The 108th General Assembly completed its work on April 18, 2014. The shortness of the session meant that many more pieces of legislation had to be reviewed and debated in a short period of time making legislators tense.

TMA’s legislative package consisted of six bills all of which had varying levels of success. The update to pain clinics regarding urine drug screening, the revision of infant CPR, peer review, and allowing a CSMD record to be included in a patient’s health record all passed both chambers and have become law. In addition, the healthcare right to know profile update passed and now will tie information required in three separate databases into one form that can be completed/updated online. Payer Accountability, also known as the Provider Stability Act, was the most contentious legislation TMA brought last year. It was an issue that all providers rallied around and all insurers vehemently opposed. There was extensive debate on this bill, which required payers to uphold the agreed to payment terms of their contract. The bill passed out of substantive committees but went no further. The sponsors of the legislation asked for, and received, promises from the major insurers that they would come to the table over the summer for meaningful discussions and a solution to ensure stability in payment to providers.

Scope issues were again included in the areas where TMA lobbyists spent significant time. While the nurses did not bring independent practice and the psychologists did not bring prescribing, the optometrists did come back with a bill to allow them to use injectable anesthetics to remove eyelid growths. There was considerable debate over this contentious issue. Ultimately a compromise was reached that spelled out in law the six procedures that an optometrist may perform. These were procedures they were currently performing with a topical anesthetic.

The Administration had a lighter than usual package last year. However, one of the most controversial issues they brought dealt with regulating pseudoephedrine and ephedrine products. They successfully passed a bill that limits the amount of pseudoephedrine products that may be sold or purchased to 5.76 grams in a 30-day period or 28.8 grams in one year. In addition, it requires that the purchaser be at least 18 years of age and excluded gel-caps from the limits.
Thank you to committee members for sharing your knowledge and offering guidance to TMA staff to make the best efforts in representing TMA to the 108th General Assembly.

Respectfully submitted,

Ronald H. Kirkland, MD, MBA

2014 Committee on Legislation
Tedford Steve Taylor, MD (Dist 1)
Elise Denneney, MD (Dist 2)
David Armstrong, MD (Dist 3)
Robert McClure, MD (Dist 4)
Jeffrey Patton, MD (Dist 5)
F. Bronn Rayne, MD (Dist 6)
Sam Bastian, MD (Dist 7)
Ron Kirkland, MD (Dist 8), Chair
James Ensor, MD (Dist 9)
David G. Gerkin, MD, Ex-Officio
Marcie Barr, TMA Alliance
Kathy Potts, TMGMA

For a complete list of bills, please review addendum.
TMA 2014 LEGISLATIVE PACKAGE

SB2427/HB2303  Health Care Provider Stability Act/Payer Accountability
Description: Enacts the "Health Care Provider Stability Act." Provides that a third party may not effect material change to a contract under which a health care provider is paid for providing items or services during either the first year of the contract or the initial term of the contract, whichever is longer.
Senate Status 03/25/2014 - Off Notice
House Status 03/27/2014 – Off Notice
Position TMA Package

SB2000/HB1939  Drug prescription requirements.
Description Expands the definition of "pain management clinics" and adds "chronic non-malignant pain treatment." Directs commissioner of health to promulgate rules regarding drug screening and compliance plan.
Senate Status 03/17/2014 - Senate passed
House Status 03/27/2014 - House passed
Executive Status 03/27/2014 - Signed by Governor
Position TMA Package

SB2052/HB1955  Peer Review
Description Specifies the immunity protection for quality improvement committees (QICs) to ensure they are the same protections that are available under the former peer review statute, provisions that were not included in the 2011 act. The QIC is presumed to have acted in good faith and without malice, and provides that the committees can share information and documents with other QICs under certain circumstances; if information and documents are shared, they become privileged and non-discoverable. Further provides that any person providing information to a QIC is presumed to have acted in good faith and without malice.
Senate Status 03/17/2014 - Senate passed
House Status 03/24/2014 - House passed
Executive Status 03/27/2014 - Signed by Governor
Position TMA

SB1853/HB2171  Nurse Practitioners - change of supervising physician.
Description Authorizes the supervising physician listed on the profile to notify the department of a change in being a nurse practitioner or physician assistant’s supervising physician, if the nurse or physician assistant fails to do so.
Senate Status 03/27/2014 - Set for Senate Finance, Ways & Means Committee- Regular Calendar 04/01/14.
COMMITTEE REPORT NO. 6
Addendum A
Page 2

<table>
<thead>
<tr>
<th>SB1630/HB1426</th>
<th>Controlled substances database report - health care providers.</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Sponsors</strong></td>
<td>Sen. Mark S. Norris / Rep. Gerald McCormick</td>
</tr>
<tr>
<td><strong>Description</strong></td>
<td>Includes in the list of persons who may receive patient-specific information from the controlled substance database a prescriber, healthcare practitioner or dispenser who may place a copy of a patient's report from that database in that patient's medical records. (Part of Administration Package)</td>
</tr>
</tbody>
</table>

| Senate Status | 02/10/2014 - Senate passed |
| House Status  | 03/13/2014 - House passed  |
| Executive Status | 03/24/2014 - Signed by Governor |
| Position      | TMA Package               |

<table>
<thead>
<tr>
<th>SB1886/HB1788</th>
<th>Providing information on infant cardiopulmonary resuscitation.</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Description</strong></td>
<td>Revises the list of medical providers who must make available information concerning infant CPR to at least one caregiver or parent of a newborn infant to consist of the following: an obstetrical provider who treats a prenatal patient on at least two different occasions; a hospital or birthing center where a baby is born, and such information must be provided before the newborn is discharged; a primary care provider who treats a newborn in an ambulatory care setting within 28 days after the date of birth.</td>
</tr>
</tbody>
</table>

| Senate Status | 02/10/2014 - Senate passed |
| House Status  | 03/10/2014 - House passed  |
| Executive Status | 03/17/2014 - Signed by Governor |
| Position      | TMA Package               |

Others Bills of Interest for 2014

CAMPAIGNS AND LOBBYING

<table>
<thead>
<tr>
<th>SB787/HB643</th>
<th>Campaign contributions allowed for insurance companies, limits raised.</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Sponsors</strong></td>
<td>Sen. Bo Watson / Rep. Glen Casada</td>
</tr>
<tr>
<td><strong>Description</strong></td>
<td>As amended, removes prohibition against insurance companies contributing to political campaigns. Increases contribution limits for political party and caucus campaign committees to $500,000, from $250,000, for statewide races; to $150,000, from $40,000, for senate races; to $75,000, from $20,000, for any other state or local public office races. Deletes certain reporting requirements regarding campaign contributions.</td>
</tr>
</tbody>
</table>

| Executive Status | Signed by Governor |
| Position         | Watch/Neutral as written |

COMMERCIAL LAW

SB1505/HB1442  Revises laws relating to non-profit corporations.
Description As amended, makes several revisions to the Tennessee Nonprofit Corporation Act. Most of the more significant changes alter notices, filing requirements, filing fees, indemnification and liability, actions without a meeting, proxies, inspectors of election, the exercise of powers of directors, liability for unlawful distributions, duties of officers, removal of officers, conflict of interest, charter and bylaw amendments, mergers, membership exchanges and conversions, transfers of assets, and other provisions.
Executive Status Signed by Governor
Position Watch/Neutral as written

CRIMINAL LAW

SB1312/HB1257  Clerk notification of meth conviction to the TBI.
Description Requires the clerk to forward a copy of the judgment and date of birth of all persons convicted of a methamphetamine offense to the TBI within ten days from the date the clerk receives the judgment but in no event more than forty-five days from the date of the judgment.
Executive Status Signed by Governor
Position Neutral

SB1391/HB1295  Illegally taking a narcotic drug while pregnant.
Sponsors Sen. Reginald Tate / Rep. Terri Lynn Weaver
Description As amended, for purposes for entering into a drug court treatment program, this bill provides that a mother can be prosecuted for misdemeanor assault if she illegally takes a narcotic drug while pregnant and the child is born addicted or dies because of the drug.
Executive Status Signed by Governor
Position Neutral as amended

SB1482/HB1508  Additional fine for certain assault convictions.
Description Alters various assault provisions. Increases maximum fine for an intentional, knowing or reckless assault that causes bodily injury to another to $5,000 instead of $2,500. Deletes enhanced assault provision regarding law enforcement officer or health care provider. Deletes definition of "health care provider" contained in the assault provision. Increases maximum fine for an intentional or knowing aggravated assault to $15,000 instead of $10,000. Increases maximum fine for a reckless aggravated assault to $15,000 instead of $5,000.
Senate Status 02/11/2014 - Failed in Senate Judiciary Committee after a 4 to 4 vote.
House Status 01/22/2014 - Referred to House Criminal Justice Subcommittee.
<table>
<thead>
<tr>
<th>Bill Numbers</th>
<th>Description</th>
<th>Sponsors</th>
<th>Position</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Sponsors: Sen. Doug Overbey / Rep. David Shepard.</td>
<td>Description: Classifies immediate methamphetamine precursors as controlled substances under Schedule VII. Allows additional prescriptions for immediate methamphetamine precursor to be issued by certain persons. Adds immediate methamphetamine precursors to the list of drugs that information is submitted to the controlled substance database. Allows a pharmacist to dispense immediate methamphetamine precursor for a period up to six months with a certain oral prescription.</td>
<td></td>
</tr>
<tr>
<td>Senate Status</td>
<td>Off Notice.</td>
<td>House Status: 03/18/2014 - Taken off notice in House Criminal Justice Subcommittee.</td>
<td></td>
</tr>
<tr>
<td>Position</td>
<td>Oppose</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Sponsors: Sen. Doug Overbey / Rep. Steve McDaniel.</td>
<td>Description: Specifies that vapor products are not considered tobacco products, and the act of using a vapor product is not considered smoking, for the purposes of the following provisions governing tobacco products and smoking: (1) The restrictions on smoking in state-owned or operated buildings or vehicles; (2) The Children's Act for Clean Indoor Air; (3) The restriction on smoking in University of Tennessee dorms; (4) The restriction on smoking in a tattoo work area; and (5) The tax imposed on dealers of tobacco products for the right to sell cigarettes and tobacco products in the state.</td>
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</tr>
<tr>
<td>Senate Status</td>
<td>03/18/2014 - Taken off notice in Senate Commerce &amp; Labor Committee.</td>
<td>House Status: 02/19/2014 - Taken off notice in House Finance Subcommittee.</td>
<td></td>
</tr>
<tr>
<td>Position</td>
<td>Oppose</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Sponsors: Sen. Mark S. Norris / Rep. Gerald McCormick.</td>
<td>Description: As amended, prohibits pharmacies from selling and any person from purchasing more than 5.76 grams, instead of 9 grams, of ephedrine or pseudoephedrine base, or their salts, isomers or salts of isomers in any 30 consecutive day period or 28.8 grams in a 12 month period. (Part of Administration Package)</td>
<td></td>
</tr>
<tr>
<td>Position</td>
<td>Neutral as Amended</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Sponsors: Sen. Bill Ketron / Rep. John Ragan.</td>
<td>Description: Allows the governor, speakers, chief justice, secretary of state, comptroller, treasurer, and state homeland security advisor to request TBI background investigation on all people who have unsupervised access or contact with sensitive government information or identifying information.</td>
<td></td>
</tr>
<tr>
<td>Position</td>
<td>Oppose</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
SB1785/HB1499 Counties and cities - banning of smoking near buildings.
Description Allows counties and municipalities to ban smoking within 50 feet of a building owned or used by the county or municipality for governmental purposes in same manner that such entities may ban smoking within 50 feet of a hospital.
Senate Status 03/18/2014 - Taken off notice in Senate Commerce & Labor Committee.
House Status 03/12/2014-Failed in House Agriculture & Natural Resources Subcommittee.
Position Support

SB2011/HB1961 Venue exception to no smoking law.
Sponsors Sen. Reginald Tate / Rep. Larry J. Miller
Description Clarifies that age-restricted venue exception to no smoking law applies only to persons entering such facilities other than employees, vendors, and performers. Broadly captioned.
Senate Status 03/25/2014 - Taken off notice in Senate Commerce & Labor Committee.
House Status 02/04/2014 - Referred to House Agriculture & Natural Resources Subcommittee.
Position Oppose

SB2113/HB2072 Access to controlled substance monitoring database.
Description As amended authorizes the judge of a drug court treatment program to request information from the Controlled Substance Monitoring Database (CSMD). Any information from the CSMD which is provided to such a judge must also be provided to the district attorney general of the judge's district. Requires the information to be confidential. Requires the pilot program be limited to three judicial districts as selected by the Commissioner of the Department of Health.
Executive Status Signed by Governor
Position Watch w/ Amend that TMA worked on with Sponsors

SB2160/HB2281 Required reporting - death of a child.
Description As amended, the bill would have required that the medical examiner make a report to local law enforcement if they receive a report of a sudden or unexpected death of a child. Law enforcement must then report the death immediately to DCS and the local child advocacy center.
Senate Status 03/18/2014 - Failed in Senate Judiciary Committee.
House Status 03/19/2014 - Taken off notice in House Civil Justice Subcommittee.
Position Neutral if amended

SB2225/HB2014 Comptroller report on drug convictions.
Description This broadly captioned bill as amended would have limited the writing of prescriptions for oxycodone only to Board Certified Pain Management Anesthesiologists and Oncologists.
Senate Status 03/27/2014 – Taken off notice.
House Status 03/18/2014 - House Criminal Justice Subcommittee deferred to summer study.
POSITION OPPPOSE WITH PROPOSED AMENDMENT

SB2532/HB1519 Prosecution for illegal use of narcotics during pregnancy.
Description Authorizes the prosecution of a woman for the illegal use of a narcotic drug taken while pregnant that results in harm to the victim (the fetus or child) or causes the victim to be addicted or dependent on the narcotic drug. Allows for the active enrollment in a long term addiction recovery program before the birth of the child, the continued enrollment in that program, and successfully completion of the program to qualify as an affirmative defense for a woman who is charged for such an offense. Allows any person charged under the statute to qualify for judicial diversion or drug court or both.
Senate Status Taken off notice
House Status Off Notice.
Position Oppose

SB2540/HB2484 Restricting sale of methamphetamine by pharmacies, locally.
Description Authorizes local governments to enact ordinances or resolutions restricting, regulating or licensing the sale of methamphetamine precursors by pharmacies within such local jurisdictions if ordinances or resolutions are not preempted by any conflicting state law regulating those sales.
Senate Status 03/19/2014 - Senate Health & Welfare Committee deferred.
House Status 03/18/2014 - Failed in House Criminal Justice Subcommittee.
Position Oppose

EDUCATION

SB1445/HB1383 Administration of insulin by school personnel.
Sponsors Sen. Steven Dickerson / Rep. Cameron Sexton
Description Adds administration of insulin to medications school personnel may volunteer to administer to students.
Senate Status 03/10/2014 - Senate passed
House Status 03/13/2014 - House passed
Executive Status 03/24/2014 - Signed by Governor
Position Support

SB1760/HB1658 Required physical activity for public school students.
Description Prohibits counting walking to and from class towards the minimum of 90 minutes per week of required physical activity for public school students.
Senate Status 02/20/2014 - Senate passed
Executive Status Signed by Governor
House Status 03/27/2014 - House Passed
Position Support
**SB1817/HB1491**  Identifying children at risk for Type II diabetes.  
- **Sponsors**  Sen. Steven Dickerson / Rep. Mike Carter  
- **Description**  Expands the authority of LEAs to implement a program identifying public school children who are at risk for obesity to include children at risk for Type II diabetes.  
- **Senate Status**  01/23/2014 - Referred to Senate Education Committee.  
- **House Status**  03/19/2014 - Taken off notice in House Education Subcommittee.  
- **Position**  Watch/Neutral as written

**SB2131/HB2248**  Prohibits LEA to mail information on Affordable Care Act.  
- **Sponsors**  Sen. Jack Johnson / Rep. Glen Casada  
- **Description**  Prohibits LEAs from including information on the Patient Protection and Affordable Care Act in mailings to families of students concerning medical assistance, TennCare, or the children's health insurance program.  
- **Senate Status**  03/26/2014 - Taken off notice in Senate Education Committee.  
- **House Status**  03/13/2014 - House passed  
- **Position**  Watch/Neutral as written

**FAMILY LAW**

**SB1818/HB2306**  Administering medication without a parent's authorization.  
- **Sponsors**  Sen. Janice Bowling / Rep. Mary Littleton  
- **Description**  Creates a Class A misdemeanor when a child care agency operator, licensee or employee intentionally administers medication without the parent's written authorization or the direction of a licensed medical practitioner. Medication shall be labeled with the child's name and specific instructions for administration. Administration of medications and noticeable side effects shall be charted and reported to parents. Medication shall not be handled by children and shall be stored so as to be inaccessible to children.  
- **Senate Status**  02/19/2014 - Senate Health & Welfare Committee deferred  
- **House Status**  02/12/2014 - Referred to House Health Subcommittee.  
- **Position**  Watch/Neutral as written

**GOVERNMENT ORGANIZATION**

**SB1047/HB1279**  Creates the Tennessee behavior and analyst licensing board.  
- **Sponsors**  Sen. Brian K. Kelsey / Rep. Mark White  
- **Description**  Creates the Tennessee behavior and analyst licensing board which shall consist of five members appointed by the governor Authorizes the board to issue licenses to individuals who meet the requirements and to promulgate rules for the implementation of the setting of fees and the establishment of disciplinary action.  
- **Executive Status**  Signed by Governor  
- **Position**  Watch as Amended
SB1450/HB2202  Training for new members of health related boards.
Description  Requires certain training for newly appointed members of all regulatory and health related boards prior to beginning their service on such boards.
Senate Status  02/10/2014 - Withdrawn in Senate.
House Status  02/04/2014 - Referred to House Health Subcommittee.
Position  Watch/Neutral as written

HEALTHCARE

SB604/HB290  Implementation of the Affordable Care Act.
Description  Authorizes the department of finance and administration to cooperate with the appropriate federal department in any reasonable manner as to implement the Patient Protection and Affordable Care Act to either the extent required or permitted by law.
Senate Status  03/27/2013 - Failed in Senate Commerce & Labor Committee.
House Status  01/29/2014 - Taken off notice in House Insurance & Banking Subcommittee.
Position  Oppose

SB674/HB617  Immediate methamphetamine precursors sold within 30 days.
Description  Decreases from nine grams to five grams the amount of immediate methamphetamine precursors in a product that a pharmacist may sell to the same person or that a person may purchase per 30-day period.
Senate Status  03/26/2013 - Taken off notice in Senate Health & Welfare Committee.
House Status  03/05/2014 - Taken off notice in House Criminal Justice Committee.
Position  Watch/Neutral as written

SB804/HB937  Prohibits Medicaid expansion under new federal health care law.
Description  As amended, this bill would require a joint resolution be passed before the Governor could accept an expansion of Medicaid.
Senate Status  03/27/2014 - Senate passed
House Status  03/17/2014 - House passed
Executive Status  Signed by Governor
Position  Watch/Neutral as written

SB1631/HB1427  Civil liability immunity - certain opioid drug overdoses.
Description  Authorizes a health care practitioner who is licensed to prescribe an opioid antagonist, acting in good faith, to provide an opioid antagonist prescription for a person at risk of experiencing an opiate-related overdose, or for a family
<table>
<thead>
<tr>
<th>Bill Number</th>
<th>Description</th>
</tr>
</thead>
</table>
| SB1663/HB1512 | **Dispensing of controlled substances.**
| Description | The amended bill: removes the background check language because it is covered by rule; strikes reporting dispensing to the DOH online profile because we did not want to put an open ad online to show which doctors are prescribing pain meds; deletes the civil penalty section that could have resulted in $10,000 fines; deletes the nuisance section; leaves the reporting to DOH for employee of a pain clinic; prohibits dispensing (not prescribing) of benzodiazepines and opiates from a physician office except in a few circumstances including 7 days in connection with a surgical procedure or prepackaged samples. |
| Executive Status | Signed by Governor
| Position | Neutral with amendment proposed by TMA

<table>
<thead>
<tr>
<th>Bill Number</th>
<th>Description</th>
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</table>
| SB1782/HB1495 | **Community mental health centers to employ physicians.**
| Description | Amends the statutory language by deleting "psychiatrist" wherever it appears and substituting instead "physician". Enables community mental health centers to employ physicians and exempts emergency department physicians, pathologists or radiologists to the types of physicians who may not be employed by a community mental health center or federally qualified health center. |
| Senate Status | 03/27/2014 - Senate passed
| House Status | 03/10/2014 - House passed
| Executive Status | Signed by Governor
| Position | Watch/Neutral as written

<table>
<thead>
<tr>
<th>Bill Number</th>
<th>Description</th>
</tr>
</thead>
</table>
| SB1791/HB1565 | **Exemptions for certain immediate methamphetamine precursors.**
| Description | Requires that any material, compound, mixture or preparation which contains any quantity of ephedrine or pseudoephedrine be classified as a Schedule III controlled substance. Adds products in the form of gel capsules and liquid preparations that contain any immediate methamphetamine precursor to the list of products that are exempt from the requirements in this section. Authorizes a pharmacist to dispense an immediate methamphetamine precursor upon oral prescription of the pharmacist, which is then to be submitted into writing and filed by the pharmacy. Such a prescription shall not exceed a 15 day supply of the product for a daily dosage of 240 milligrams. |
| Senate Status | 03/19/2014 - Taken off notice in Senate Health & Welfare Committee.
| House Status | 03/18/2014 - Failed in House Criminal Justice Subcommittee.
| Position | Oppose
### SB1819/HB1713
**Description:** Deletes the Intractable Pain Treatment Act which states that a patient suffering from severe chronic intractable pain has the option to request or reject the use of any or all modalities in order to relieve such patient's severe chronic intractable pain.

**Senate Status:** 03/19/2014 - Failed in Senate Health & Welfare Committee.
**House Status:** 03/17/2014 - House passed
**Position:** Watch/Neutral as written

### SB1820/HB1966
**Description:** Revises the Intractable Pain Treatment Act to promote more appropriate use of controlled substances.

**Senate Status:** 03/19/2014 - Taken off notice in Senate Health & Welfare Committee.
**House Status:** 01/29/2014 - Referred to House Health Subcommittee.
**Position:** Watch/Neutral as written

### SB1832/HB1466
**Description:** Establishes that a valid government issued photo identification must be presented to a pharmacist, pharmacy technician, pharmacy intern, or clerk designated by a pharmacist, unless the person is personally known by the pharmacy personnel, to dispense a prescription for more than a seven day supply for any Schedule II-IV opioid, benzodiazepine, barbiturate or carisoprodol, and requires the pharmacy to verify that the person retrieving the dispensed prescription is the same person pictured on the identification presented, but they are not required to be the same person for whom the prescription is written.

**Senate Status:** Passed Senate.
**House Status:** Passed House.
**Executive Status:** Signed by Governor
**Position:** Watch/Neutral as written

### SB1833/HB2229
**Description:** Deletes the requirement that physicians who refuse to prescribe opiate medication must inform patients of alternative physicians whose treatment of severe chronic intractable pain includes the use of opiates.

**Executive Status:** Off Notice.
**Position:** Watch/Neutral as written

### SB1908/HB1950
**Description:** Enacts the "Annual Coverage Assessment of 2014" to assess on each covered hospital an annual fee. The annual coverage assessment shall be four and fifty-
two hundredths percent (4.52%) of a covered hospital's annual coverage assessment base.

Senate Status Passed Senate
House Status Passed House
Position Support

SB1974/HB1827  Health care providers - inquiry into patient's firearm use.
Description Prohibits health care providers or employees of a health care facility from inquiring about a person's ownership, possession or use of firearms as a condition for receiving health care or refusing to provide health care because the person declines to answer such questions.
Senate Status 03/17/2014 - Taken off notice in Senate Health & Welfare Committee.
House Status 03/19/2014 - Taken off notice in House Civil Justice Committee.
Position Opposed/Watch w/ Amend

SB2019/HB1837  Health Care Compact.
Description Enacts the Health Care Compact which: (1) Specifies that each member state may suspend by legislation the operation of all federal laws, rules, regulations, and orders regarding health care that are inconsistent with the laws and regulations adopted by the member state pursuant to this compact. For any federal law, rule, regulation, or order that remains in effect in a member state, that member state will be responsible for the associated funding obligations in its state; (2) Specifies that each federal fiscal year, each member state will have the right to federal monies up to an amount equal to its member state current year funding level for that federal fiscal year, funded by congress as mandatory spending and not subject to annual appropriation, to support the exercise of member state authority under this compact. This funding will not be conditional on any action of or regulation, policy, law, or rule being adopted by the member state. By the start of each federal fiscal year, congress must establish an initial member state current year funding level for each member state, based upon reasonable estimates; (3) Requires member states to take joint and separate action to secure the consent of the United States Congress to this compact in order to return the authority to regulate health care to the member states consistent with the goals and principles articulated in this compact. Member states may amend the compact without prior approval from congress and such amendments will be effective unless, within one year, congress disapproves the amendment; and (4) Creates the interstate advisory health care commission, described below.
Senate Status 01/27/2014 - Referred to Senate Government Operations Committee.
House Status 03/18/2014 - Failed in House Insurance & Banking Committee.
Position Watch/Neutral as written

SB2231/HB2456  Health Dept. of
| Description | Requires, on or before January 1, 2015, the commissioner of health to develop a plan for a network of providers and health agreements, as appropriate, to facilitate individuals who are not eligible for medical assistance and who are otherwise lacking health insurance to utilize clinics associated with local health departments as the foundational provider of primary care before such individuals seek care at a hospital-based emergency room for non-emergent care, a hospital generally, or specialist care. |
| Senate Status | 01/29/2014 - Referred to Senate Health & Welfare Committee. |
| House Status | 02/12/2014 - Referred to House Health Subcommittee. |
| Position | Watch/Neutral as written |

**SB2302/HB1657**
**Prescribers dispensing non-narcotic schedule V controlled substances.**

| Description | As amended authorizes licensed prescribers who work at a pain management clinic to dispense without charge a sample of a nonnarcotic schedule V controlled substance in an amount adequate to treat a patient for a maximum of 14 days. |
| Senate Status | 03/17/2014 - Senate passed |
| House Status | 03/27/2014 - House passed |
| Executive Status | Signed by Governor |
| Position | Support |

**SB2316/HB1664**
**Pain management clinic definition.**

| Description | Removes dispensing language from the definition of a pain management clinic. |
| Senate Status | 01/29/2014 - Referred to Senate Health & Welfare Committee. |
| House Status | 03/18/2014 - Taken off notice in House Health Subcommittee. |
| Position | Oppose |

**SB2377/HB2123**
**Required suicide prevention training.**

| Description | Enacts the "Kenneth and Madge Tullis, JD, Suicide Prevention Training Act of 2014" which requires the department of mental health and substance abuse services, in collaboration with the Tennessee Suicide Prevention Network, a model list of training programs in suicide assessment, treatment, and management. Requires social workers, marriage and family therapists, alcohol and drug abuse counselors, psychologists and other professionals to complete a training program in suicide assessment, treatment, and management at least once every six years, beginning January 1, 2016. |
| Senate Status | 03/17/2014 - Taken off notice in Senate Health & Welfare Committee. |
| House Status | 03/18/2014 - Taken off notice in House Health Subcommittee. |
| Position | Oppose |

**SB2451/HB1385**
**Koozer-Kuhn Medical Cannabis Act.**

| Description | Creates the Koozer-Kuhn Medical Cannabis Act. Establishes program for patients with chronic or debilitating medical conditions or treatments from such conditions to receive medical marijuana. |
| Senate Status | 02/06/2014 - Referred to Senate Government Operations Committee. |
| House Status | 03/25/2014 - Failed in House Health Subcommittee on a 6-2 vote. |
| Position | Oppose |

**INSURANCE – GENERAL**

| SB1286/HB1265 | **Coverage - diagnosis and treatment of autism spectrum disorders.** |
| Description | Enacts the "Luke Gleaves Act". Requires a health insurance policy to provide coverage for the screening, diagnosis, and treatment of autism spectrum disorders. |
| Senate Status | 03/27/2013 - Taken off notice in Senate Commerce & Labor Committee, after adopting amendment 1 (004872). |
| House Status | 03/11/2014 - Taken off notice in House Insurance & Banking Committee. |
| Executive Status | 03/17/2014 - Taken off notice in Council on Pensions & Insurance. |
| Position | Watch/Neutral as written |

| SB2125/HB1714 | **Prohibition on political funding by insurance companies.** |
| Description | Removes the statutory prohibition on political funding by insurance companies and associations doing business in this state. |
| Senate Status | 03/27/2014 - Senate passed |
| House Status | 03/27/2014 - House passed |
| Executive Status | Signed by Governor |
| Position | Watch/Neutral as written |

| SB2506/HB2265 | **Insurance companies - prohibition on political funding.** |
| Sponsors | Sen. Reginald Tate / Rep. David Shepard |
| Description | Deletes the statutory provisions that prohibit insurance companies doing business in this state from using their funds to aid any political party or any candidate for political office. |
| Senate Status | 03/24/2014 - Taken off notice in Senate Commerce & Labor Committee. |
| House Status | 02/05/2014 - Referred to House Insurance & Banking Subcommittee. |
| Position | Watch/Neutral as written |

**INSURANCE – HEALTH**

| SB888/HB556 | **Health care provider diagnostic radiology test payment required.** |
| Description | Requires health care provider to be paid when a health insurer or radiology benefits manager which is contracted to provide utilization review services for
the health insurer has approved a diagnostic radiology test, unless there was fraud on the part of the provider in procuring the authorization.

Senate Status 03/19/2013 - Taken off notice in Senate Commerce & Labor Committee.
House Status 02/13/2014 - Withdrawn in House.
Position Support

**SB1142/HB926 Utilization review of reauthorizations for health care services.**

Description As amended, this legislation establishes and revises requirements involving utilization review of pre-authorizations for healthcare services. In addition to requiring that providers must have access to all guidelines that an insurance company uses to determine authorization, it has been amended to also require that if no independently developed evidence-based standards exist for a particular healthcare item, treatment, test, or imaging procedure, only a licensed physician can make a final adverse determination to deny coverage.

Senate Status 03/13/2014 - Senate passed
House Status 03/27/2014 - House passed
Executive Status Signed by Governor
Position Support

**SB1173/HB699 Credentialing application before a health insurance entity.**

Description Establishes a process for reimbursing physicians for services rendered during the period the physicians credentialing application is pending before a health insurance entity.

Senate Status 03/11/2014 - Taken off notice in Senate Commerce & Labor Committee.
House Status 04/02/2013 - Taken off notice in House Insurance & Banking Committee.
Position Support

**SB1888/HB1770 The Health Care Freedom and Affordable Care Noncompliance Act.**

Description Prohibits any state entity from implementing or administering, or assisting in the implementation or administration of, any portion of the federal "Patient Protection and Affordable Care Act."

Senate Status 03/24/2014 - Taken off notice in Senate Commerce & Labor Committee.
House Status 03/26/2014 - Taken off notice in House Insurance & Banking Subcommittee.
Executive Status 03/24/2014 - Taken off notice in Council on Pensions & Insurance.
Position Watch/Neutral as written

**SB1991/HB1554 Regulation of maximum allowable cost lists.**

Description Requires pharmacy benefits manager or covered entity, before placing a drug on a maximum allowable cost list, to determine if there are at least three generically equivalent versions of that drug available for purchase by all pharmacies in the state from national or regional wholesalers and to determine that the drug is not obsolete, temporarily unavailable, or listed on a drug shortage list.
SB2050/HB1895  **Telehealth insurance coverage.**

**Sponsors**  Sen. Doug Overbey / Rep. Kelly Keisling

**Description**  As amended, requires that a health insurance carrier provide coverage under a health insurance policy for healthcare services delivered through telehealth. Establishes that "telehealth" does not include an audio-only conversation between a licensed healthcare provider and a patient; an electronic mail message between a licensed healthcare provider and a patient; or a facsimile transmission between a licensed healthcare provider and a patient.

**Senate Status**  Senate passed

**House Status**  House passed

**Executive Status**  Signed by Governor

**Position**  Support

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SB2236/HB2063  **Physicians to notify patients before referring out-of-network.**

**Sponsors**  Sen. Jim Tracy / Rep. Billy Spivey

**Description**  Requires physician to notify patient in writing before scheduling a health care service with or making a referral to a non-participating or out-of-network physician, provider or facility.

**Senate Status**  03/18/2014 - Taken off notice in Senate Commerce & Labor Committee.

**House Status**  03/19/2014 - Taken off notice in House Insurance & Banking Subcommittee.

**Executive Status**  03/10/2014 - Council on Pensions & Insurance returned with unfavorable recommendation.

**Position**  Oppose

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JUDICIARY

SB868/HB66  **Increases statute of limitations for injuries to person.**

**Sponsors**  Sen. Rusty Crowe / Rep. Kent Williams

**Description**  Increases the statute of limitations for actions involving injuries to the person from one year to two years after the cause of action accrued.

**Senate Status**  03/11/2014 - Taken off notice in Senate Judiciary Committee.

**House Status**  02/05/2013 - Referred to House Civil Justice Subcommittee.

**Position**  Oppose

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SB2042/HB1504  **Statute of limitations for commencing wrongful death action.**


**Description**  Creates a two year, rather than one year, statute of limitations for commencing wrongful death action.

**Senate Status**  01/29/2014 - Referred to Senate Judiciary Committee.

**House Status**  03/26/2014 - Taken off notice in House Civil Justice Subcommittee.

**Position**  Oppose
LABOR

SB2026/HB1834 E Verify required for of employers with more than six employees.
Description Requires governmental entities and private employers with 6 or more employees
to verify new hires using the E-Verify program.
Senate Status 01/29/2014 - Referred to Senate State & Local Government Committee.
House Status 03/19/2014 - Taken off notice in House State Government Subcommittee.
Position Watch/Neutral as written

PRACTICE

SB220/HB555 Optometrists practicing in a retail store.
Description As amended authorizes optometrists to use a local anesthetic in conjunction with
the primary care treatment of an eyelid lesion provided the optometrist has met
statutorily defined certification requirements. Requires an optometrist to provide
to the board of optometry proof that the optometrist has current CPR
certification and requires that the optometrist maintain in their office an AED at
all times that a local anesthetic is administered by the optometrist.
Senate Status 03/20/2014 - Senate passed with amendments 3 and 4.
House Status 03/24/2014 - House passed
Executive Status 03/27/2014 - Signed by Governor
Position Opposed

SB221/HB482 Checking of controlled substance database in overdose cases.
Description Requires a physician in an emergency department to check the controlled
substances database to determine if a patient who has overdosed has been
prescribed a prescription for the same substance on which the patient overdosed.
Requires the physician to report the overdose to the prescriber of the controlled
substance and to the board of medical examiners if the physician determines that
the patient has been prescribed the controlled substance.
Senate Status 04/18/2013 - Re-referred to Senate Calendar Committee.
House Status 01/14/2014 - Held on House clerk's desk.
Position Oppose

SB1473/HB2073 Volunteer Health Care Services Act – charge options.
Description Replaces the fee previously tied to a state regulatory fee with a fee of no more
than $50 as one of the three charge options available for a sponsoring
organization to charge a recipient under the Volunteer Health Care Services Act.
Senate Status 02/10/2014 - Senate passed
House Status 03/20/2014 - House passed
SB1502/HB1494  **Certain physician assistants to perform duties of a physician.**


Description  Under present law, in regards to the involuntary admission of an individual to an inpatient mental health facility, the commissioner may designate a person to take any action authorized or duty imposed on a physician if the person is a qualified mental health official, is licensed or certified to practice in the state if required for the profession, and completes a training program on emergency commitment criteria and procedures that is approved and provided by the department. This bill adds a "licensed physician's assistant with a master's degree and expertise in psychiatry as determined by training, education or experience" to the persons the commissioner may so designate, if the person meets the other described requirements.

Senate Status  03/27/2014 - Senate passed

House Status  03/10/2014 - House passed

Position  Support

SB1629/HB1425  **Online applications - various health-related professions.**


Description  Authorizes the use of online applications for all occupations regulated by the division of health related boards and for all occupations regulated by any board, commission, committee, agency or other governmental entity created in title 63, title 68, chapter 24 and title 68, chapter 140, part 3.

Senate Status  Senate Passed

House Status  House Passed

Position  Support

SB1768/HB1656  **Authorizes certification of registered nurse first assistants.**


Description  Authorizes the certification of registered nurse first assistants. Requires such profession to be a licensed registered nurse, to be certified in perioperative nursing, and to have completed an approved registered nurse first assistant education program.

Senate Status  Senate passed

House Status  House passed

Position  Support

SB1982/HB2040  **Annual report regarding hospice services.**


Description  Requires the board for licensing health care facilities to prepare and present an annual report regarding hospice services on or before January 15 of each year. Also requires the board to make the report available on its website.
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Senate Status 03/19/2014 - Taken off notice in Senate Health & Welfare Committee.
House Status 03/25/2014 - Taken off notice in House Health Subcommittee.
Position Oppose

SB1992/HB2139  Authorizes collaborative pharmacy practice.
Description Authorizes collaborative pharmacy practice. Includes, in the definition of pharmacy, the provision of patient care services and activities pursuant to a collaborative pharmacy practice agreement.
Senate Status Passed Senate.
House Status Passed House.
Executive Status Signed by Governor
Position Support

SB2479/HB2441  Scope of practice for psychologists.
Description Changes the scope of practice for psychologists to include forensic psychological evaluation, parent coordination, life coaching and executive coaching; specifies that certain assessments are also within the scope of psychology practice.
Senate Status Passed Senate.
House Status Passed House.
Executive Status Signed by Governor
Position Watch/Neutral as written

TAXES BUSINESS

SB1636/HB1432  Non-payment of professional privilege tax.
Description Revises certain guidelines regarding the failure to pay the professional privilege tax.
Senate Status Senate passed
House Status House passed
Executive Status Signed by Governor
Position Watch/Neutral as written

TENNCARE

SB1975/HB1723  Implementation of Patient Protection and Affordable Care Act.
Description Requires medical assistance under Title 71, Chapter 5, and any federal waiver authorized by Title 71, Chapter 5, to be extended to provide the full extent of the Medicaid eligibility expansion permitted by the Patient Protection and Affordable Care Act for which the enhanced federal financial assistance matching rate is 100 percent.
TORT LIABILITY

SB1184/HB978 Limits recovery for medical costs - personal injury or wrongful death.
Description Phantom Damages Elimination Act. Relative to damages for personal injury or wrongful death, limits recovery for medical costs to amounts paid by or on behalf of the claimant, amounts necessary to satisfy unpaid charges for medical care, and amounts necessary to satisfy future medical charges.
Senate Status 01/14/2014 - Senate Judiciary Committee deferred to last calendar.
House Status 03/26/2013 - Taken off notice in House Civil Justice Subcommittee.
Position Watch/Neutral as written

SB1674/HB1928 Providing of volunteer healthcare services.
Description As amended, clarifies that a health care professional voluntarily providing health care services to a patient at a sponsoring organization clinic that does not charge the patient or a third party receives the same immunity from liability as a health care professional providing services for a sponsoring organization that charges the patient based on a sliding income scale.
Senate Status 03/13/2014 - Senate passed
House Status 03/03/2014 - House passed
Executive Status 03/18/2014 - Signed by Governor
Position Support

TRANSPORTATION

SB548/HB44 Helmet exemption for certain motorcycle operators.
Sponsors Sen. Mike Bell / Rep. Cameron Sexton
Description Permits motorcycle operators to ride a motorcycle without a helmet if they have completed a department of safety approved motorcycle safety education course, they have been legally operating a motorcycle for at least two years, they are at least 21 years of age, and they have a minimum of $100,000 of liability insurance coverage and a minimum of $200,000 of medical insurance coverage.
Senate Status 03/25/2014 - Failed in Senate Finance, Ways & Means Committee on a 5-6 vote after adopting amendment 2 and previously adopted amendment 1.
House Status Off Notice.
Position Oppose

SB1639/HB1497 Increases fines for failure to use safety belts.
Description | Increases the fines for failure to use safety belts to $25.00 from $10.00 for a first violation and $50.00 from $20.00 on second and subsequent violations. Designates a portion of the revenue from the fines to the division of vocational rehabilitation, and a portion to the state general fund.

Senate Status | 01/16/2014 - Referred to Senate Transportation & Safety Committee.
House Status | 03/18/2014 - Taken off notice in House Transportation Committee.
Position | Watch/Neutral as written

**SB1846/HB1676** Exempts out-of-state residents-wearing safety equipment on motorcycle.

**Description** | Exempts out-of-state residents from having to wear a helmet while driving a motorcycle if the motorcycle is registered in a state that does not require persons over the age of 21 to wear a helmet while operating a motorcycle.

**Senate Status** | 01/23/2014 - Referred to Senate Transportation & Safety Committee.
**House Status** | 02/19/2014 - House Transportation Subcommittee deferred to summer study.
**Position** | Oppose

**WORKERS COMPENSATION**

**SB1645/HB1440** Revises various workers' compensation provisions.

**Sponsors** | Sen. Mark S. Norris / Rep. Gerald McCormick
**Description** | Revises various provisions relative to workers' compensation. Defines specialty practice group. Alters distribution of proceeds from certain penalty payments. Alters provisions regarding specific documented findings by the court. Alters penalties and procedure for noncompliance with insurance requirements.

**Senate Status** | Passed Senate.
**House Status** | Passed House
**Executive Status** | Signed by Governor
**Position** | Watch/Neutral as written