HARRIS FRAZIER

Government Relations

Pharma.

SB11/HB2 **COVID-19: Makes permanent various provisions regarding COVID-19.**

Sponsors: Sen. Johnson, Jack , Rep. Zachary, Jason
Summary: Makes permanent various provisions regarding COVID-19.
Fiscal Note: (Dated January 22, 2023) NOT SIGNIFICANT
Senate Status: 02/13/23 - Senate passed.
House Status: 02/22/23 - House Civil Justice Committee recommended. Sent to House Calendar & Rules.

SB34/HB200 **GOVERNMENT ORGANIZATION: Sunset - board of pharmacy.**

Sponsors: Sen. Roberts, Kerry , Rep. Ragan, John
Summary: Extends the board of pharmacy to June 30, 2027.
Fiscal Note: (Dated February 5, 2023) NOT SIGNIFICANT
Senate Status: 02/24/23 - Set for Senate Consent 2 02/27/23.
House Status: 02/13/23 - House passed.

SB36/HB202 **GOVERNMENT ORGANIZATION: Sunset - controlled substance database committee.**

Sponsors: Sen. Roberts, Kerry , Rep. Ragan, John
Summary: Extends the controlled substance database committee to June 30, 2027.
Fiscal Note: (Dated January 22, 2023) NOT SIGNIFICANT
Senate Status: 02/23/23 - Senate passed.
House Status: 02/13/23 - House passed.
Executive Status: 02/23/23 - Sent to the speakers for signatures.

SB38/HB204 **GOVERNMENT ORGANIZATION: Sunset - department of commerce and insurance.**

Sponsors: Sen. Roberts, Kerry , Rep. Ragan, John
Summary: Extends the department of commerce and insurance to June 30, 2027.
Fiscal Note: (Dated January 10, 2023) NOT SIGNIFICANT
Senate Status: 02/06/23 - Senate passed.
House Status: 02/13/23 - House Government Operations Committee recommended. Sent to House Calendar & Rules.

SB40/HB206 **GOVERNMENT ORGANIZATION: Sunset - department of health.**

Sponsors: Sen. Roberts, Kerry , Rep. Ragan, John
Summary: Extends the department of health to June 30, 2027.
Fiscal Note: (Dated January 10, 2023) NOT SIGNIFICANT
Senate Status: 02/24/23 - Set for Senate Consent 2 02/27/23.
House Status: 02/22/23 - Set for House Government Operations Committee 02/27/23.

SB48/HB214 **GOVERNMENT ORGANIZATION: Sunset - medical cannabis commission.**

Sponsors: Sen. Roberts, Kerry , Rep. Ragan, John
Summary: Extends the medical cannabis commission to June 30, 2025.
Fiscal Note: (Dated January 22, 2023) NOT SIGNIFICANT
Senate Status: 02/24/23 - Set for Senate Consent 2 02/27/23.
House Status: 02/13/23 - House passed.

SB96/HB185 **HEALTH CARE: Application for nonresidential substitution-based treatment center for opiate addiction - notice.**

Sponsors: Sen. Johnson, Jack , Rep. Whitson, Sam
Summary: Increases, from 10 to 15, the number of days within which an applicant must send notice to the appropriate officials that an application for a nonresidential substitution-based treatment center for opiate addiction has been filed with the health facilities commission. Broadly captioned.
Fiscal Note: (Dated January 12, 2023) NOT SIGNIFICANT
Senate Status: 01/20/23 - Referred to Senate Health & Welfare Committee.
House Status: 01/21/23 - Caption bill held on House clerk's desk.

SB140/HB109 **HEALTH CARE: Healthcare provider furnishing patient's medical records.**

Sponsors: Sen. Hensley, Joey , Rep. Helton-Haynes, Esther
Summary: Increases the number of days a healthcare provider has to furnish a patient's medical records from 10 working days to 20 working days from the date of the record's request.

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Fiscal Note: (Dated January 12, 2023) NOT SIGNIFICANT
Senate Status: 01/20/23 - Referred to Senate Health & Welfare Committee.
House Status: 01/20/23 - Caption bill held on House clerk's desk.

SB149/HB131 **GOVERNMENT CONTRACTS: Audit notice for entities contracting with state or local government.**

Sponsors: Sen. Roberts, Kerry , Rep. Ragan, John
Summary: Extends from five to ten business days the period by which a contracting entity with the state or a local government must object to a notice to audit the contracting entity by the comptroller to ensure that public funds are used for their designated public purpose under the contract. Broadly captioned.
Fiscal Note: (Dated January 17, 2023) NOT SIGNIFICANT
Senate Status: 01/20/23 - Referred to Senate State & Local Government Committee.
House Status: 01/20/23 - Caption bill held on House clerk's desk.

SB168/HB85 **CRIMINAL LAW: Free All Cannabis for Tennesseans Act.**

Sponsors: Sen. Campbell, Heidi , Rep. Freeman, Bob
Summary: Enacts the "Free All Cannabis for Tennesseans Act" or "FACT Act," which establishes a regulatory structure for the cultivation, processing, and retail sale of marijuana and marijuana products in this state to be administered by the department of agriculture. Authorizes an adult to use, possess, and transport not more than 60 grams of marijuana, except that not more than 15 grams of that amount may be in the form of marijuana concentrate. Defines "marijuana concentrate" to mean the cannabinoid-rich oil or extract from marijuana extracted from plant material or the resin created from the plant by physical or chemical means and includes water-based marijuana concentrate, food-based marijuana concentrate, solvent-based marijuana concentrate, and heat- or pressure-derived marijuana concentrate. Authorizes an adult to transfer without remuneration to another adult not more than 60 grams of marijuana, except that not more than 15 grams of that amount may be in the form of marijuana concentrate. Specifies that the transfer must not be advertised or promoted to the public. Authorizes an adult to cultivate for personal use no more than 12 marijuana plants in an area on the premises of the adult's private residence. Allows a person to prohibit or restrict the possession, consumption, cultivation, distribution, manufacture, sale, or display of marijuana or marijuana products on property the person owns, occupies, or manages. Authorizes a county, by resolution of the county legislative body, or an incorporated municipality, by ordinance of its governing body, to levy a local sales tax in a rate not to exceed five percent on the sale of marijuana and marijuana products within such county or municipality. Also imposes a 15 percent tax on each sale of marijuana or a marijuana product by a marijuana dispensary. Requires the department of revenue to allocate the revenue derived from the marijuana tax and specifies allocation (37 pp.).
Senate Status: 01/21/23 - Referred to Senate Judiciary Committee.
House Status: 02/08/23 - Referred to House Criminal Justice Subcommittee.

SB193/HB702 **CRIMINAL LAW: Increased penalties for fentanyl derivative drugs.**

Sponsors: Sen. Lundberg, Jon , Rep. Doggett, Clay
Summary: Increases the penalty to a Class B felony with a fine of up to $100,000 for drug offenses involving 0.5 grams or more of fentanyl, carfentanil, remifentanil, alfentanil, thiafentanil, or any fentanyl derivative or analogue.
Amendment Summary: House Criminal Justice Subcommittee amendment 1 (003990) creates a Class B felony offense for the possession of 0.5 grams or more of fentanyl, carfentanil, remifentanil, alfentanil, or thiafentanil. Creates a Class C offense for possession under 0.5 grams of any Schedule II controlled substance unless the defendant carried or employed a deadly weapon during the commission of the offense, which would be a Class B felony.
Fiscal Note: (Dated February 14, 2023) Increase State Expenditures Net Impact $1,109,900 Incarceration
Senate Status: 01/21/23 - Referred to Senate Judiciary Committee.
House Status: 02/22/23 - Set for House Criminal Justice Committee 02/28/23.

SB196/HB1455 **HEALTH CARE: Updates requirements for prescription writing for nurse practitioners.**

Sponsors: Sen. Lundberg, Jon , Rep. Faison, Jeremy
Summary: Removes a reference to a repealed section that required the division of health related boards to provide to the board of pharmacy the names of all nurse practitioners and physician assistants who are authorized to write and sign prescriptions or issue legend drugs in Tennessee and the names of their supervising physicians.
Fiscal Note: (Dated January 17, 2023) NOT SIGNIFICANT
Senate Status: 01/21/23 - Referred to Senate Commerce & Labor Committee.
House Status: 02/01/23 - Introduced in the House

SB200/HB304 **ALCOHOLIC BEVERAGES: Opiate antagonist nasal spray to be kept on premises of certain establishments.**

Sponsors: Sen. Lamar, London , Rep. Jones, Justin
Summary: Requires establishments that have gross sales of alcoholic beverages of more than $500,000 per calendar year, as a condition of receiving or renewing a liquor-by-the-drink license, to keep an opiate antagonist nasal spray in an easily accessible location on the premises and to provide satisfactory proof of such to the alcoholic beverage commission.
Fiscal Note: (Dated January 20, 2023) NOT SIGNIFICANT
Senate Status: 02/22/23 - Set for Senate State & Local Government Committee 02/28/23.
House Status: 01/25/23 - Referred to House Department & Agencies Subcommittee.

SB277/HB325 **HEALTH CARE: Opioid prescription limitations.**

Sponsors: Sen. Johnson, Jack , Rep. Lamberth, William
Summary: Permanently extends the present law, which is set to terminate on July 1, 2023, that establishes limitations on the prescription of opioids and authorizes the promulgation of rules related to the calculation of those limitations. Part of Administration Package.

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Fiscal Note: (Dated February 2, 2023) NOT SIGNIFICANT
Senate Status: 02/13/23 - Senate passed.
House Status: 02/22/23 - Set for House Health Subcommittee 02/28/23.

SB291/HB566 **HEALTH CARE: Overdose Fatality Review Act.**

Sponsors: Sen. Briggs, Richard , Rep. Carringer, Michele
Summary: Enacts the "Overdose Fatality Review Act," which creates a legislative framework for establishing county or regional multidisciplinary overdose fatality review teams in this state. Specifies composition of overdose fatality review teams and duties and responsibilities of overdose fatality review teams, including recommending prevention and intervention strategies to improve coordination of services among member agencies to reduce overdose deaths. Requires the coordinator of the local team to report to the local or regional county health officer. Specifies other responsibilities of coordinator of local team. Specifies that local team meetings in which confidential information is discussed are closed to the public. Specifies that all information and records acquired by a local team are confidential and are not subject to subpoena, discovery, or introduction into evidence in a civil or criminal proceeding or disciplinary action (14 pp.).
Senate Status: 01/26/23 - Referred to Senate Health & Welfare Committee.
House Status: 02/01/23 - Referred to House Health Subcommittee.

SB296/HB779 **HEALTH CARE: Licensure decisions on applications of persons licensed in another state.**

Sponsors: Sen. Gardenhire, Todd , Rep. Helton-Haynes, Esther
Summary: Requires the board of medical examiners, board of osteopathic examination, board of nursing, and board of physician assistants to, within 45 days of receiving an application for Tennessee licensure from a person who is licensed in another jurisdiction, render a decision on the application and either issue the license or inform the applicant of its decision to deny licensure and the reasons for the denial.
Amendment Summary: Senate Health & Welfare Committee amendment 1 (004362) requires the board of medical examiners, board of osteopathic examination, board of nursing, and board of physician assistants to, within 45 days of receiving an application for Tennessee licensure from a person who is licensed in another jurisdiction, render a decision on the application and inform the applicant of the need to appear before the specified board.
Fiscal Note: (Dated February 14, 2023) Increase State Expenditures $33,300/FY23-24 and Subsequent Years/ Division of Health-Related Boards Pursuant to Tenn. Code Ann. 4-29-121, all health-related boards are required to be self-supporting over a two-year period. The Division of Health-Related Boards had a surplus of $2,931,602 in FY20-21, a surplus of $2,687,730 in FY21- 22, and a cumulative reserve balance of $37,100,641 on June 30, 2022.
Senate Status: 02/22/23 - Senate Health & Welfare Committee recommended with amendment 1 (004362). Sent to Senate Finance.
House Status: 02/07/23 - Referred to House Health Subcommittee.

SB308/HB332 **TENNCARE: Contracting with managed care organizations.**

Sponsors: Sen. Hensley, Joey , Rep. Cepicky, Scott
Summary: Requires the bureau to contract with at least one managed care organization that is partnered with a provider participation entity. Establishes eligibility requirements for such entities to contract with TennCare. Prohibits TennCare from choosing managed care organizations through a request for proposal or competitive bidding process beginning January 1, 2024. Makes other various changes including eligibilities for contracts with TennCare, financial risk factors, characteristics of the governing body of the provider participation entity involved with TennCare, and report submission for TennCare eligibility qualifications and standards. Broadly captioned.
Senate Status: 01/26/23 - Referred to Senate Commerce & Labor Committee.
House Status: 01/30/23 - Referred to House Insurance Subcommittee.

SB309/HB292 **HEALTH CARE: Deletes report requirement on infections by infections taskforce.**

Sponsors: Sen. Yarbro, Jeff , Rep. Freeman, Bob
Summary: Deletes provisions related to the infections taskforce that focused on strategies and recommendations for the prevention and control of antibiotic resistant infections, including MRSA, and reported aggregate data on incidence and trends for invasive MRSA in Tennessee to the general assembly from 2008-2010. Broadly captioned.
Fiscal Note: (Dated January 22, 2023) NOT SIGNIFICANT
Senate Status: 01/26/23 - Referred to Senate Commerce & Labor Committee.
House Status: 01/21/23 - Caption bill held on House clerk's desk.

SB314/HB756 **INSURANCE AUTOMOBILES: Notification of automotive body part repair by auto insurer to insured.**

Sponsors: Sen. Niceley, Frank , Rep. Eldridge, Rick
Summary: Prohibits, as an unfair claims settlement practice, an auto insurer from directing a body shop to repair a motor vehicle without first providing the insured with written notice of the insured's right to approve the type of body parts to be used in the repair of the motor vehicle and an opportunity to select the type of body parts to be used. Specifies that the notice requirement only applies in the five years after the model year of the motor vehicle to be repaired.
Senate Status: 01/26/23 - Referred to Senate Commerce & Labor Committee.
House Status: 02/07/23 - Referred to House Insurance Subcommittee.

SB327/HB953 **TENNCARE: Protocols made available on bureau's website.**

Sponsors: Sen. Haile, Ferrell , Rep. Davis, Elaine
Summary: Clarifies that protocols developed using evidence-based medicine and authorized by the bureau be made available to TennCare providers and managed care organizations on the bureau's website. Requires updates or revisions to such protocols be published not later than 48 hours from the time such updates or revisions are authorized by the bureau.
Fiscal Note: (Dated February 16, 2023) NOT SIGNIFICANT
Senate Status: 01/26/23 - Referred to Senate Health & Welfare Committee.
House Status: 02/02/23 - Caption bill held on House clerk's desk.

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SB328/HB144 **CRIMINAL LAW: Second offense DUI - participation in substance abuse program.**

Sponsors: Sen. Haile, Ferrell , Rep. Lamberth, William

Summary: Changes from 25 to 17 the number of days of incarceration a person convicted of a second offense of driving under the influence of an intoxicant must serve before the person can participate in a substance abuse treatment program. Requires a person charged with or convicted of a third or subsequent offense of driving under the influence of an intoxicant involving the use of alcohol to wear a transdermal alcohol monitoring device for a 90-day period of continuous sobriety.

Amendment Summary: Senate Judiciary Committee amendment 1, House Criminal Justice Committee amendment 1 (003437) decreases, from 25 days to 17 days, the minimum period a person who was convicted of a second offense of DUI must serve in order to be eligible to participate in a substance abuse treatment program as a condition of probation. Requires a court to order a person who has been charged with a third or subsequent offense of driving under the influence of alcohol, and upon the person's release on bail, to wear a transdermal alcohol monitoring device for a minimum period of 90 days of continuous sobriety without any confirmed drinking or tampering events, unless the person's criminal case is resolved prior to the completion of the 90-day period. Requires a court to order a person who has been convicted for a third or subsequent offense of driving under the influence of alcohol, and upon the person's release on probation, to wear a transdermal alcohol monitoring device for a minimum period of 90 days of continuous sobriety without any confirmed drinking or tampering events. Authorizes a judge to waive the transdermal monitoring device requirement in the best interest of justice if the person has already completed a 90-day period of continuous sobriety as a condition of release on bail.

Fiscal Note: (Dated January 30, 2023) Increase State Expenditures $165,000/FY23-24 and Subsequent Years/ Electronic Monitoring Indigency Fund Increase Local Expenditures $332,000/FY23-24 and Subsequent Years* Decrease Local Expenditures $572,300/FY23-24 and Subsequent Years/Permissive

Senate Status: 02/14/23 - Senate Judiciary Committee recommended with amendment 1 (003437). Sent to Senate Finance.

House Status: 02/22/23 - Set for House Finance, Ways & Means Subcommittee 03/01/23.

SB329/HB514 **HEALTH CARE: Annual report by medical cannabis commission.**

Sponsors: Sen. Haile, Ferrell , Rep. Terry, Bryan

Summary: Changes the date, from January 1 to January 15, by which the medical cannabis commission must submit its annual findings and recommendations to the general assembly. Broadly captioned.

Fiscal Note: (Dated January 24, 2023) NOT SIGNIFICANT

Senate Status: 02/22/23 - Set for Senate Judiciary Committee 02/28/23.

House Status: 02/01/23 - Caption bill held on House clerk's desk.

SB334/HB704 **WELFARE: Medicaid fraud unit duties expanded.**

Sponsors: Sen. Jackson, Ed , Rep. Doggett, Clay

Summary: Authorizes the Tennessee bureau of investigation's medicaid fraud control unit to investigate and refer for prosecution laws pertaining to provider or vender fraud and abuse related to the administration of the medicaid program. Provides that the unit is also authorized to investigate medicare fraud, abuse, neglect and misappropriation of funds or property in healthcare facilities receiving payments under the state medicaid plan and complains of abuse, neglect and financial exploitation of medicaid recipients. Requires a summary of the unit's work be included in an annual report submitted to the governor, the senate judiciary committee and the criminal justice committee of the house of representatives. Creates three new divisions of the TBI: the criminal investigation division, the forensic services division and the narcotics investigation division.

Fiscal Note: (Dated January 25, 2023) NOT SIGNIFICANT

Senate Status: 02/13/23 - Senate passed.

House Status: 02/22/23 - Set for House Criminal Justice Committee 02/28/23.

SB338/HB362 **TENNCARE: Annual review of medications and forms of treatment for lupus.**

Sponsors: Sen. Oliver, Charlane , Rep. Love Jr., Harold

Summary: Requires the bureau of TennCare to conduct an annual review of all medications and forms of treatment for lupus, and services for enrollees with a diagnosis of lupus, that are eligible for coverage under the medical assistance program. Requires the bureau of TennCare, when conducting the annual review, to solicit and consider input from the general public, with specific emphasis on attempting to receive input from persons or groups with knowledge and experience in the area of lupus treatment. Requires an annual report to be made to the general assembly.

Fiscal Note: (Dated January 28, 2023) NOT SIGNIFICANT

Senate Status: 01/26/23 - Referred to Senate Commerce & Labor Committee.

House Status: 02/01/23 - Referred to House Insurance Subcommittee.

SB458/HB496 **HEALTH CARE: Application process for occupational licenses.**

Sponsors: Sen. Watson, Bo , Rep. Martin, Brock

Summary: Directs health related boards to promulgate rules that expedite the application process for occupational licenses by requiring the boards to make a determination on applications within 60 days of the date they are submitted. Authorizes health related boards to request the department to replace or transfer administrative staff or the attorney assigned to the board by the division of health related boards.

Senate Status: 01/30/23 - Referred to Senate Health & Welfare Committee.

House Status: 02/01/23 - Referred to House Health Subcommittee.

SB460/HB607 **INSURANCE HEALTH: Timeframe for utilization review agents to notify enrollees for more information.**

Sponsors: Sen. Watson, Bo , Rep. Hawk, David

Summary: Lowers, from five to four business days, the amount of time a utilization review agents must notify the enrollee and the healthcare provider in writing or electronic portals of the need for additional information in order to make a determination on a request for authorization.

Fiscal Note: (Dated January 26, 2023) NOT SIGNIFICANT

Senate Status: 01/30/23 - Referred to Senate Commerce & Labor Committee.

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House Status: 02/01/23 - Caption bill held on House clerk's desk.

SB502/HB916 **TENNCARE: Report on use and cost of opioids and other controlled substances in prescription drug program.**

Sponsors: Sen. Watson, Bo , Rep. Rudder, Iris
Summary: Extends, from January 15 to February 1 of each calendar year, the due date of the annual report required to be submitted by the bureau of TennCare to certain legislative committees on the use and cost of opioids and other controlled substances in the prescription drug program for the TennCare program. Broadly captioned.
Fiscal Note: (Dated January 26, 2023) NOT SIGNIFICANT
Senate Status: 01/30/23 - Referred to Senate Commerce & Labor Committee.
House Status: 02/02/23 - Caption bill held on House clerk's desk.

SB523/HB495 **HEALTH CARE: Topical Medical Waste Reduction Act of 2023.**

Sponsors: Sen. Jackson, Ed , Rep. Martin, Brock
Summary: Enacts the "Topical Medical Waste Reduction Act of 2023," which establishes certain regulations of facility-provided medications. Broadly captioned.
Amendment Summary: House Health Subcommittee amendment 1, Senate Health and Welfare Committee amendment 1 (003861) designates part of the law as the "Topical Medical Waste Reduction Act of 2023." Defines "facility", "facility-provided medication", and "prescriber." Allows an unused portion of a facility-provided medication to be offered to the patient upon discharge for continued treatment. Requires the facility to counsel the patient on the medicine's proper use and administration for a medicine that was used in an operating room or emergency department setting.
Fiscal Note: (Dated February 10, 2023) NOT SIGNIFICANT
Senate Status: 02/24/23 - Set for Senate Floor 02/27/23.
House Status: 02/22/23 - Set for House Health Committee 03/01/23.

SB546/HB553 **TENNCARE: Mailing documentation of material change by Tenncare applicant.**

Sponsors: Sen. Briggs, Richard , Rep. Littleton, Mary
Summary: Reduces from 30 days to 15 days the time within which an applicant is responsible for mailing documentation of any material change affecting any information given to the bureau or in the applicant's application. Broadly captioned.
Fiscal Note: (Dated January 26, 2023) NOT SIGNIFICANT
Senate Status: 01/30/23 - Referred to Senate Health & Welfare Committee.
House Status: 02/01/23 - Caption bill held on House clerk's desk.

SB620/HB1414 **FAMILY LAW: Families' Rights and Responsibilities Act.**

Sponsors: Sen. Pody, Mark , Rep. Raper, Kevin
Summary: Enacts the "Families' Rights and Responsibilities Act", which declares that the ability of a parent to direct the upbringing, education, health care, and mental health of that parent’s child is a fundamental right. Details how to bring a suit for potential violations of this act. Broadly captioned.
Senate Status: 02/02/23 - Referred to Senate Judiciary Committee.
House Status: 02/07/23 - Referred to House Children & Family Affairs Subcommittee.

SB644/HB252 **EDUCATION: Exemption from immunization requirements for home school students.**

Sponsors: Sen. Hensley, Joey , Rep. Barrett, Jody
Summary: Removes the requirement that a parent-teacher of a home school student provide proof of the student's immunizations and receipt of health services or examinations required by law generally for children in this state to the local education agency. Exempts home school students from the immunization requirements applicable to students attending a school, nursery school, kindergarten, preschool, or childcare facility.
Amendment Summary: House Education Administration Committee amendment 1 (003991) removes the requirement that proof must be submitted to the local director of schools that a home school student has been vaccinated or received any other health services or examinations required by law for children in the state unless the home school student participates in a local education (LEA)-sponsored interscholastic activity or event or an LEA-sponsored extracurricular activity.
Fiscal Note: (Dated February 2, 2023) NOT SIGNIFICANT
Senate Status: 02/02/23 - Referred to Senate Education Committee.
House Status: 02/24/23 - Set for House Floor 02/27/23.

SB666/HB885 **TENNCARE: Tenncare medication therapy management pilot program.**

Sponsors: Sen. Reeves, Shane , Rep. Hawk, David
Summary: Removes a provision requiring the bureau of Tenncare to establish a medication therapy management pilot program that terminated in 2020. Broadly captioned.
Fiscal Note: (Dated January 28, 2023) NOT SIGNIFICANT
Senate Status: 02/02/23 - Referred to Senate Commerce & Labor Committee.
House Status: 02/02/23 - Caption bill held on House clerk's desk.

SB667/HB920 **INSURANCE HEALTH: Extension of audit notice for pharmacist or pharmacy.**

Sponsors: Sen. Reeves, Shane , Rep. Rudder, Iris
Summary: Extends from two weeks to 30 days the period of time a pharmacist or pharmacy must be provided written notice prior to a covered entity, pharmacy benefits manager, the state or a political subdivision of the state, or a party representing such entity begins an initial on-site audit for an audit cycle. Broadly captioned.
Fiscal Note: (Dated January 28, 2023) NOT SIGNIFICANT
Senate Status: 02/02/23 - Referred to Senate Commerce & Labor Committee.
House Status: 02/02/23 - Caption bill held on House clerk's desk.

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SB673/HB626 **INSURANCE HEALTH: Health benefit coverage for prosthetic devices.**

Sponsors: Sen. Reeves, Shane , Rep. Jernigan, Darren
Summary: Requires health benefit plans to provide certain coverage for prosthetic devices including repairs and replacements. Broadly captioned.
Senate Status: 02/02/23 - Referred to Senate Commerce & Labor Committee.
House Status: 02/01/23 - Referred to House Insurance Subcommittee.

SB674/HB1315 **HEALTH CARE: Weight management services provided in collaborative pharmacy practice agreements.**

Sponsors: Sen. Reeves, Shane , Rep. Kumar, Sabi
Summary: Permits the services authorized in a collaborative pharmacy practice agreement to include weight management services. Requires the bureau of TennCare to make available, or cause to be made available, anti-obesity medication to a recipient if the medication is medically necessary.
Fiscal Note: (Dated February 25, 2023) Increase State Expenditures - $621,104/FY23-24 and Subsequent Years Increase Federal Expenditures - $1,178,400/FY23-24 and Subsequent Years
Senate Status: 02/22/23 - Set for Senate Health & Welfare Committee 03/01/23.
House Status: 02/22/23 - Set for House Health Subcommittee 02/28/23.

SB675/HB667 **HEALTH CARE: Prescription drug donation repository program.**

Sponsors: Sen. Reeves, Shane , Rep. Hicks, Tim
Summary: Makes various changes to the prescription drug donation repository program operated by the department of health including who may benefit as patients, the types of drugs involved, how pharmacists must repackage and distribute the donated drugs, and liabilities concerning violations of this act. Details record keeping with regards to timeline and possession of the donated and distributed donated drugs. (10pp). Broadly captioned.
Fiscal Note: (Dated February 16, 2023) NOT SIGNIFICANT
Senate Status: 02/22/23 - Set for Senate Commerce & Labor Committee 02/28/23.
House Status: 02/22/23 - Set for House Health Subcommittee 02/28/23.

SB690/HB963 **INSURANCE HEALTH: Report on pharmacy benefits manager's compliance with state pharmacy benefits management contract.**

Sponsors: Sen. Reeves, Shane , Rep. Helton-Haynes, Esther
Summary: Requires the commissioner of finance and administration, or the commissioner's designee, to provide the annual report on the pharmacy benefits manager's compliance with any state pharmacy benefits management contract to the chairs of the commerce and labor committee of the senate and the insurance committee of the house of representatives. Broadly captioned.
Fiscal Note: (Dated January 28, 2023) NOT SIGNIFICANT
Senate Status: 02/02/23 - Referred to Senate Health & Welfare Committee.
House Status: 02/02/23 - Caption bill held on House clerk's desk.

SB691/HB266 **HEALTH CARE: Updates to the undispensed inventory of opioids and benzodiazepines.**

Sponsors: Sen. Reeves, Shane , Rep. Terry, Bryan
Summary: Removes the "within 10 days after January 1, 2015" factor from the requirement that each medical practitioner, unless the practitioner meets an exception, must ensure that the undispensed inventory of opioids and benzodiazepines purchased under the prescriber's drug enforcement administration number for dispensing is returned to a licensed third party reverse distributor or turned into local law enforcement. Broadly captioned.
Fiscal Note: (Dated January 22, 2023) NOT SIGNIFICANT
Senate Status: 02/02/23 - Referred to Senate Judiciary Committee.
House Status: 01/21/23 - Caption bill held on House clerk's desk.

SB693/HB513 **HEALTH CARE: Annual findings and recommendations by the medical cannabis commission.**

Sponsors: Sen. Reeves, Shane , Rep. Terry, Bryan
Summary: Changes from January 1 to January 15 the date by which the medical cannabis commission must submit its annual findings and recommendations to the general assembly. Broadly captioned.
Fiscal Note: (Dated January 28, 2023) NOT SIGNIFICANT
Senate Status: 02/21/23 - Senate Judiciary Committee deferred to first calendar of 2024.
House Status: 02/01/23 - Caption bill held on House clerk's desk.

SB699/HB269 **HEALTH CARE: Info provided by department of health on reversing the effects of a chemical abortion.**

Sponsors: Sen. Crowe, Rusty , Rep. Terry, Bryan
Summary: Requires the department of health to publish on its website information on the possibility of reversing the effects of a chemical abortion in any language that is the primary language spoken by 1 percent or more of this state's population, rather than 2 percent or more. Broadly captioned.
Fiscal Note: (Dated January 22, 2023) NOT SIGNIFICANT
Senate Status: 02/02/23 - Referred to Senate Judiciary Committee.
House Status: 01/21/23 - Caption bill held on House clerk's desk.

SB733/HB665 **HEALTH CARE: Prescribing of buprenorphine product by healthcare provider.**

Sponsors: Sen. Crowe, Rusty , Rep. Hicks, Tim
Summary: Prohibits a healthcare provider from prescribing a buprenorphine product unless the patient has first signed a copy of an informational document on the risks of buprenorphine use to pregnant women, unborn children, and infants. Specifies that such form signed by the patient expires one year after the date it was signed by the patient. Requires the department of health to make available on its public website the informational document within 90 days of the effective date of the act.

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Senate Status: 02/06/23 - Referred to Senate Health & Welfare Committee.
House Status: 02/01/23 - Referred to House Health Subcommittee.

SB745/HB883 **GOVERNMENT ORGANIZATION: Upkeep of monument on the capitol campus that is in memory of the victims of abortion.**

Sponsors: Sen. Briggs, Richard , Rep. Helton-Haynes, Esther
Summary: Requires the state capitol commission to be responsible through funds appropriated to the commission, after funds from the construction and placement have been exhausted, for the upkeep and maintenance of a monument on the capitol campus that is in memory of the victims of abortion. Broadly captioned.
Amendment Summary: House Population Health Subcommittee amendment 1 (003797) rewrites the bill and states that it is an offense to perform or attempt to perform a criminal abortion and an offense to compel, coerce, or unlawfully force another person in order to obtain or procure a criminal abortion. Allows exemptions to the offense. Details that except in a medical emergency, an abortion shall not be performed or induced upon a pregnant woman unless the woman has provided her informed written consent, given freely and without coercion. Requires that if a child is prematurely born alive in the course of an abortion, then the physician performing the abortion has a legal obligation to take steps to preserve the life and health of the child. Allows for wrongful death lawsuits to be brought against medical professionals.
Fiscal Note: (Dated February 9, 2023) NOT SIGNIFICANT
Senate Status: 02/22/23 - Set for Senate Judiciary Committee 02/28/23.
House Status: 02/23/23 - Set for House Health Committee 03/01/23.

SB753/HB1317 **HEALTH CARE: Revises composition of board of pharmacy.**

Sponsors: Sen. Haile, Ferrell , Rep. Kumar, Sabi
Summary: Vacates the board of pharmacy, adds two pharmacy technician members to the board, and makes various other changes to the board's composition detailing the characteristics of the board members. Authorizes the board to employ or retain general counsel. Broadly captioned.
Fiscal Note: (Dated February 10, 2023) Increase State Expenditures - $3,100/FY23-24 and Subsequent Years/ Board of Pharmacy Other Fiscal Impact To the extent the Board of Pharmacy chooses to employ or retain general counsel, there will be additional expenditures incurred by the Board. Pursuant to Tenn. Code Ann. 4-29-121, all health-related boards are required to be self-supporting over a two-year period. The Board of Pharmacy had a surplus of $198,441 in FY20-21, a surplus of $404,000 in FY21-22, and a cumulative reserve balance of $3,693,158 on June 30, 2022.
Senate Status: 02/06/23 - Referred to Senate Government Operations Committee.
House Status: 02/14/23 - House Health Subcommittee deferred to 03/07/23.

SB797/HB856 **TENNCARE: Removes obsolete reference to task force assigned to review ICF/MR services.**

Sponsors: Sen. Oliver, Charlane , Rep. Jernigan, Darren
Summary: Deletes an obsolete reference to a nine-person task force that was assigned to review oversight, utilization, and the future need for ICF/MR services and make recommendations to the general assembly and governor by June 30, 2007. Broadly captioned.
Fiscal Note: (Dated January 31, 2023) NOT SIGNIFICANT
Senate Status: 02/06/23 - Referred to Senate Commerce & Labor Committee.
House Status: 02/02/23 - Caption bill held on House clerk's desk.

SB799/HB859 **HEALTH CARE: Study of available real-time overdose information databases.**

Sponsors: Sen. Yarbro, Jeff , Rep. Jernigan, Darren
Summary: Requires the commissioner of the department of health, in collaboration with the commissioner of mental health and substance abuse services, to conduct a study of presently available, real-time overdose information databases and mapping tools in use in other jurisdictions to determine whether the statewide use of such system in this state is likely to decrease the occurrence of overdose-related deaths, identify obstacles and challenges to implementing such system statewide, and estimate the costs of and a timeline for implementation, and to deliver a report of findings and recommendations to the general assembly by December 31, 2023. Broadly captioned.
Senate Status: 02/06/23 - Referred to Senate Health & Welfare Committee.
House Status: 02/07/23 - Referred to House Health Subcommittee.

SB857/HB1440 **CRIMINAL LAW: Exemptions to the offense of criminal abortion.**

Sponsors: Sen. Haile, Ferrell , Rep. Rudder, Iris
Summary: Exempts from the offense of criminal abortion an abortion that is performed on a patient whose pregnancy is the result of rape or incest if the abortion is performed prior to a certain gestational age. Requires the physician performing the abortion to confirm that the patient reported the offense to the appropriate law enforcement agency and submitted to a forensic medical examination prior to the procedure. Adds a mandatory minimum sentence of three years incarceration for filing a false report of rape or incest for the purpose of obtaining an abortion. Broadly captioned.
Fiscal Note: (Dated February 22, 2023) NOT SIGNIFICANT
Senate Status: 02/22/23 - Set for Senate Judiciary Committee 02/28/23.
House Status: 02/07/23 - Referred to House Population Health Subcommittee.

SB859/HB982 **HEALTH CARE: Medical cannabis commission annual report.**

Sponsors: Sen. Reeves, Shane , Rep. Terry, Bryan
Summary: Changes the date, from January 1 to January 15, by which the medical cannabis commission must submit its annual report to the chief clerks of the senate and the house of representatives and the legislative librarian. Broadly captioned.
Fiscal Note: (Dated January 31, 2023) NOT SIGNIFICANT
Senate Status: 02/21/23 - Senate Judiciary Committee deferred to 03/07/23.
House Status: 02/02/23 - Caption bill held on House clerk's desk.

SB869/HB282 **HEALTH CARE: Practice of pharmacy.**

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Sponsors: Sen. Reeves, Shane , Rep. Baum, Charlie
Summary: Authorizes as part of the practice of pharmacy the prescribing of dietary fluoride supplements, certain immunization agents, opioid antagonists, and certain other drugs and products. Makes various other changes to pharmacy practice including professional judgement and health and safety. Broadly captioned.
Fiscal Note: (Dated January 24, 2023) NOT SIGNIFICANT
Senate Status: 02/06/23 - Referred to Senate Health & Welfare Committee.
House Status: 01/24/23 - Referred to House Health Subcommittee.

SB911/HB837 **COVID-19: Extends certain COVID protections for healthcare providers.**

Sponsors: Sen. Niceley, Frank , Rep. Lynn, Susan
Summary: Extends certain COVID protections for healthcare providers including limiting mandates, monoclonal antibodies to a patient as a treatment, and liability protections. Broadly captioned.
Senate Status: 02/06/23 - Referred to Senate Health & Welfare Committee.
House Status: 02/02/23 - Caption bill held on House clerk's desk.

SB912/HB840 **HEALTH CARE: Health-related boards relating to prescriptions for Schedule II controlled substances.**

Sponsors: Sen. Niceley, Frank , Rep. Lynn, Susan
Summary: Removes provisions that required health-related boards affected by law relating to prescriptions for Schedule II controlled substances to report to the general assembly by January 1, 2019, on issues related to the implementation of that law. Broadly captioned.
Fiscal Note: (Dated January 31, 2023) NOT SIGNIFICANT
Senate Status: 02/06/23 - Referred to Senate Health & Welfare Committee.
House Status: 02/02/23 - Caption bill held on House clerk's desk.

SB925/HB1429 **HEALTH CARE: Out-of-state provider of home medical equipment services - requirement to maintain office in state.**

Sponsors: Sen. Lundberg, Jon , Rep. Hicks, Gary
Summary: Exempts an out-of-state provider of home medical equipment services from the requirement to maintain an office or place of business within this state if the provider provides home medical equipment that is not available from a provider that has an office or place of business within this state.
Amendment Summary: House Health Subcommittee amendment 1 (003501) names the act as "Quinnlee's Law." Requires the board to establish by rule that a provider of home medical equipment services that has a principal place of business outside this state shall identify a contact person who will provide the state survey agency access to all survey-related material.
Fiscal Note: (Dated February 8, 2023) NOT SIGNIFICANT
Senate Status: 02/22/23 - Set for Senate Health & Welfare Committee 03/01/23.
House Status: 02/22/23 - Set for House Health Committee 03/01/23.

SB938/HB1401 **INSURANCE HEALTH: Affordability is Access Act.**

Sponsors: Sen. Oliver, Charlane , Rep. Johnson, Gloria
Summary: Enacts the "Affordability is Access Act," which requires individual and group health plans to provide coverage for over-the-counter contraceptives that have been approved for use by the federal food and drug administration. Broadly captioned.
Senate Status: 02/08/23 - Withdrawn in Senate.
House Status: 02/07/23 - Referred to House Insurance Subcommittee.

SB977/HB870 **MEDIA & PUBLISHING: Public identity of entity that manufactures drugs used to carry out execution by lethal injection.**

Sponsors: Sen. Pody, Mark , Rep. Lafferty, Justin
Summary: Changes from confidential to a public record the identity of an entity that compounds, distributes, or manufactures the drugs obtained and used by the department of correction to carry out an execution by lethal injection. Declares the names of persons involved in carrying out a sentence of death are confidential and exempt from public disclosure.
Fiscal Note: (Dated February 8, 2023) NOT SIGNIFICANT
Senate Status: 02/06/23 - Referred to Senate State & Local Government Committee.
House Status: 02/22/23 - House State Government Committee deferred to 03/08/23.

SB983/HB778 **CRIMINAL LAW: Limits the offense of criminal abortion to only apply to elective abortions.**

Sponsors: Sen. Yager, Ken , Rep. Helton-Haynes, Esther
Summary: Limits the offense of criminal abortion to only apply to elective abortions. Defines elective abortion as any abortion that is not medically necessary to prevent the death of the pregnant woman or to prevent serious risk of substantial and irreversible impairment of a major bodily function of the pregnant woman. Broadly captioned.
Fiscal Note: (Dated February 22, 2023) NOT SIGNIFICANT
Senate Status: 02/22/23 - Set for Senate Judiciary Committee 02/28/23.
House Status: 02/07/23 - Referred to House Population Health Subcommittee.

SB985/HB357 **HEALTH CARE: Notice of material change on application of person applying for TennCare.**

Sponsors: Sen. Yager, Ken , Rep. Keisling, Kelly
Summary: Lessens the time from 30 days to 15 days in which the bureau of TennCare must be notified of any material change in a person's application.
Fiscal Note: (Dated January 22, 2023) NOT SIGNIFICANT
Senate Status: 02/06/23 - Referred to Senate Health & Welfare Committee.
House Status: 01/30/23 - Caption bill held on House clerk's desk.

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SB1013/HB1506 **HEALTH CARE: Reporting of abortion to office of vital records.**

Sponsors: Sen. Campbell, Heidi , Rep. Johnson, Gloria
Summary: Changes from 10 days to three business days after an abortion the time within which the abortion must be reported to the office of vital records by the person in charge of the institution where the abortion was performed or by the attending physician. Broadly captioned.
Fiscal Note: (Dated February 14, 2023) NOT SIGNIFICANT
Senate Status: 02/06/23 - Referred to Senate Judiciary Committee.
House Status: 02/22/23 - Set for House Population Health Subcommittee 02/28/23.

SB1016/HB890 **WELFARE: Patient Protection and Affordable Care Act.**

Sponsors: Sen. Campbell, Heidi , Rep. Glynn, Ronnie
Summary: Removes the statutory provision that currently prohibits the governor from making a decision or obligating the state with regard to the expansion of optional enrollment in the medicaid program pursuant to the federal Patient Protection and Affordable Care Act unless the governor is authorized to do so by joint resolution of the general assembly.
Senate Status: 02/06/23 - Referred to Senate Commerce & Labor Committee.
House Status: 02/02/23 - Caption bill held on House clerk's desk.

SB1072/HB309 **CRIMINAL LAW: Decriminalizes the possession of certain amounts of marijuana.**

Sponsors: Sen. Yarbro, Jeff , Rep. Chism, Jesse
Summary: Prohibits arrest and criminal prosecution for the possession of certain amounts of marijuana considered personal use quantities. Makes such possession by an offender aged 18 or older a civil violation punishable by a $25 fine or community service. Requires offenders under age 18 to perform community service or complete a drug awareness program, or both. Defines personal use quantities as one ounce or less of marijuana, five grams or less of resins extracted from marijuana and infused products containing 1,000 milligrams or less of delta-9-tetrahydrocannabinol (THC). Stipulates that the odor of marijuana does not constitute probable cause to support a stop of search of a person or motor vehicle. Makes provisions for testing for impairment. Removes language related to marijuana from description of drug paraphernalia.
Senate Status: 02/21/23 - Failed in Senate Judiciary Committee.
House Status: 02/22/23 - Set for House Criminal Justice Subcommittee 02/28/23.

SB1104/HB1441 **HEALTH CARE: Tennessee Medical Cannabis Act.**

Sponsors: Sen. Bowling, Janice , Rep. Rudder, Iris
Summary: Enacts the "Tennessee Medical Cannabis Act," which establishes a medical cannabis program to be administered by the medical cannabis commission. Requires a person, in order to acquire, possess, or use a medical cannabis-infused product, to have a valid medical cannabis card. Specifies that a medical cannabis card may only be issued to a qualified patient or caregiver. Specifies other requirements for person to receive a medical cannabis card, including having a diagnosis of a qualifying condition made by a healthcare provider. Authorizes the medical cannabis commission to establish a patient registry so that healthcare providers can provide certification electronically. Requires the department of agriculture and state and local law enforcement agencies to have access to the patient registry in order to prevent counterfeiting of cards, to minimize illegal usage, and to attain maximum compliance with this part. Specifies that medical cannabis cards expire two years after issuance and can be renewed by payment of a fee to the commission. Specifies other requires for use of medical cannabis and for the medical cannabis commission (41 pp).
Fiscal Note: (Dated February 21, 2023) Increase State Revenue $2,300/FY23-24/General Fund $681,000/FY24-25/General Fund $2,042,600/FY25-26/General Fund $2,723,300/FY26-27 and Subsequent Years/General Fund $1,560,000/FY23-24/Medical Cannabis Fund $8,460,900/FY24-25/Medical Cannabis Fund $14,493,500/FY25-26/Medical Cannabis Fund $21,756,500/FY26-27 and Subsequent Years/ Medical Cannabis Fund $2,077,000/FY23-24/Department of Agriculture $6,231,000/FY24-25/Department of Agriculture $8,307,900/FY25-26 and Subsequent Years/ Department of Agriculture SB 1104 - HB 1441 3 $1,661,600/FY23-24/Department of Economic and Community Development $4,984,700/FY24-25/Department of Economic and Community Development $6,646,000/FY25-26 and Subsequent Years/ Department of Economic and Community Development $415,400/FY23-24/Peace Officer Standards and Training Commission $1,246,200/FY24-25/ Peace Officer Standards and Training Commission $1,661,600/FY25-26 and Subsequent Years/ Peace Officer Standards and Training Commission $415,400/FY23-24/Department of Veterans Services $1,246,200/FY24-25/ Department of Veterans Services $1,661,600/FY25-26 and Subsequent Years/ Department of Veterans Services $100/FY23-24/Secretary of State $8,900/FY22-23/TBI $700/FY23-24 and Subsequent Years/TBIIncrease State Expenditures - $1,495,700/FY24-25/General Fund $1,473,500/FY25-26 and Subsequent Years/General Fund $1,169,200/FY23-24/Medical Cannabis Fund $1,561,284/FY24-25/Medical Cannabis Fund $1,541,284/FY25-26 and Subsequent Years/ Medical Cannabis Fund $5,700/FY23-24/TBI $500/FY24-25 and Subsequent Years/TBIDecrease State Expenditures $9,000/FY23-24 and Subsequent Years/General FundIncrease Local Revenue - $1,938,500/FY24-25/Permissive $5,815,500/FY25-26/Permissive $7,754,000/FY26-27 and Subsequent Years/Permissive SB 1104 - HB 1441 4 Other Fiscal Impact It is assumed that this legislation may result in a decrease in state and local expenditures by decreasing jail and prison time for certain defendants; however, due to the fact that this legislation limits cannabis use by qualifying patients to certain cannabis-infused products, any such impact cannot be determined with reasonable certainty.
Senate Status: 02/22/23 - Set for Senate Judiciary Committee 02/28/23.
House Status: 02/07/23 - Referred to House Health Subcommittee.

SB1111/HB1380 **HEALTH CARE: Mature Minor Doctrine Clarification Act.**

Sponsors: Sen. Bowling, Janice , Rep. Ragan, John
Summary: Prohibits a healthcare provider from providing a vaccination to a minor unless the healthcare provider first receives written informed consent from a parent or legal guardian of the minor. Requires the healthcare provider to document receipt of, and include in the minor's medical record proof of, such prior informed consent. Prohibits an employee or agent of this state from providing or facilitating the vaccination of a minor child who is in the custody of this state unless a parent or guardian has provided prior written or the parental rights of each of the minor's parents or legal guardians have been terminated by a court. Requires the department of health to establish a registry database for the reporting of vaccinations of minors by healthcare providers in this state.

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Fiscal Note: (Dated February 19, 2023) Increase State Revenue $60,000/FY23-24/Strategic Technology Solutions Increase State Expenditures - $60,000/FY23-24/Department of Health
Senate Status: 02/06/23 - Referred to Senate Judiciary Committee.
House Status: 02/22/23 - Set for House Health Subcommittee 02/28/23.

SB1115/HB717 **CRIMINAL LAW: Fentanyl as chemical warfare agent.**

Sponsors: Sen. Bowling, Janice , Rep. Sparks, Mike
Summary: Adds fentanyl, carfentanil, remifentanil, alfentanil, thiafentanil, or any fentanyl derivative or analogue to the definition of "chemical warfare agents" under the Terrorism Prevention and Response Act of 2002.
Senate Status: 02/06/23 - Referred to Senate Judiciary Committee.
House Status: 02/22/23 - Set for House Criminal Justice Subcommittee 02/28/23.

SB1148/HB1257 **COVID-19: COVID-19 provisions to be made permanent.**

Sponsors: Sen. Niceley, Frank , Rep. Lynn, Susan
Summary: Makes various provisions regarding COVID-19 permanent by removing language specifying termination dates for such provisions.
Fiscal Note: (Dated February 5, 2023) NOT SIGNIFICANT
Senate Status: 02/06/23 - Referred to Senate Health & Welfare Committee.
House Status: 02/02/23 - Caption bill held on House clerk's desk.

SB1168/HB913 **HEALTH CARE: Practitioner to discuss addiction and overdose risks associated with certain prescription drugs.**

Sponsors: Sen. Taylor, Brent , Rep. Rudder, Iris
Summary: Requires a practitioner to discuss with patients the addiction and overdose risks associated with certain prescription drugs, alternative treatments that may be available, and the reasons why the prescription is necessary prior to issuing an initial prescription and prior to issuing a third prescription for certain controlled substances in a course of treatment for acute or chronic pain. Broadly captioned.
Fiscal Note: (Dated February 5, 2023) NOT SIGNIFICANT
Senate Status: 02/06/23 - Referred to Senate Judiciary Committee.
House Status: 02/07/23 - Referred to House Health Subcommittee.

SB1170/HB1457 **HEALTH CARE: Due date for renewal of fees by professional or registered nurse.**

Sponsors: Sen. Swann, Art , Rep. Moon, Jerome
Summary: Increases the length of notice the executive director of the board must give a person holding a current licensure registration to practice as a professional or registered nurse that the renewal fee is due, from 60 days to 65 days prior to the due date of the renewal fee. Broadly captioned.
Fiscal Note: (Dated February 3, 2023) NOT SIGNIFICANT
Senate Status: 02/06/23 - Referred to Senate Commerce & Labor Committee.
House Status: 02/02/23 - Caption bill held on House clerk's desk.

SB1275/HB874 **INSURANCE HEALTH: Licensed medical laboratory right to participate as provider.**

Sponsors: Sen. Briggs, Richard , Rep. Lafferty, Justin
Summary: Prohibits a health insurance issuer or managed health insurance issuer from denying a licensed medical laboratory the right to participate as a participating provider in any policy, contract, or plan on the same terms and conditions as are offered to another medical laboratory under the policy, contract, or plan. Imposes certain other requirements on insurers regarding medical laboratories including heavy users of medical laboratories and prohibiting certain insurers factors including coinsurance, co-payment, deductible, and quantity. Broadly captioned.
Senate Status: 02/06/23 - Referred to Senate Commerce & Labor Committee.
House Status: 02/07/23 - Referred to House Insurance Subcommittee.

SB1278/HB1296 **HEALTH CARE: Reversible long-acting contraception at no charge.**

Sponsors: Sen. Massey, Becky , Rep. Helton-Haynes, Esther
Summary: Requires the department of health to provide voluntary reversible long-acting contraception to women at no charge.
Senate Status: 02/06/23 - Referred to Senate Health & Welfare Committee.
House Status: 02/07/23 - Referred to House Population Health Subcommittee.

SB1314/HB1419 **HEALTH CARE: Medications intended for persons with diabetes.**

Sponsors: Sen. Bailey, Paul , Rep. Butler, Ed
Summary: Prohibits a healthcare prescriber from issuing a prescription for a dual-purpose prescription medication for diabetes to a person in this state that does not have a diagnosis of diabetes.
Senate Status: 02/06/23 - Referred to Senate Commerce & Labor Committee.
House Status: 02/07/23 - Referred to House Health Subcommittee.

SB1339/HB1215 **HEALTH CARE: Reimbursement prohibited for certain procedures relating to gender identity.**

Sponsors: Sen. Johnson, Jack , Rep. Sexton, Cameron
Summary: Prohibits any managed care organization that contracts with the bureau of TennCare to provide medical assistance from providing reimbursement or coverage for a medical procedure if the performance or administration of the procedure is for the purpose of enabling a person to identify with, or live as, a purported identity inconsistent with the person's sex, or treating purported discomfort or distress from a discordance between a person's sex and asserted identity. Broadly captioned.

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Amendment Summary: House Insurance Committee amendment 1 (003881) prohibits a managed care organization (MCO) that contracts with the Division of TennCare (Division) to provide medical assistance from providing reimbursement or coverage for a medical procedure if the performance or administration of the procedure is for the purpose of enabling a person to identify with, or live as, a purported identity inconsistent with the person's sex, or treating purported discomfort or distress from a discordance between a person's sex and asserted identity. Prohibits the Division from contracting with any MCO to provide medical assistance if the MCO provides reimbursement or coverage for such medical procedures through: (1) a private health insurance program regulated by the state; (2) a state or local insurance program in this state or another state; or (3) any other program for insurance or medical assistance regulated or administered by another state. Requires the Division to revise or amend all necessary contracts within 30 days of the effective date of the legislation to ensure compliance. Requires an MCO that is in violation to come into compliance no later than 90 days after the effective date of the proposed legislation, and provide documentation of the compliance to the Division within 120 days. Authorizes the Department of Commerce and Insurance (DCI) to periodically review each MCO to ensure compliance. Requires the Division, upon being notified by the DCI, to immediately provide notice of any finding of noncompliance to an MCO. Grants an MCO the ability to contest a finding and request a contested case hearing. States that an MCO that violates the proposed legislation is no longer eligible to contract with the Division to provide medical assistance.

Fiscal Note: (Dated February 12, 2023) Other Fiscal Impact The proposed legislation may result in changes to contract structures and negotiated prices with the TennCare program which would result in an increase in state expenditures. Any such increase is dependent on multiple unknown variables and cannot be reasonably determined.

Senate Status: 02/06/23 - Referred to Senate Commerce & Labor Committee.

House Status: 02/22/23 - Set for House Finance, Ways & Means Subcommittee 03/01/23.

SB1353/HB1486 **COMMERCIAL LAW: Retaining of a copy of a person's identification by a business entity.**

Sponsors: Sen. Crowe, Rusty , Rep. Campbell, Scotty

Summary: Prohibits a business entity from retaining a copy, in electronic or other formats, of a person's identification unless the retention of that copy is specifically required by federal or state law, or the business entity obtains the express consent of the holder of that identification. Prohibits a business entity from refusing to transact business with a person solely on the basis that the person refuses to provide express consent to the business entity or its agent, employee, or contractor retaining the copy. Makes a violation a Class B misdemeanor that constitutes an unfair or deceptive act under the Consumer Protection Act of 1977. Broadly captioned.

Senate Status: 02/06/23 - Referred to Senate Commerce & Labor Committee.

House Status: 02/07/23 - Referred to House Banking & Consumer Affairs Subcommittee.

SB1392/HB1213 **INSURANCE HEALTH: Covered person paying out-of-pocket for healthcare services.**

Sponsors: Sen. McNally, Randy , Rep. Sexton, Cameron

Summary: Requires a healthcare entity to send documentation to a carrier if a covered person negotiates for a lower cost for healthcare services than the average allowed amount paid by the carrier to network providers for a comparable healthcare service, and the covered person pays out-of-pocket for healthcare services that are included under the covered person's health plan. Requires a carrier that receives documentation of a covered person paying out-of-pocket for healthcare services that are included under the covered person's health plan to count the amount paid by the covered person toward the covered person's deductible, coinsurance, copayment, or another cost-sharing amount. Broadly captioned.

Amendment Summary: House Insurance Subcommittee amendment 1 (004097) defines "medical emergency service" and "healthcare service." Allows an enrollee to elect to pay for a healthcare service out-of-pocket from an out-of-pocket provider. Allows the enrollee to send documentation to the carrier that provides the healthcare service chosen and the provider's name and contact information, the order from the healthcare provider given to the enrollee, the average payments made, the negotiated cost of the service, and a statement that the enrollee paid out-of-pocket for the provided service and the healthcare entity is not making a claim against the carrier for payment provided. Requires a carrier that has received this documentation to count the full amount that the enrollee paid towards the deductible, coinsurance, copayment, or other cost-sharing amounts if the healthcare service is included under the plan, the enrollee negotiated for a lower cost than the average allowed, and the amount counted towards the deductible or other fees do not exceed the total required amount the enrollee must pay out-of-pocket.

Fiscal Note: (Dated February 11, 2023) NOT SIGNIFICANT

Senate Status: 02/06/23 - Referred to Senate Commerce & Labor Committee.

House Status: 02/22/23 - Set for House Insurance Committee 02/28/23.

SB1394/HB1227 **MENTAL HEALTH: Public posting of the written minutes of each Tennessee opioid abatement council meetings.**

Sponsors: Sen. Reeves, Shane , Rep. Littleton, Mary

Summary: Requires the department of mental health and substance abuse services to make available on its public website an electronic copy of the written minutes of each meeting of the Tennessee opioid abatement council. Broadly captioned.

Fiscal Note: (Dated February 5, 2023) NOT SIGNIFICANT

Senate Status: 02/06/23 - Referred to Senate Judiciary Committee.

House Status: 02/02/23 - House sponsor changed from Tom Leatherwood to Mary Littleton.

SB1398/HB1242 **CRIMINAL LAW: One Pill Will Kill Act.**

Sponsors: Sen. Reeves, Shane , Rep. Powers, Dennis

Summary: Increases the penalty for the manufacture, delivery, sale, or possession with intent to manufacture, deliver, or sell fentanyl, carfentanil, remifentanil, alfentanil, thiafentanil, or any fentanyl derivative or analogue from a Class C felony to a Class B felony if the amount involved is 0.5 grams or more of any substance containing fentanyl, carfentanil, remifentanil, alfentanil, thiafentanil, or any fentanyl derivative or analogue or if the amount involved is less than 0.5 grams of a controlled substance containing fentanyl, carfentanil, remifentanil, alfentanil, thiafentanil, or any fentanyl derivative or analogue and the defendant carried or employed a deadly weapon during the commission of the offense or the offense resulted in death or bodily injury to another person. Broadly captioned.

Fiscal Note: (Dated February 10, 2023) Increase State Expenditures Net Impact $1,109,900 Incarceration

Senate Status: 02/06/23 - Referred to Senate Judiciary Committee.

House Status: 02/14/23 - Taken off notice in House Criminal Justice Subcommittee.

SB1405/HB1529 **HEALTH CARE: Requirement to survey COVID-19 exemptions in neighbor states.**

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Sponsors: Sen. Niceley, Frank , Rep. Lynn, Susan
Summary: Requires the department of health to conduct a survey of COVID-19 exemptions based on religion or rights of conscience in neighbor states and report findings to the health committees by January 1, 2024. Broadly captioned.
Fiscal Note: (Dated February 14, 2023) NOT SIGNIFICANT
Senate Status: 02/06/23 - Referred to Senate Health & Welfare Committee.
House Status: 02/07/23 - Referred to House Population Health Subcommittee.

SB1411/HB173 **CAMPAIGNS & LOBBYING: Questions related to legalization of marijuana to be on November 2024 ballot.**

Sponsors: Sen. Akbari, Raumesh , Rep. Chism, Jesse
Summary: Requires county election commissions to include three non-binding questions related to the legalization of marijuana on the November 2024 ballot. Requires the secretary of state to compile the results of the public policy opinion poll and forward the results to each member of the general assembly.
Fiscal Note: (Dated February 15, 2023) Increase Local Expenditures Up to $9,400/FY24-25*
Senate Status: 02/06/23 - Referred to Senate State & Local Government Committee.
House Status: 02/22/23 - Failed in House Elections & Campaign Finance Subcommittee.

SB1414/HB1087 **TENNCARE: Directs the bureau to establish a temporary TennCare benefits program.**

Sponsors: Sen. Yarbro, Jeff , Rep. Baum, Charlie
Summary: Directs the bureau to establish a temporary TennCare benefits program to provide medical assistance on a temporary basis to certain individuals who do not qualify for enrollment in TennCare, CoverKids, or a successor program. Requires the bureau to submit a waiver to the federal Centers for Medicare and Medicaid Services by December 31, 2023.
Senate Status: 02/06/23 - Referred to Senate Health & Welfare Committee.
House Status: 02/07/23 - Referred to House Insurance Subcommittee.

SB1428/HB925 **HEALTH CARE: Licensing requirements for healing arts practice.**

Sponsors: Sen. Roberts, Kerry , Rep. Martin, Brock
Summary: Requires a person who is licensed to practice a healing art, who was an officer in the commissioned medical corps of the army, the navy, the air force or the public health service of the United States, and who was subsequently discharged, instead of honorably discharged, to register with the appropriate board licensing that profession.
Senate Status: 02/06/23 - Referred to Senate Health & Welfare Committee.
House Status: 02/02/23 - Caption bill held on House clerk's desk.

SB1461/HB172 **HEALTH CARE: Tennessee Medical Cannabis Act.**

Sponsors: Sen. Lamar, London , Rep. Chism, Jesse
Summary: Enacts the Tennessee Medical Cannabis Act to enable citizens of the state of Tennessee to legally access and utilize cannabis for certain medical purposes under certain conditions. Clarifies that government medical assistance programs and private insurers are not required to reimburse a person for costs associated with medical use of cannabis. Allows a person, property owner or employer to prohibit its use by guests, clients, customers or other visitors on that property. States that employers are not obligated to exempt an employee from discipline for ingesting cannabis in the workplace or for working under its influence. Allows a landlord to prohibit the cultivation of cannabis on the rental property. Equates the authorized use of medical cannabis with any other prescribed medication for the purposes of prohibiting discrimination in certain situations such as organ transplants, custody and visitation rights and certain employment practices. Outlines qualification requirements of patients and practitioners and defines relevant terms and conditions for the authorized use of medical cannabis. Includes a list of debilitating medical conditions which qualify a patient for medical cannabis. (46 pp.)
Fiscal Note: (Dated February 20, 2023) Increase State Revenue $1,715,700/FY23-24/General Fund $16,293,500/FY24-25/General Fund $23,308,700/FY25-26/General Fund $30,474,700/FY26-27 and Subsequent Years/General Fund $300/FY23-24/Secretary of State $200/FY24-25 and Subsequent Years/Secretary of State $18,600/FY23-24/TBI $9,300/FY24-25 and Subsequent Years/TBI Increase State Expenditures $1,495,100/FY23-24/General Fund $1,4673,500/FY24-25 and Subsequent Years/General Fund $12,000/FY23-24/TBI $6,000/FY24-25 and Subsequent Years/TBI Decrease State Expenditures - $71,100/FY23-24/Incarceration $143,500/FY24-25/Incarceration $144,900/FY25-26 and Subsequent Years/Incarceration Increase Local Revenue - $5,108,400/FY24-25 $7,662,500/FY25-26 $10,662,500/FY26-27 and Subsequent Years Decrease Local Expenditures - $10,525,800/FY23-24 $21,051,600/FY24-25 and Subsequent Years Other Fiscal Impact To the extent that Medical Cannabis Establishments will claim tax deductions equal to all ordinary and necessary expenses incurred, and HB 172 - SB 1461 2 reduce state revenue is unknown and cannot be determined with reasonable certainty.The Department of Health will need additional resources including, but not limited to,employing additional staff. The extent and timing of the needed resources will be dependenton the promulgation of rules and the growth of the program and cannot be reasonablyquantified at this time. Any additional expenditures incurred will be covered through therevenue collected in the General Fund.
Senate Status: 02/21/23 - Taken off notice in Senate Judiciary Committee.
House Status: 02/21/23 - Taken off notice in House Health Subcommittee.

SB1508/HB1356 **HEALTH CARE: Annual report deadline for the medical cannabis commission.**

Sponsors: Sen. Powers, Bill , Rep. Farmer, Andrew
Summary: Changes the deadline for the medical cannabis commission to file its annual report from January 1 to January 15, beginning in 2024. Broadly captioned.
Fiscal Note: (Dated February 1, 2023) NOT SIGNIFICANT
Senate Status: 02/21/23 - Taken off notice in Senate Judiciary Committee.
House Status: 02/02/23 - Caption bill held on House clerk's desk.

SJR148 **HEALTH CARE: Reaffirms the legislature's intent to provide access to contraceptives.**

Sponsors: Sen. Akbari, Raumesh ,
Summary: Reaffirms the legislature's intent to provide access to contraceptives.

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Senate Status: 02/02/23 - Referred to Senate Health & Welfare Committee.

HJR42 **JUDICIARY: Constitutional amendment - proposing of laws by initiative.**

Sponsors: Rep. Hardaway, G.A.
Summary: Proposes an amendment to allow people to propose laws by initiative.
House Status: 02/08/23 - Referred to House Elections & Campaign Finance Subcommittee.

HJR82 **HEALTH CARE: Constitutional amendment - establishes a medical cannabis program.**

Sponsors: Rep. Powell, Jason
Summary: Proposes an amendment to the Constitution of Tennessee to establish a medical cannabis program.
House Status: 02/01/23 - Referred to House Health Subcommittee.

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