



## Weekly Legislative Update 2020

June 18, 2020

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## Conservatorship

### **SB867/HB896 ESTATES & TRUSTS: Requirement for educational training on conservatorships.**

<i>Sponsors:</i>	Sen. Lundberg, Jon , Rep. Jernigan, Darren
<i>Summary:</i>	Requires conservators other than public guardians to complete educational training on conservatorships within 30 days of appointment. Allows a guardian ad litem to obtain a credit report and state and national criminal history background checks for a proposed fiduciary. Broadly captioned.
<i>Amendment Summary:</i>	House Children & Families Subcommittee amendment 1 (014465) rewrites the bill by requiring the petition for the appointment of a conservator include copies produced within 30 days of the petition's filing date of searches of the department of health's registry of persons who have abused or neglected the property of vulnerable persons, a criminal history records check performed by the Tennessee bureau of investigation, the national sex offender registry maintained by the United States department of justice, the United States office of inspector general's exclusions database, and the interstate compact offender tracing system. House Children & Families Subcommittee amendment 2 (015755) deletes all language after the enacting clause and rewrites the bill. Requires the petition for the appointment of a conservator include current copies of a search of the department of health's registry of persons who have abused, neglected, or misappropriated the property of vulnerable persons, and a search of the national sex offender registry maintained by the United States department of justice.
<i>Fiscal Note:</i>	(Dated February 15, 2019) NOT SIGNIFICANT
<i>Senate Status:</i>	03/12/19 - Taken off notice in Senate Judiciary Committee.
<i>House Status:</i>	05/26/20 - Taken off notice in House Judiciary Committee.
<i>Caption:</i>	AN ACT to amend Tennessee Code Annotated, Title 34, relative to guardianship.

## Education

### **SB270/HB210 EDUCATION: Appropriations for an LEA with prekindergarten children with disabilities.**

<i>Sponsors:</i>	Sen. Kelsey, Brian , Rep. Leatherwood, Tom
<i>Summary:</i>	Establishes that prekindergarten programs operated by an LEA for children with disabilities shall receive annual appropriations in concurrence with the commissioner of education recommending a funding amount per classroom.



*Fiscal Note:* (Dated April 2, 2019) Increase State Expenditures \$59,829,300 Increase Local Revenue \$59,829,300 Increase Local Expenditures \$59,829,300\*

*Senate Status:* 02/01/19 - Referred to Senate Education Committee.

*House Status:* 01/14/20 - Referred to House Education Curriculum, Testing & Innovation Subcommittee.

*Caption:* AN ACT to amend Tennessee Code Annotated, Title 49, Chapter 10; Title 49, Chapter 3 and Title 49, Chapter 6, relative to funding for prekindergarten programs for children with disabilities.

**SB1637/HB2407 EDUCATION: Allows IEP testing accommodations to be used for TCAP or EOC.**

*Sponsors:* Sen. Yager, Ken , Rep. Ragan, John

*Summary:* Allows testing accommodations in a student's individualized education program (IEP) to be used when taking Tennessee comprehensive assessment program (TCAP) or end-of-course (EOC) exams. Broadly captioned.

*Amendment Summary:* Senate amendment 1 (013873) adds authorization for a student whose section 504 plan under the federal Rehabilitation Act of 1973, or individual learning plan (ILP) provides testing accommodations to use the same accommodations when taking an assessment under the TCAP or an end-of-course examination. This amendment clarifies that this bill only authorizes accommodations to the extent that the accommodation does not invalidate the assessment. House amendment 1 (015489) requires a student whose individualized education program or section 504 plan under the Rehabilitation Act of 1973 allows for testing accommodations be allowed to use the same testing accommodations while taking an assessment under the Tennessee comprehensive assessment program or an end-of-course assessment, required by the state board of education as long as the accommodation does not invalidate the assessment. Removes the reference to individual learning plans.

*Fiscal Note:* (Dated February 3, 2020) Increase State Expenditures \$35,000/FY20-21 and Subsequent Years Increase Local Expenditures Exceeds \$1,000,000/FY20-21 and Subsequent Years\*

*Senate Status:* 03/12/20 - Senate concurred in House amendment 1 (015489).

*House Status:* 03/05/20 - House passed with amendment 1 (015489).

*Executive Status:* 03/25/20 - Enacted as Public Chapter 0601 effective March 20, 2020.

*Caption:* AN ACT to amend Tennessee Code Annotated, Title 49, relative to testing.



## **SB1787/HB1550**

### **EDUCATION: Deletes the Tennessee Education Savings Account Pilot Program.**

*Sponsors:*

Sen. Kyle, Sara , Rep. Mitchell, Bo

*Summary:*

Deletes the Tennessee Education Savings Account Pilot Program. Broadly captioned.

*Fiscal Note:*

(Dated March 2, 2019) Decrease State Expenditures Exceeds \$1,000,000/FY19-20 \$41,880,100/FY20-21 and Subsequent Years Decrease Local Expenditures \$192,500/FY21-22 and Subsequent Years Passage of this legislation will prevent a shift in BEP funding amongst local education agencies estimated as follows: \$36,881,150 in FY21-22; \$55,321,725 in FY22-23; \$73,762,300 in FY23-24; \$92,202,875 in FY24-25; and \$110,643,450 in FY25-26 and subsequent years.

*Senate Status:*

06/03/20 - Senate Education Committee deferred to 12/01/20.

*House Status:*

05/26/20 - Failed in House Education Curriculum, Testing & Innovation Subcommittee for lack of second.

*Caption:*

AN ACT to amend Tennessee Code Annotated, Title 49, Chapter 6, relative to the Tennessee Education Savings Account Pilot Program.

## **SB2160/HB2229**

### **EDUCATION: Literacy instruction requirements in LEAs.**

*Sponsors:*

Sen. Johnson, Jack , Rep. Lamberth, William

*Summary:*

Requires an LEA with students in kindergarten through second grade (K-2) to provide students in each grade with necessary instruction for students to develop reading skills that meet Tennessee's academic standards and the students' developmental expectations; phonics based instruction must be approved for use by the department of education. Requires LEAs to administer a reading diagnostic to K-2 students and to students in third grade if they are below reading level. Establishes other requirements in regards to the assessment. Creates criteria for educator preparation programs including instruction on how to implement reading instruction, on behavior management and trauma-informed practices in the classroom and how to utilize student data. Requires a candidate for an elementary school educator to pass an examine that tests the candidate's knowledge of evidence-based and scientifically-based reading instruction in order to receive a teacher license. Creates other requirements regarding literacy education in LEAs. Part of Administration Package.

*Amendment Summary:*

House Education Committee amendment 1 (017833) Deletes all language after the enacting clause. Creates the Tennessee Literacy Success Act. Requires a local education agency (LEA) that enrolls students in any of the grades kindergarten through three (K-3) to



ensure that instructional programming intended to meet the English language arts standards adopted by the SBE is based on the foundational reading skills of phonemic awareness, phonics, fluency, vocabulary, and comprehension. Requires each LEA to use a universal reading screener approved by DOE or alternative reading screener approved by SBE. Requires the universal reading screener approved by DOE to be provided at no cost. Requires an LEA to administer a reading screener to students in grades K-2 three times each school year during the administration windows set by DOE. Requires the administration window for the first reading screener to occur within the first 30 days of the school year. Requires a LEA to administer a reading screener to a student in third grade who has a significant reading deficiency based on the student's performance on the reading screener administered in the second grade. Requires an LEA to provide intensive instructional support for any student in K-2 who at any time demonstrates a significant reading deficiency. Prohibits a student in the third grade from being promoted to the next grade unless the student demonstrates a basic understanding of the curriculum and the necessary reading skills as indicated by the student's grades or standardized test results. Authorizes a student who lacks the requisite knowledge and skills for the next grade level to be promoted if the student participates in an evidence-based reading intervention program or the student is an English language learner and has received less than two years of English instruction. Requires SBE, subject to available funding and with administrative support from DOE to administer a literacy skills grant program. Requires SBE to establish criteria for an LEA to qualify for a literacy skills grant and establishes minimum requirements for the literacy skills grant. Requires DOE, in partnership with SBE and the Tennessee Higher Education Committee (THEC), to provide a report to the Chairs of the Education Committees of the Senate and the House of Representatives on the literacy skills grant program by July 1st, 2023. Requires DOE to complete a review of literacy in Tennessee, including current practices, student achievement, and instructional programming; and in a joint analysis with THEC, the affordability of educator preparation providers by December 31, 2020. Requires DOE to provide a report on the results of the review to the Chairs of the Education Committees of the Senate and the House of Representatives by March 1, 2021. Requires all literacy instructors to participate in literacy-related trainings provided by DOE or by a provider approved by SBE. Authorizes a literacy instructor to alternately take the Tennessee reading instruction test or participate in an abbreviated version of training if certain conditions are met. Authorizes an LEA to apply and receive literacy-related implementation and coaching support from service providers approved by SBE. Requires SBE to limit the term of a grant award



to three years. Requires educator preparation providers to provide candidates seeking licensure to teach in K-3 with training and instruction on certain teaching areas. Requires a candidate seeking a teaching license or endorsement that authorizes the candidate to teach in grades K-3 to provide a certificate documenting passage of a Tennessee reading instruction test developed by SBE. Requires the test to be provided to the candidate at no cost if funding is available. Requires SBE, in consultation with DOE, to promulgate revisions to SBE rules regarding the approval of educator preparation providers and rules regarding educator licensure.

*Fiscal Note:* (Dated February 23, 2020) Increase State Expenditures \$48,633,900/FY20-21 \$11,133,900/FY21-22 and Subsequent Years The Governors proposed budget for FY20-21, on page B-88, recognizes a one- time increase in state expenditures to the General Fund of \$37,500,000, and a recurring increase in state expenditures to the General Fund in the amount of \$11,250,000, for a total of \$48,750,000 in FY20-21.

*Senate Status:* 06/03/20 - Taken off notice in Senate Education Committee.

*House Status:* 06/16/20 - Set for House Finance, Ways & Means Subcommittee Calendar 2 06/16/20.

*Caption:* AN ACT to amend Tennessee Code Annotated, Title 49, relative to literacy instruction.

## **SB2200/HB2267**

### **EDUCATION: Report on mental health in schools.**

*Sponsors:* Sen. Johnson, Jack , Rep. Lamberth, William

*Summary:* Requires the department of education with the department of mental health and substance abuse services to annually report to the education committees of the senate and house of representatives regarding state-funded mental and behavioral health services and submit recommendations for improvement. Part of Administration Package.

*Amendment Summary:* House Education K-12 Subcommittee amendment 1 (015733) deletes all language after the enacting clause and rewrites the bill, creating the "K-12 Mental Health Trust Fund Act." Establishes the K-12 mental health endowment fund administered by the state treasurer and consisting of the K-12 mental health endowment account and the K-12 mental health special reserve account. Requires the trust be funded in fiscal year 2020-2021 by an initial deposit, with 90% of the deposit being placed in the K-12 mental health endowment account and ten percent (10%) being placed in the K-12 mental health special reserve account. Requires the trustees and the department of education only expend funds for mental or behavior services or treatment for K-12 students, or for an



assessment to review current mental and behavior health resources for K-12 students that are available in each county.  
(Dated February 9, 2020) NOT SIGNIFICANT

*Fiscal Note:*  
*Senate Status:* 03/16/20 - Senate Education Committee deferred to next available calendar.  
*House Status:* 05/28/20 - Taken off notice in House Education Committee.  
*Caption:* AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 3, Part 16; Title 33 and Title 49, Chapter 6, relative to health funding for K-12 students.

## **SB2252/HB2134**

*Sponsors:*  
*Summary:*

### **EDUCATION: Teacher's Discipline Act.**

Sen. Hensley, Joey , Rep. Cepicky, Scott  
Specifies that a teacher has the authority, consistent with LEA policy, to manage the teacher's classroom, discipline students, and refer a student to the principal or the principal's designee to maintain discipline in the classroom. Establishes a disciplinary process for students who have been removed from the classroom by the teacher. Requires the teacher to file a report with the principal describing the student's behavior in one page or less by the end of the school day on which the removal occurs or at the beginning of the next school day. Requires the principal to notify the parents or guardian about the removal of the student within one day of such action and requires the principal to send a copy of the report filed by the teacher to the parent or guardian. Requires the principal to give the student oral or written notice of the grounds for removal from class. Specifies steps for returning student to class or providing temporary placement of student in another classroom setting.

*Amendment Summary:*

House amendment 1 (016961) deletes all language after the enacting clause. Creates the Teacher's Discipline Act. Authorizes a teacher to manage the teacher's classroom, discipline students, and refer a student to the principal or the principal's designee to maintain discipline in the classroom. Requires local boards of education and public charter school governing bodies to include in each student discipline policy, a provision authorizing teachers and administrators to enforce the student discipline policy or code of conduct. Requires local boards of education and public charter school governing bodies to adopt a policy authorizing a teacher's ability to relocate a student to another location for the student's safety or for the safety of others. Establishes that the use of force authorized under current law is allowed by teachers under certain conditions. Authorizes a teacher to submit a written request to the principal, or the principal's designee, to remove a student who interferes with the learning process or other disruptive behavior. Authorizes principals and their designees to take certain actions in



response to a teacher's request for student removal. Requires a local board of education or public charter school governing body to establish an appeals process for a teacher to file an appeal when a teacher's request to remove a student has been denied. Requires each school to annually report the number of student removal requests filed by a teacher in the immediately preceding school year. Requires each director of schools to compile the data provided in each school's report and issue a district-wide report to the local board of education each year. Authorizes the Commissioner of the Department of Education (DOE) to review the school and district-wide reports and provide training and resources as needed. Requires the Commissioner of DOE to report to the Governor and the General Assembly on the implementation and compliance with this section by February 1, 2022, and by February 1st of each year thereafter.

*Fiscal Note:*

*Senate Status:*

*House Status:*

(Dated February 28, 2020) NOT SIGNIFICANT

06/03/20 - Senate Education Committee deferred to 12/01/20.

06/03/20 - House passed with amendment 1 (016961), which deletes all language after the enacting clause. Creates the Teacher's Discipline Act. Authorizes a teacher to manage the teacher's classroom, discipline students, and refer a student to the principal or the principal's designee to maintain discipline in the classroom. Requires local boards of education and public charter school governing bodies to include in each student discipline policy, a provision authorizing teachers and administrators to enforce the student discipline policy or code of conduct. Requires local boards of education and public charter school governing bodies to adopt a policy authorizing a teacher's ability to relocate a student to another location for the student's safety or for the safety of others.

Establishes that the use of force authorized under current law is allowed by teachers under certain conditions. Authorizes a teacher to submit a written request to the principal, or the principal's designee, to remove a student who interferes with the learning process or other disruptive behavior. Authorizes principals and their designees to take certain actions in response to a teacher's request for student removal. Requires a local board of education or public charter school governing body to establish an appeals process for a teacher to file an appeal when a teacher's request to remove a student has been denied. Requires each school to annually report the number of student removal requests filed by a teacher in the immediately preceding school year. Requires each director of schools to compile the data provided in each school's report and issue a district-wide report to the local board of education each year. Authorizes the Commissioner of the Department of Education (DOE) to review the school and district-wide reports and provide training and resources as needed. Requires the Commissioner of





DOE to report to the Governor and the General Assembly on the implementation and compliance with this section by February 1, 2022, and by February 1st of each year thereafter.

*Caption:* AN ACT to amend Tennessee Code Annotated, Title 49, relative to the "Teacher's Discipline Act."

**SB2805/HB2872**      **EDUCATION: Development by LEAs of adverse childhood experiences training programs.**

*Sponsors:* Sen. Akbari, Raumesh , Rep. Cooper, Barbara

*Summary:* Allows LEAs to offer adverse childhood experiences training programs wholly or partially online. Broadly captioned.

*Amendment Summary:* House amendment 1 (017898) deletes all language after the enacting clause. Requires each local board of education to adopt a policy requiring the LEA's schools to develop plans to provide mental and behavioral health services to students with ACEs. Requires a school employee to report to the school principal or counselor if it is found that a student has one or more ACEs. Requires the school principal or counselor to confer with the student's parent within 10 days of the report, and refer, with the parent's consent, the student to a school mental health counselor. Requires the director of schools or the director's designee to confer with a student's parent and, with the parent's consent, refer the student to a community-based health provider within 15 days if a school principal or counselor fails to refer a student to a mental health counselor within 10 days of receiving the ACEs report. Prohibits an LEA, school, LEA employee, or other school employee from being liable for the cost of any counseling or other mental health services provided to a student. Requires each LEA to conduct at least one ACEs training seminar for parents and community-based partners.

*Fiscal Note:* (Dated March 5, 2020) NOT SIGNIFICANT

*Senate Status:* 02/10/20 - Referred to Senate Education Committee.

*House Status:* 06/08/20 - House passed with amendment 1 (017898), which deletes all language after the enacting clause. Requires each local board of education to adopt a policy requiring the LEA's schools to develop plans to provide mental and behavioral health services to students with ACEs. Requires a school employee to report to the school principal or counselor if it is found that a student has one or more ACEs. Requires the school principal or counselor to confer with the student's parent within 10 days of the report, and refer, with the parent's consent, the student to a school mental health counselor. Requires the director of schools or the director's designee to confer with a student's parent and, with the parent's



consent, refer the student to a community-based health provider within 15 days if a school principal or counselor fails to refer a student to a mental health counselor within 10 days of receiving the ACEs report. Prohibits an LEA, school, LEA employee, or other school employee from being liable for the cost of any counseling or other mental health services provided to a student. Requires each LEA to conduct at least one ACEs training seminar for parents and community-based partners.

*Caption:* AN ACT to amend Tennessee Code Annotated, Title 49, relative to behavioral health services.

## Employment/Vocational Rehabilitation

### **SB1343/HB1038 LABOR LAW: Copy of employer's policy on a drug-free workplace provided to employee.**

*Sponsors:* Sen. Massey, Becky , Rep. Moody, Debra  
*Summary:* Requires a covered employer under the drug-free workplace program to provide a written copy of the employer's policy on a drug-free workplace to an employee at the employee's request. Broadly captioned.  
*Amendment Summary:* Senate Commerce & Labor Committee amendment 1 (014899) deletes all language after the enacting clause. Creates the state as a model employer (SAME) program for individuals with disabilities to ensure that state agencies and departments have practices, and procedures in place related to the recruitment, hiring, advancement, and retention of qualified individuals with disabilities. Requires the Commissioner of the Department of Human Resources (DHR) to administer the program.  
*Fiscal Note:* (Dated March 20, 2019) NOT SIGNIFICANT  
*Senate Status:* 03/10/20 - Senate Commerce & Labor Committee recommended with amendment 1 (014899). Sent to Senate Finance.  
*House Status:* 05/28/20 - Taken off notice in House Public Service & Employee Subcommittee.  
*Caption:* AN ACT to amend Tennessee Code Annotated, Title 4 and Title 50, relative to employment.

### **SB1642/HB2075 WELFARE: Employing individuals with disabilities.**

*Sponsors:* Sen. Massey, Becky , Rep. Powers, Dennis  
*Summary:* Revises provisions regarding purchases of goods and services by governmental entities from persons with disabilities in order to assist those individuals to achieve maximum personal independence through competitive integrated employment opportunities. Eliminates the advisory committee for purchase from the blind and other severely disabled.



	Establishes the committee for providing competitive integrated employment for individuals with severe disabilities and specifies membership and duties of committee.
<i>Amendment Summary:</i>	Senate amendment 1 (014144) makes permissive this bill's requirement that every governmental entity that is supported in whole or in part by the general assembly purchase all services or commodities required by the governmental entity from the central nonprofit agency as long as commodities or services purchased by state governmental entities are certified pursuant to procedures approved by the procurement commission and are available, and commodities or services purchased by political subdivisions are certified by the chief financial officer of the political subdivision.
<i>Fiscal Note:</i>	(Dated January 31, 2020) Other Fiscal Impact Due to multiple unknown factors, an exact fiscal impact on state and local government cannot be determined with reasonable certainty.
<i>Senate Status:</i>	02/13/20 - Senate passed with amendment 1 (014144).
<i>House Status:</i>	06/17/20 - House passed.
<i>Executive Status:</i>	06/17/20 - Sent to the speakers for signatures.
<i>Caption:</i>	AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 21; Title 12; Title 50 and Title 71, Chapter 4, Part 7, relative to employing individuals with disabilities.

## Family Law

### **SB226/HB61 FAMILY LAW: Creates an exception to the presumption of parentage.**

<i>Sponsors:</i>	Sen. Lundberg, Jon , Rep. Jernigan, Darren
<i>Summary:</i>	Specifies a man who is married to a child's mother cannot be considered the father when he either was physically separated from the child's mother exceeding 300 days prior to the birth or is medically incapable of conceiving a child. Broadly captioned.
<i>Amendment Summary:</i>	Senate amendment 1, House Children & Families Subcommittee amendment 1 (004460) requires the child's mother to confirm by initiating on the sworn application for a birth certificate that the child's mother and her husband were not physically separated for over 300 days and the man is medically incapable of conceiving the child prior to a husband being entered on a child's birth certificate. Specifies one of the above circumstances must apply as well as mutual agreement of the husband being the child's natural father in order for the mother's husband to be able to be entered on the certificate. Orders the office of vital records to make the changes required to birth certificate applications as the current inventories of application forms are exhausted.
<i>Fiscal Note:</i>	(Dated January 28, 2019) NOT SIGNIFICANT
<i>Senate Status:</i>	03/25/19 - Senate passed with amendment 1 (004460).



*House Status:* 03/20/19 - Referred to House Children & Families Subcommittee.  
*Caption:* AN ACT to amend Tennessee Code Annotated, Title 24, Chapter 7; Title 36, Chapter 2 and Title 68, Chapter 3, relative to parentage.

## Government Operations

### **SB1300/HB1172 GOVERNMENT ORGANIZATION: Creates Tennessee Office of Cooperative Disability Investigation.**

*Sponsors:* Sen. Pody, Mark , Rep. Weaver, Terri  
*Summary:* Creates the temporary Tennessee Office of Cooperative Disability Investigation, attached to the office of the governor, for the purpose of saving taxpayer funds by investigating disability claims. Requires the organization will enter into a memorandum of understanding between the United States social security administration specifying all fiscal responsibilities needed to operate. Allows the organization the authority of investigations on claims, civil, and criminal fraud and abuse, cooperation with any other law enforcement and state agency, and refer matters to the appropriate enforcement authorities. Declares the powers invested in the organization including issuing subpoenas and petition to appear in court, production of employment records, and production of the complete patient record. Declares that the staff of the organization must include law enforcement officers and establishes the role of a special agent. Specifies that all records obtained will be treated as confidential investigative records.

*Amendment Summary:* House State Committee amendment 1, Senate Government Operations Committee amendment 1 (016732) deletes all language after the enacting clause. Creates the Tennessee Office of Cooperative Disability Investigation (Division), which would be attached to the Department of Finance and Administration (F&A), and exist from July 1, 2020, through July 1, 2023. Requires the Division to have a staff of five persons and prohibits state funds from being used to fund or operate the Division.

*Fiscal Note:* (Dated March 26, 2019) NOT SIGNIFICANT  
*Senate Status:* 06/09/20 - Senate Judiciary Committee deferred to 12/01/20.  
*House Status:* 06/11/20 - House Calendar & Rules Committee deferred to last calendar.  
*Caption:* AN ACT to amend Tennessee Code Annotated, Title 4; Title 8; Title 10; Title 38 and Title 71, relative to the prevention of fraud.

### **SB1647/HB1725 GOVERNMENT ORGANIZATION: Sunset - advisory council for the education of students with disabilities.**



*Sponsors:* Sen. Roberts, Kerry , Rep. Daniel, Martin  
*Summary:* Extends the advisory council for the education of students with disabilities to June 30, 2027.  
*Fiscal Note:* (Dated January 17, 2020) NOT SIGNIFICANT  
*Senate Status:* 02/24/20 - Senate passed.  
*House Status:* 03/02/20 - House passed.  
*Executive Status:* 03/24/20 - Enacted as Public Chapter 0537 effective March 19, 2020.  
*Caption:* AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 29 and Title 49, Chapter 10, relative to the advisory council for the education of students with disabilities.

**SB1664/HB1742 GOVERNMENT ORGANIZATION: Sunset - department of intellectual and developmental disabilities.**

*Sponsors:* Sen. Roberts, Kerry , Rep. Daniel, Martin  
*Summary:* Extends the department of intellectual and developmental disabilities to June 30, 2023.  
*Fiscal Note:* (Dated January 20, 2020) NOT SIGNIFICANT  
*Senate Status:* 02/24/20 - Senate passed.  
*House Status:* 03/16/20 - House passed.  
*Executive Status:* 03/26/20 - Enacted as Public Chapter 0612 effective March 25, 2020.  
*Caption:* AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 29 and Title 4, Chapter 3, relative to the department of intellectual and developmental disabilities.

**SB1670/HB1748 GOVERNMENT ORGANIZATION: Sunset - dyslexia advisory council.**

*Sponsors:* Sen. Roberts, Kerry , Rep. Daniel, Martin  
*Summary:* Extends the dyslexia advisory council to June 30, 2027.  
*Fiscal Note:* (Dated January 20, 2020) NOT SIGNIFICANT  
*Senate Status:* 02/24/20 - Senate passed.  
*House Status:* 03/02/20 - House passed.  
*Executive Status:* 03/24/20 - Enacted as Public Chapter 0544 effective March 19, 2020.  
*Caption:* AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 29 and Title 49, Chapter 1, Part 2, relative to the dyslexia advisory council.

**SB1702/HB1780 GOVERNMENT ORGANIZATION: Sunset - Tennessee commission on aging and disability.**

*Sponsors:* Sen. Roberts, Kerry , Rep. Daniel, Martin



*Summary:* Extends the Tennessee commission on aging and disability to June 30, 2026.

*Fiscal Note:* (Dated January 20, 2020) NOT SIGNIFICANT

*Senate Status:* 02/13/20 - Senate passed.

*House Status:* 03/02/20 - House passed.

*Executive Status:* 03/24/20 - Enacted as Public Chapter 0563 effective March 19, 2020.

*Caption:* AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 29 and Title 71, Chapter 2, Part 1, relative to the Tennessee commission on aging and disability.

**SB1704/HB1782 GOVERNMENT ORGANIZATION: Sunset - Tennessee council for the deaf, deaf-blind, and hard of hearing.**

*Sponsors:* Sen. Roberts, Kerry , Rep. Daniel, Martin

*Summary:* Extends the Tennessee council for the deaf, deaf-blind, and hard of hearing to June 30, 2027.

*Fiscal Note:* (Dated January 20, 2020) NOT SIGNIFICANT

*Senate Status:* 02/13/20 - Senate passed.

*House Status:* 03/02/20 - House passed.

*Executive Status:* 03/24/20 - Enacted as Public Chapter 0565 effective March 19, 2020.

*Caption:* AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 29 and Title 71, Chapter 4, Part 21, relative to the Tennessee council for the deaf, deaf-blind, and hard of hearing.

Insurance Health

**SB416/HB385 INSURANCE HEALTH: Benefits for neurological disorders, including autism.**

*Sponsors:* Sen. Kyle, Sara , Rep. Hodges, Jason

*Summary:* Requires the commissioner of commerce and insurance to conduct a study for the purpose of determining the amount of insurance policies that provide benefits for neurological disorders in this state. Specifies that the study must include the amount of claims for treatment of autism spectrum disorder within the insurance policies that provide benefits for neurological disorders. Requires the commissioner to submit a copy of the report to the insurance committee of the house and the commerce and labor committee of the senate no later than January 1, 2020.

*Fiscal Note:* (Dated February 9, 2019) NOT SIGNIFICANT

*Senate Status:* 02/06/19 - Referred to Senate Commerce & Labor Committee.

*House Status:* 03/11/20 - Taken off notice in House Life & Health Insurance Subcommittee.



*Caption:* AN ACT to amend Tennessee Code Annotated, Title 4; Title 8 and Title 56, relative to autism.

**SB1795/HB2078 INSURANCE HEALTH: Hearing Enhancement Aid Reimbursement (HEAR) Act.**

*Sponsors:* Sen. Yarbro, Jeff , Rep. Hodges, Jason  
*Summary:* Requires health insurance policies to provide for coverage for the purchase of a hearing aid for each deaf or hard of hearing ear for an individual covered by the policy. Requires the department of commerce and insurance to annually set and promulgate minimum coverage rates and coverage limits for adult and child hearing aids for each deaf or hard of hearing ear. Also requires the department to provide rates that allow for 100 percent coverage of reasonable and customary hearing aids.

*Fiscal Note:* (Dated February 19, 2020) Increase State Expenditures - \$8,280,800/FY20-21 \$16,561,700/FY21-22 and Subsequent Years Increase Federal Expenditures - \$4,992,200/FY20-21 \$9,984,500/FY21-22 and Subsequent Years Increase Local Expenditures Exceeds \$167,500/FY20-21\* Exceeds \$335,000/FY21-22 and Subsequent Years\* Potential Impact on Health Insurance Premiums (required by Tennessee Code Annotated 3-2-111): Such legislation will result in an increase in the cost of health insurance premiums for hearing aids being provided by plans that do not currently offer these benefits at the proposed mandated levels. It is estimated that the increase to each individuals total premium will be less than one percent. A one percent increase in premium rates could range between \$50 (single coverage) and \$140 (family coverage) depending on the type of plan.

*Senate Status:* 01/27/20 - Referred to Senate Commerce & Labor Committee.  
*House Status:* 02/05/20 - Referred to House Life & Health Insurance Subcommittee.  
*Executive Status:* 03/02/20 - Joint Council on Pensions and Insurance released to standing committees with unfavorable comment.

*Caption:* AN ACT to amend Tennessee Code Annotated, Title 8 and Title 56, Chapter 7, relative to hearing aids.

**SB1892/HB1699 INSURANCE HEALTH: Requires a health insurance entity to cover telehealth services.**

*Sponsors:* Sen. Swann, Art , Rep. Smith, Robin  
*Summary:* Requires a health insurance entity to cover telehealth services similarly to in person services. Prohibits a health insurance entity from denying coverage because the service provided classified as telemedicine and not an in person encounter and requires the health insurance entity to reimburse health care service providers without consideration for the patients geographic location and for out of network providers of



*Amendment  
Summary:*

telemedicine under the same policies used for out of network in person services. Broadly captioned.

House amendment 3 (017355) revises various provisions of the bill as follows: (1) Adds that a health insurance entity must provide reimbursement for healthcare services, in addition to coverage for such services, provided during a telehealth encounter; (2) Clarifies that a health insurance entity is not required to pay the total reimbursement for a telehealth encounter except when reimbursing an originating site hosting a patient as part of a telehealth encounter an originating site fee in accordance with Centers for Medicare and Medicaid Services telehealth services and at an amount established by Centers for Medicare and Medicaid Services; (3) Adds that a health insurance entity must provide reimbursement for healthcare services provided during a provider-based telemedicine encounter as well as coverage. This amendment also clarifies that a health insurance entity is not required to submit a claim for reimbursement for provider-based telemedicine; (4) Adds that telehealth services and provider-based telemedicine apply to the basic health plans authorized under group insurance for public officers and employees; (5) Amends the locations where a patient may receive provider-based telemedicine from those listed in item (1) of the "provider-based telemedicine" section of the Bill Summary to "a location the patient deems appropriate to receive the healthcare service that is equipped to engage in telecommunication"; (6) Reduces the amount of time the patient must have had an in-person interaction with a healthcare services provider, practice group, or healthcare system from 24 months to 18 months; (7) Adds that provider-based telemedicine does not include remote patient monitoring or healthcare services provided pursuant to a contractual relationship between a health insurance entity and an entity that facilitates the delivery of provider-based telemedicine as the substantial portion of the entity's business; (8) Clarifies that remote patient monitoring services do not apply to a health incentive program operated by a health insurance entity that utilizes an electronic device for physiological monitoring; and (9) Changes this bill's effective date from July 1, 2021, to upon becoming a law. Senate amendment 3 (017336) deletes and rewrites all language after the enacting clause such that the only substantive changes are: Requires a health insurance entity to reimburse an originating site hosting a patient as part of a telehealth encounter an originating site fee in accordance with CMS telehealth services rule 42 C.F.R. § 410.78 and at an amount established prior to the effective date of this Act by CMS. Requires reimbursement of expenses for covered healthcare services provided during a telehealth encounter, a provider-based telemedicine encounter, and remote patient monitoring services must be established through negotiations conducted by the health insurance entity with the healthcare services provider in the same manner as the health insurance entity establishes reimbursement of expenses for covered healthcare services that are delivered by in-





person means. Tenn. Code Ann. § 56-7-1003(6) defines “provider-based telemedicine” as the use of Health Insurance Portability and Accessibility Act (HIPAA) (42 U.S.C. § 1320d et seq.) compliant real-time, interactive audio, video telecommunications, or electronic technology, or store-and-forward telemedicine services, used over the course of an interactive visit by a healthcare services provider to deliver healthcare services to a patient within the scope of practice of the healthcare services provider when certain criteria are met. States that it does not include an audio-only conversation; an electronic mail message or phone text message; a facsimile transmission; remote patient monitoring; or healthcare services provided pursuant to a contractual relationship between a health insurance entity and an entity that facilitates the delivery of provider based telemedicine as the substantial portion of the entity’s business. Requires an in-person encounter between the healthcare service provider, the provider’s practice group, or the healthcare system and the patient within 16 months prior to a telehealth encounter prior to the provider-based telemedicine service; Requires a health insurance entity to provide coverage and reimbursement for healthcare services provided during a provider-based telemedicine encounter in a manner that is consistent with what the health insurance policy or contract provides for in-person encounters for the same service; and Exempts a health incentive program operated by a health insurance entity that utilizes an electronic device for physiological monitoring from being considered remote patient monitoring services required to be covered if the same service is covered by Medicare. Defines “telehealth”, “telemedicine” and “provider-based telemedicine” notwithstanding any restriction imposed by Tenn. Code Ann. § 56-7-1002 or § 56-7-1003, as the use of real-time audio, video, or other electronic media and telecommunication technology that enables interaction between a healthcare provider and a patient; or store-and-forward telemedicine services, as defined in Tenn. Code Ann. § 56-7-1002, for the purpose of diagnosis, consultation, or treatment of a patient in another location where there may be no in-person exchange.

- Fiscal Note:* (Dated February 7, 2020) Increase State Expenditures \$1,139,300/FY21-22 \$1,154,200/FY22-23 and Subsequent Years Increase Federal Expenditures \$2,170,600/FY21-22 and Subsequent Years Increase Local Expenditures Exceeds \$2,900/FY21-22\* Exceeds \$5,900/FY22-23 and Subsequent Years\*
- Senate Status:* 06/17/20 - Senate appoints conference committee: Sen. F. Haile (R), Sen. J. Yarbro (D), Sen. P. Bailey (R).
- House Status:* 06/15/20 - House appoints conference committee: Rep. R. Smith (R), Rep. M. Hill (R), Rep. B. Freeman (D).
- Executive Status:* 02/24/20 - Joint Council on Pensions and Insurance released to standing committees with unfavorable comment after adopting amendment 1 (014849).



*Caption:* AN ACT to amend Tennessee Code Annotated, Title 56 and Section 63-1-155, relative to electronic delivery of health care.

## Intellectual/Development Disability

### **SB608/HB702 TENNCARE: Reimbursement for qualifying home and community-based services received from non-contracted providers.**

*Sponsors:* Sen. Massey, Becky , Rep. Daniel, Martin  
*Summary:* Requires amendments to rules concerning home-based and community-based settings be consistent with an intent for services to be received in the most integrated setting appropriate to the person's needs. Authorizes the Bureau of TennCare to make to make eligible for consumer direction and reimbursement qualifying home-based and community-based services received from non-contracted providers when: services are provided by a state-licensed program or provider; services are provided in the most integrated setting appropriate to the individual's needs; services are comparable to those included in the home- and community-based CHOICES program; services align with the person-centered individualized support plan; and services do not exceed annual cost limits assigned to a CHOICES benefit group.

*Fiscal Note:* (Dated February 18, 2019) Increase State Expenditures Exceeds \$3,183,000  
*Senate Status:* 02/07/19 - Referred to Senate Health & Welfare Committee.  
*House Status:* 02/20/19 - Taken off notice in House TennCare Subcommittee.  
*Caption:* AN ACT to amend Tennessee Code Annotated, Section 33-2-404; Title 33, Chapter 5; Section 68-11-202 and Section 71-2-412, relative to promulgation of rules for licensure of settings of home-based and community-based services and supports for individuals with intellectual and developmental disabilities.

## Mental Health

### **SB1344/HB969 HEALTH CARE: Court ordered entrance into outpatient mental health treatment programs upon certain criteria.**

*Sponsors:* Sen. Massey, Becky , Rep. Rudd, Tim  
*Summary:* Allows a court, including a mental health court, to order a proposed patient who has threatened violence against the patient's self or other persons to receive assisted outpatient mental health treatment upon



finding that certain conditions have been met. Establishes a process for certain persons to file a petition with a court of competent jurisdiction on behalf of a proposed patient seeking assisted outpatient mental health treatment for such patient. Establishes criteria for the evaluation of proposed patients and reporting to the court by physicians and certain mental health professionals. Prohibits the court from ordering assisted outpatient mental health treatment unless the examining physician or other professional that recommended the treatment testifies at the hearing. Requires the court to order inpatient care and treatment or make other dispositions authorized by law if, after hearing all relevant evidence, the court does not find that the proposed patient is in need of assisted outpatient mental health treatment. Specifies requirements for court regarding less restrictive alternative treatment. (11 pp.)

*Amendment  
Summary:*

House Health Committee amendment 1 (016543) deletes all language after the enacting clause. Allows a parent, legal guardian, legal custodian, conservator, spouse, or a responsible relative to a person alleged to be in need of care and treatment, a licensed physician, psychologist, or an officer authorized to make arrests to file a petition with a mental health court to require mandatory outpatient care and treatment in a county with a mental health court if a person has threatened or attempted homicide and there is substantial likelihood that a homicide will occur unless the person is placed under involuntary treatment.

*Fiscal Note:*

(Dated February 13, 2019) Increase State Expenditures \$17,394,600/FY19-20/General Fund Net Impact - \$12,267,000/FY20-21/General Fund Net Impact - \$12,229,800/FY21-22 and Subsequent Years/General Fund \$83,700/FY19-20/Indigent Defense Fund \$114,200/FY20-21 and Subsequent Years/ Indigent Defense Fund Increase Federal Expenditures Net Impact \$1,381,100/FY19-20 \$2,091,200/FY20-21 and Subsequent Years Other Fiscal Impact - Due to multiple unknown factors, the impact of the proposed legislation on local government cannot be determined with reasonable certainty; however, any impact would be mandatory. Any decrease in state expenditures associated with incarceration costs is estimated to be not significant. HB 969 - SB 1344

*Senate Status:*

06/09/20 - Senate Judiciary Committee deferred to 12/01/20.

*House Status:*

06/16/20 - Set for House Finance, Ways & Means Subcommittee Calendar 2 06/16/20.

*Caption:*

AN ACT to amend Tennessee Code Annotated, Title 33, relative to mental health treatment.

**SB2085/HB2499 INSURANCE HEALTH: Report on compliance with federal Paul Wellstone & Pete Domenici Mental Health Parity & Addiction Equity Act.**

*Sponsors:*

Sen. Briggs, Richard , Rep. Hawk, David



*Summary:* Requires the department of commerce and insurance to issue a report and provide an educational presentation by January 31 each year concerning the methodologies and approaches used by the department to ensure health plans are complying with the federal Paul Wellstone and Pete Domenici Mental Health Parity and Addiction Equity Act of 2008. Broadly captioned.

*Amendment Summary:* House Life & Health Insurance Subcommittee amendment 1 (015396) rewrites the bill. Requires the department of commerce and insurance issue a report each year regarding the compliance of the Mental Health Parity and Addiction Equity Act and present the report to the general assembly no later than January 31 of each year. Makes several changes to report requirements, including market conduct evaluations and information regarding the community election approaches that the department takes to inform the public about mental health parity protections. Asks the department to make available to the public a log of mental health parity complaints and an explanation of mental health parity and how the public can file a complaint.

*Fiscal Note:* (Dated February 11, 2020) NOT SIGNIFICANT

*Senate Status:* 03/12/20 - Set for Senate Commerce & Labor Committee 03/17/20.

*House Status:* 06/01/20 - Taken off notice in House Insurance Committee.

*Caption:* AN ACT to amend Tennessee Code Annotated, Title 8; Title 56; Title 63; Title 68 and Title 71, relative to coverage for mental health, alcoholism, or drug dependency services.

## Miscellaneous

### **SB2300/HB2494 ENVIRONMENT & NATURE: Persons who assist persons who qualify for a license to hunt or fish at no charge or a discount based on having a disability.**

*Sponsors:* Sen. Jackson, Ed , Rep. VanHuss, James

*Summary:* States that a sportsman's license is not required in order to assist a person with a disability fish or hunt if they meet certain requirements. Allows a person with a disability to designate one person each calendar year.

*Fiscal Note:* (Dated February 14, 2020) NOT SIGNIFICANT

*Senate Status:* 02/24/20 - Senate passed.

*House Status:* 06/08/20 - House passed.

*Executive Status:* 06/11/20 - Sent to governor.

*Caption:* AN ACT to amend Tennessee Code Annotated, Title 70, relative to persons who assist persons who qualify for a license to hunt or fish at no charge or a discount based on having a disability.



## Public Finance

### **SB1803/HB2033 PUBLIC FINANCE: Report on federal block grants and funds expended by each state agency.**

<i>Sponsors:</i>	Sen. Gilmore, Brenda , Rep. Love Jr., Harold
<i>Summary:</i>	Requires each state agency to submit, on or before December 1 of each year, a report to members of the finance, ways and means committees of the house and senate summarizing amounts of federal block grants and purposes for which funds were expended, including any unexpended or returned portions.
<i>Amendment Summary:</i>	House amendment 1 (016758) deletes and rewrites all language after the enacting clause such that the only change is requiring the written report to be submitted on or before February 1 of each year instead of December 1 of each year.
<i>Fiscal Note:</i>	(Dated January 26, 2020) NOT SIGNIFICANT
<i>Senate Status:</i>	01/27/20 - Referred to Senate State & Local Government Committee.
<i>House Status:</i>	06/17/20 - House passed with amendment 1 (016758), which deletes and rewrites all language after the enacting clause such that the only change is requiring the written report to be submitted on or before February 1 of each year instead of December 1 of each year.
<i>Caption:</i>	AN ACT to amend Tennessee Code Annotated, Title 4 and Title 9, Chapter 4, relative to federal block grant financing and other federal funds.

### **SB2466/HB2821 PUBLIC FINANCE: Appropriations- FY2019 and FY2020.**

<i>Sponsors:</i>	Sen. Johnson, Jack , Rep. Lamberth, William
<i>Summary:</i>	Makes appropriations for the fiscal years beginning July 1, 2019, and July 1, 2020.
<i>Amendment Summary:</i>	House amendment 1 (014600) is the base budget. House amendment 2 (009000) is the stripper amendment and changes the rate of growth from 3.1 percent to 0.25 percent. House amendment 3 (016000) includes legislative initiatives. House amendment 13 (013200) makes a technical correction.
<i>Senate Status:</i>	03/19/20 - Senate passed.
<i>House Status:</i>	03/19/20 - House passed with amendment 1 (014600), amendment 2 (009000), amendment 3 (016000), and amendment 13 (013200).
<i>Executive Status:</i>	04/06/20 - Enacted as Public Chapter 0651 effective July 1, 2020 (103 pages).
<i>Caption:</i>	AN ACT to make appropriations for the purpose of defraying the expenses of the state government for the fiscal years beginning July 1,



2019, and July 1, 2020, in the administration, operation and maintenance of the legislative, executive and judicial branches of the various departments, institutions, offices and agencies of the state; for certain state aid and obligations; for capital outlay, for the service of the public debt, for emergency and contingency; to repeal certain appropriations and any acts inconsistent herewith; to provide provisional continuing appropriations; and to establish certain provisions, limitations and restrictions under which appropriations may be obligated and expended. This act makes appropriations for the purposes described above for the fiscal years beginning July 1, 2019, and July 1, 2020.

## **SB2932/HB2924 PUBLIC FINANCE: Grant assistance program for nursing home care.**

*Sponsors:* Sen. Johnson, Jack , Rep. Lamberth, William

*Summary:* Authorizes grant payments under the grant assistance program for nursing home care to be made either monthly or quarterly.

*Amendment Summary:* Senate amendment 1, House amendment 1 (018328) deletes all language after the enacting clause. Decreases, from \$500,000 a year to \$100,000 a year, the threshold of sales to consumers in this state for which a dealer with no physical presence in this state or a marketplace facilitator is required to collect and remit the state sales and use tax. The effective date for marketplace facilitators and out-of-state dealers to begin collection and remittance of sales and use tax is October 1, 2020. Authorizes reserve transfers from various funds, reserve accounts and programs to the General Fund for fiscal year ending June 30, 2020 and June 30, 2021. Senate amendment 2 (018202) adds and deletes language of the bill as amended by amendment 018202 such that the only substantive changes are to establish that the base salary of each member of the General Assembly shall not be adjusted for FY20-21 and to remove certain funds from the list of funds for which authorization to transfer funding to the General Fund is proposed. Senate amendment 3 (018559) adds language to the bill as amended by amendments 018328 and 018202 to require the Commissioner of Finance and Administration to submit written notice of any proposed reserve allotments to the Chairs of the Senate and House Finance, Ways and Means Committees, Executive Director of the Fiscal Review Committee, and the Directors of the Office of the Legislative Budget Analysis. House amendment 2 (018733) adds, deletes and replaces language of the bill as amended by amendment 018328. Establishes that the base salary of each member of the General Assembly shall not be adjusted for FY20-21. Removes certain funds from the list of funds authorized for proposed transfer to the General Fund. Requires the Commissioner of Finance and Administration to submit written notice of any proposed revenue allotments to the Speakers and the Charis of the Senate and House Finance, Ways and Means Committees, Executive Director of the Fiscal Review Committee,



and the Directors of the Office of the Legislative Budget Analysis. Extends the Hall Income Tax (HIT) rate of one percent, currently set to expire on January 1, 2021, until January 1, 2025. Creates additional sales tax holidays during 2020 as follows: • Exempts the following items of tangible personal property, if sold between 12:01 a.m. on Friday, July 31, 2020, and 11:59 p.m. on Sunday, August 2, 2020, or between 12:01 a.m. on Friday, August 7, 2020, and 11:59 p.m. on Sunday, August 9, 2020: o Clothing, school supplies, and school art supplies with a sales price of \$200 or less per item; o Electronic devices with a sales price of \$3,000 or less per item; and HB 2924 - SB 2932 2 o Household furnishings with a sales price of \$3,000 or less per item. • Exempts the retail sale of food and drinks by restaurants and limited service restaurants, if sold between 12:01 a.m. on Friday, July 31, 2020, and 11:59 p.m. on Sunday, August 2, 2020. • Exempts the sale of a motor vehicle registered in this state if the vehicle is sold between 12:01 a.m. on Friday, September 4, 2020, and 11:59 p.m. on Monday, September 7, 2020. Adds a 200 or more separate sales transactions threshold of sales to consumers in this state for which a dealer with no physical presence in this state or a marketplace facilitator is required to collect and remit the state sales and use tax.

*Fiscal Note:* (Dated May 20, 2020) NOT SIGNIFICANT  
*Senate Status:* 06/17/20 - Senate appoints conference committee: Sen. F. Haile (R), Sen. J. Johnson (R), Sen. J. Stevens (R), Sen. K. Yager (R), Sen. B. Gilmore (D), and Sen. B. Watson (R).  
*House Status:* 06/17/20 - House appoints conference committee: Rep. P. Hazlewood (R), Rep. G. Hicks (R), Rep. M. Hill (R), Rep. W. Lamberth (R), Rep. S. Lynn (R), Rep. R. Staples (D), Rep. H. Love (D).  
*Caption:* AN ACT to amend Tennessee Code Annotated, Title 3; Title 4; Title 5; Title 6; Title 7; Title 8; Title 9; Title 10; Title 12; Title 13; Title 16; Title 17; Title 18; Title 29; Title 33; Title 36; Title 37; Title 38; Title 39; Title 40; Title 41; Title 42; Title 43; Title 44; Title 45; Title 47; Title 48; Title 49; Title 50; Title 53; Title 54; Title 55; Title 56; Title 57; Title 58; Title 59; Title 60; Title 61; Title 62; Title 63; Title 64; Title 65; Title 66; Title 67; Title 68; Title 69; Title 70 and Title 71, relative to statutory revisions required for the implementation of the annual appropriations act.

## TennCare/Medicaid

### **SB1592/HB1582 PUBLIC FINANCE: Bureau of TennCare - report on federal receipts by designated state agencies.**

*Sponsors:* Sen. Watson, Bo , Rep. Holt, Andy



*Summary:* Adds the Bureau of TennCare to the list of designated state agencies required to submit annual reports to the department of finance and administration regarding federal receipts.

*Fiscal Note:* (Dated January 21, 2020) NOT SIGNIFICANT

*Senate Status:* 02/24/20 - Senate passed.

*House Status:* 02/10/20 - House passed.

*Executive Status:* 04/02/20 - Enacted as Public Chapter 0626 effective March 19, 2020.

*Caption:* AN ACT to amend Tennessee Code Annotated, Section 9- 1-111, relative to federal funds.

**SB2183/HB2250 TENNCARE: Extends the CoverKids program from June 30, 2020, to June 30, 2025.**

*Sponsors:* Sen. Johnson, Jack , Rep. Lamberth, William

*Summary:* Extends the CoverKids program from June 30, 2020, to June 30, 2025. Part of Administration Package.

*Fiscal Note:* (Dated February 14, 2020) NOT SIGNIFICANT

*Senate Status:* 03/02/20 - Senate passed.

*House Status:* 03/02/20 - House passed.

*Executive Status:* 03/24/20 - Enacted as Public Chapter 0582 effective March 19, 2020.

*Caption:* AN ACT to amend Tennessee Code Annotated, Section 71-3-1113, relative to the repeal date of the CoverKids Act of 2006.

**SB2185/HB2252 ESTATES & TRUSTS: Time limitations on filing claims by the bureau of TennCare.**

*Sponsors:* Sen. Johnson, Jack , Rep. Lamberth, William

*Summary:* Sets time limit of 12 months on the filing of claims by the bureau of TennCare against TennCare recipients' estates. Part of Administration Package.

*Fiscal Note:* (Dated February 16, 2020) Decrease State Revenue - \$1,087,900/FY20-21 and Subsequent Years

*Senate Status:* 03/10/20 - Senate Judiciary Committee recommended. Sent to Senate Finance.

*House Status:* 06/16/20 - Set for House Finance, Ways & Means Subcommittee Calendar 2 06/16/20.

*Caption:* AN ACT to amend Tennessee Code Annotated, Section 30-2-310, relative to time limitations on filing claims by the bureau of TennCare.

**SB2775/HB2502 TENNCARE: Intervention by nursing facilities to determine residents' TennCare eligibility.**

*Sponsors:* Sen. Bell, Mike , Rep. Hawk, David





*Summary:* Requires an administrative judge or hearing officer grant a nursing facility the right to intervene in the appeal of a resident or former resident's eligibility for TennCare if intervention will not cause resident unnecessary expenses. Requires TennCare provide residents with a copy of all notices, pleadings, and orders filed in the action to any nursing facility that is or has provided care to a resident. Broadly captioned.

*Amendment Summary:* Senate amendment 1 (015347) deletes the provision of this bill that would require TennCare to provide a copy of all notices, pleadings, and orders filed in an action to any facility that is providing, or has provided, care to the individual regardless of whether a facility seeks to intervene in any proceeding appealing an individual's eligibility.

*Fiscal Note:* (Dated February 20, 2020) Increase State Expenditures - \$35,000/FY20-21 Increase Federal Expenditures - \$315,000/FY20-21

*Senate Status:* 03/12/20 - Senate passed with amendment 1 (015347).

*House Status:* 06/03/20 - House passed.

*Executive Status:* 06/11/20 - Sent to governor.

*Caption:* AN ACT to amend Tennessee Code Annotated, Title 71, relative to TennCare eligibility decisions.

## Transportation

### **SB1598/HB1565 TRANSPORTATION VEHICLES: Motorized wheelchair is not a motor vehicle for purposes of the rules of the road.**

*Sponsors:* Sen. Briggs, Richard , Rep. Jernigan, Darren

*Summary:* Clarifies that a motorized wheelchair is not a motor vehicle for purposes of the rules of the road, accidents, and crimes involving motor vehicles. Broadly captioned.

*Fiscal Note:* (Dated January 10, 2020) NOT SIGNIFICANT

*Senate Status:* 06/03/20 - Senate Transportation & Safety Committee deferred to 12/01/20.

*House Status:* 03/04/20 - House Transportation Committee recommended. Sent to House Calendar & Rules.

*Caption:* AN ACT to amend Tennessee Code Annotated, Title 55, relative to motorized wheelchairs.

### **SB1612/HB1596 TRANSPORTATION GENERAL: Creation of office of accessible transportation.**

*Sponsors:* Sen. Massey, Becky , Rep. Howell, Dan

*Summary:* Requires the department of transportation to create the office for accessible transportation within the department to provide resources and



expertise for expanding and improving accessible transportation in the state.

*Amendment Summary:*

Senate amendment 1 (014588) adds a short title to this bill, the "Tennessee Accessible Transportation and Mobility Act of 2020"; expands the office's name to the office of accessible transportation and mobility; specifies that the office will be under the direction of the commissioner of transportation; adds a requirement that government agencies coordinate with the department of transportation toward the goal of expanding and improving accessible transportation and mobility across Tennessee; changes the deadline for the office to produce its mission statement, five-year plan, and initial report from January 31, 2022, to March 31, 2021; and specifies that the office must make its reports to the chair of the transportation committee of the house of representatives, the chair of the transportation and safety committee of the senate, and the public.

*Fiscal Note:*

(Dated January 29, 2020) Increase State Revenue \$181,600/FY20-21 and Subsequent Years/ Office for Accessible Transportation Increase State Expenditures \$181,600/FY20-21 and Subsequent Years/ Office for Accessible Transportation Increase Federal Expenditures \$181,600/FY20-21 and Subsequent Years

*Senate Status:*

02/27/20 - Senate passed with amendment 1 (014588).

*House Status:*

03/12/20 - House passed.

*Executive Status:*

03/24/20 - Enacted as Public Chapter 0600 effective March 20, 2020.

*Caption:*

AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 3, Part 23; Title 54 and Title 55, relative to transportation.

**SB2802/HB2645 TRANSPORTATION VEHICLES: Creation of system to facilitate communication between officers and autistic persons.**

*Sponsors:*

Sen. Akbari, Raumesh , Rep. Towns Jr., Joe

*Summary:*

Requires the commissioner of safety, in consultation with the Tennessee Sheriff's Association, Tennessee Association of Chiefs of Police and at least one organization that advocates for persons with autism spectrum disorder, to create blue envelopes that provide written information and guidance on the outside of the envelopes with ways to enhance effective communication between law enforcement officers and persons with autism; the envelope must be able to hold a person's driver license, registration, and insurance card.

*Fiscal Note:*

(Dated February 20, 2020) Increase State Expenditure - \$3,000/FY20-21

*Senate Status:*

06/03/20 - Senate Transportation & Safety Committee deferred to 12/01/20.

*House Status:*

06/04/20 - Taken off notice in House Transportation Committee.



*Caption:* AN ACT to amend Tennessee Code Annotated, Title 55, relative to communication between persons with autism spectrum disorder and law enforcement officers.

## Voting

### **SB193/HB145 CAMPAIGNS & LOBBYING: Application procedure for absentee voters who are first time voters.**

*Sponsors:* Sen. Robinson, Katrina , Rep. Lamar, London  
*Summary:* Establishes that a person who registered by mail or online voting for their first time may request an application to vote absentee at any county election commission office. The count election commission where the application was completed shall verify the voter's identity and forward said application to the appropriate count election commission.  
*Fiscal Note:* (Dated February 22, 2019) NOT SIGNIFICANT  
*Senate Status:* 06/02/20 - Failed in Senate State & Local Government Committee.  
*House Status:* 03/20/19 - Taken off notice in House Elections & Campaign Finance Subcommittee.  
*Caption:* AN ACT to amend Tennessee Code Annotated, Title 2, relative to absentee voting.

### **SB1555/HB1714 CAMPAIGNS & LOBBYING: Request for absentee ballot by online form.**

*Sponsors:* Sen. Gilmore, Brenda , Rep. Hardaway, G.A.  
*Summary:* Authorizes a voter to request an absentee ballot by an online form.  
*Fiscal Note:* (Dated March 6, 2020) NOT SIGNIFICANT  
*Senate Status:* 01/16/20 - Referred to Senate State & Local Government Committee.  
*House Status:* 03/11/20 - Taken off notice in House Elections & Campaign Finance Subcommittee.  
*Caption:* AN ACT to amend Tennessee Code Annotated, Title 2, Chapter 6, Part 2, relative to absentee voting.

## Welfare

### **SB1889/HB2674 WELFARE: Updated report by the commission on aging and disability.**

*Sponsors:* Sen. Reeves, Shane , Rep. Williams, Ryan



*Summary:* Changes the date in which the commission on aging and disability must provide an updated report and analysis of the waiting list for the state options program to the general assembly from January 15 to January 20.

*Amendment Summary:* Senate Health & Welfare Committee amendment 1, House Public Health Subcommittee amendment 1 (014395) deletes and replaces all language after the enacting clause. Creates the Colonel Thomas G. Bowden Act. Requires the TCAD to establish a three-year OPTIONS dementia care pilot program (Program), beginning July 1, 2020 and ending January 1 2024, to provide home and community-based services for individuals experiencing the symptoms of Alzheimer's or related dementia who do not qualify for Medicaid long-term care services. Requires the Program to be operated as part of the current state-funded OPTIONS program. Requires services to include meal delivery, homemaker services, personal hygiene and respite care. Limits program participation to 150 in the first year of the program. Requires the program to serve a minimum of 150 participants in each year thereafter for the remainder of the program. Requires TCAD to give priority for enrollment to those individuals on the wait list for the OPTIONS program as of the effective date of the legislation. Requires the program be based on a sliding fee scale and allow for cost sharing of services. Requires TCAD to submit a written report on the status of the Program to the General Assembly on or before January 15, 2021, and each January 15 thereafter until the close of the pilot period.

*Fiscal Note:* (Dated January 28, 2020) NOT SIGNIFICANT

*Senate Status:* 03/09/20 - Senate Health & Welfare Committee recommended with amendment 1 (014395). Sent to Senate Finance.

*House Status:* 06/02/20 - Taken off notice in House Health Committee.

*Caption:* AN ACT to amend Tennessee Code Annotated, Section 71-2-105, relative to the commission on aging and disability.