



HUSCH BLACKWELL STRATEGIES

Pharmacists Legislative Report

SB3/HB14 **CRIMINAL LAW: Revises definition of abortion.**

Sponsors: Sen. Akbari, Raumesh , Rep. Love Jr., Harold

Summary: Clarifies that the term "abortion," as defined for the offense of criminal abortion, does not include the use of contraceptives, including any device, medication, biological product, or procedure that is generally intended for use in the prevention of pregnancy, whether specifically intended to prevent pregnancy or for other health needs, or the disposal of embryos resulting from fertility treatments, including healthcare services, procedures, testing, medications, treatments, or products. Broadly captioned.

Fiscal Note: SB 3 - HB 14 Fiscal Review Committee Tennessee General Assembly FISCAL NOTE January 3, 2025 Fiscal Analyst: Arielle Woodmore | Email: arielle.woodmore@capitol.tn.gov | Phone: 615-741-2564 SUMMARY OF BILL: Establishes that the offense of criminal abortion does not include: (1) the use of contraceptives, including any device, medication, biological product, or procedure that is generally intended for use in the prevention of pregnancy, whether specifically intended to prevent pregnancy or for other health needs; or (2) the disposal of unimplanted embryos resulting from fertility treatments, including healthcare services, procedures, testing, medications, treatments, or products. FISCAL IMPACT: NOT SIGNIFICANT

Senate Status: 11/13/24 - Filed for Introduction

House Status: 11/19/24 - Filed for Introduction

SB25 **HEALTH CARE: Availability of medical and health records of a minor.**

Sponsors: Sen. Pody, Mark ,

Summary: Clarifies that a child's parent, legal guardian, or legal custodian may access and review all mental health treatment, medical, rehabilitation, and prescription records of the child, including those records related to treatments available to unemancipated minors without parental consent. Allows an employee of a local education agency to provide bandages, gauze, or ice packs for the treatment of minor cuts, scrapes, bumps, and bruises. Broadly captioned.

Fiscal Note: SB 25 Fiscal Review Committee Tennessee General Assembly FISCAL NOTE January 8, 2025 Fiscal Analyst: Chris Higgins | Email: chris.higgins@capitol.tn.gov | Phone: 615-741-2564 SUMMARY OF BILL: Authorizes an unemancipated minor's parent, legal guardian, legal custodian, or other person with medical decision-making authority for the unemancipated minor to access all medical treatment records resulting from treatment of the minor, even if the treatment was provided to the unemancipated minor without parental consent. Establishes that, to the extent allowable by federal privacy laws and regulations, the parent, legal guardian, or legal custodian of an unemancipated minor age 16 or older with serious emotional disturbance or mental illness may access all mental health treatment, medical, and rehabilitation records resulting from outpatient or inpatient mental health treatment for the child. Prohibits a child's parent, legal guardian, or legal custodian from accessing an unemancipated minor's medical treatment, mental health treatment, or rehabilitation records if the treating professional is required to report abuse of the unemancipated minor and the treating professional believes that access to the patient's records is reasonably likely to endanger the life or physical safety of the minor. Authorizes an employee of a local education agency (LEA) to provide a minor with bandages, gauze, or ice packs for the treatment of cuts, scrapes, bumps, and bruises without first obtaining the consent of a parent of the minor. FISCAL IMPACT: NOT SIGNIFICANT

Senate Status: 01/02/25 - Filed for Introduction

HB17 **PUBLIC EMPLOYEES: Tennessee Retirement Savings Plan Act.**

Sponsors: Rep. Baum, Charlie

Summary: Enacts the "Tennessee Retirement Savings Plan Act," which creates a Tennessee retirement savings board consisting of seven members to develop a defined contribution retirement plan for residents of Tennessee who are employed for compensation in Tennessee. Specifies that the board is administratively attached to the department of treasury, and requires the department staff to provide administrative support to the board.

House Status: 11/25/24 - Filed for Introduction

HB18 **TENNCARE: Temporary TennCare benefits program.**

Sponsors: Rep. Baum, Charlie

Summary: Directs the bureau of TennCare 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, 2025.

House Status: 11/25/24 - Filed for Introduction

HB19 **INSURANCE HEALTH: Tennessee State Healthcare Cost Savings Incentive Program.**

Sponsors: Rep. Baum, Charlie

Summary: Requires the state insurance committee, the local education insurance committee, and the local government insurance committee to establish an incentive program for healthcare services and prescription drug benefits no later than January 1, 2026, to be administered by a third-party vendor. In establishing the incentive program, requires such committees to work with the third-party vendor with which the department of finance and administration has entered into a contract to provide incentives through the incentive program. Specifies that the committees shall require the third-party vendor to provide each enrollee with online information on the cost and quality of healthcare services and providers, allow an enrollee to shop for healthcare services and providers, and reward the enrollee by sharing savings generated by the enrollee's choice of healthcare services or providers. Specifies requirements for contracts with third-party vendor. Requires the committees in collaboration with the third-party vendor of the incentive program to submit an annual report to the speakers of the house and senate, the chair of the state and local government committee of the senate, the chair of the committee of the house of representatives with subject matter jurisdiction over state government, the chair of the commerce and labor committee of the senate, and the chair of the committee of the house of representatives with subject matter jurisdiction over insurance. Requires the report to identify the number of enrollees participating in the incentive program and the cost savings to the state healthcare plan as a result of the implementation of the incentive program. Specifies that the report be submitted no later than March 15, 2027, and no later than March 15 of each year thereafter.

House Status: 12/02/24 - Filed for Introduction

HB22 **PUBLIC EMPLOYEES: Governing body to provide public with opportunity to comment at meeting.**

Sponsors: Rep. Davis, Elaine

Summary: Requires a governing body subject to the open meetings laws to reserve a period of public comment to provide the public with the opportunity to comment on any matter germane to the jurisdiction of the governing body regardless of whether the matter is listed on the agenda for the meeting.

Fiscal Note: HB 22 Fiscal Review Committee Tennessee General Assembly FISCAL NOTE December 23, 2024 Fiscal Analyst: Justin Billingsley | Email: justin.billingsley@capitol.tn.gov | Phone: 615-741-2564 SUMMARY OF BILL: Requires a governing body subject to the Open Meetings Act to reserve a period for public comment on any matter that is germane to the body's jurisdiction, regardless of whether such matter is an item on the agenda of the public meeting. FISCAL IMPACT: NOT SIGNIFICANT

House Status: 12/05/24 - Filed for Introduction

HB26 JUDICIARY: Unborn Child Protection Act of 2025.

Sponsors: Rep. Bulso, Gino

Summary: Establishes the "Unborn Child Protection Act of 2025," which prohibits the sale, manufacture, or distribution of abortion-inducing drugs in the state. Specifies that a person or entity who mails or delivers an abortion-inducing drug into this state and the mailing or delivery results in the death of an unborn child is strictly liable in the amount of \$5,000,000 in damages for the death of the unborn child. Specifies that an action brought pursuant to this subsection must be commenced within five years of the death of the unborn child.

Fiscal Note: HB 26 Fiscal Review Committee Tennessee General Assembly FISCAL NOTE January 6, 2025 Fiscal Analyst: Chris Higgins | Email: chris.higgins@capitol.tn.gov | Phone: 615-741-2564 SUMMARY OF BILL: Enacts the Unborn Child Protection Act of 2025, which prohibits a person or entity from mailing or delivering an abortion-inducing drug into this state. Establishes that a person or entity who mails or delivers an abortion-inducing drug into this state, and the mailing or delivery results in the death of an unborn child, is strictly liable in the amount of \$5,000,000 in damages for the death of the unborn child. Requires a civil action to recover such damages to be commenced within five years of the death of the unborn child. FISCAL IMPACT: NOT SIGNIFICANT

House Status: 12/09/24 - Filed for Introduction

HB37 HEALTH CARE: Adoption or emendation to a state preferred drug list by insurer.

Sponsors: Rep. Davis, Elaine

Summary: Authorizes an insurer, for purposes of group insurance plans offered to state employees, to adopt or amend a state preferred drug list (PDL). Requires the insurer to ensure that reimbursement is provided to a healthcare prescriber or hospital that provides a non-opioid treatment to a covered employee under the group insurance plan.

House Status: 12/16/24 - Filed for Introduction

HB70 TENNCARE: TennCare health benefit plan - coverage and reimbursement for biomarker testing for preeclampsia.

Sponsors: Rep. Helton-Haynes, Esther

Summary: Requires a TennCare health benefit plan renewed or issued on or after July 1, 2025, by a health insurance carrier to provide coverage and reimbursement for biomarker testing for preeclampsia in pregnant women. Defines "biomarker testing" to mean the analysis of a patient's tissue, blood, or other biospecimen for the presence of a biomarker using a method of analysis approved by the federal food and drug administration (FDA), including, but not limited to, single-analyte tests, multiplex panel tests, whole genome sequencing, protein expression, whole exome, and whole transcriptome.

House Status: 01/08/25 - Filed for Introduction

HJR7 JUDICIARY: Constitutional amendment - defines person.

Sponsors: Rep. Bulso, Gino

Summary: Proposes an amendment to Article I of the Constitution of Tennessee to declare that a person shall not be deprived of life, liberty, or property without due process of law, nor shall a person be denied equal protection of the law; defines "person" to include every human being from fertilization to natural death.

House Status: 12/11/24 - Filed for Introduction