to provisions prohibiting retaliatory termination of an employee.

**Public Chapter:** 556

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