



State of Tennessee

PUBLIC CHAPTER NO. 136

SENATE BILL NO. 748

By Johnson, Crowe

Substituted for: House Bill No. 80

By Lamberth, Gant, Kumar

AN ACT to amend Tennessee Code Annotated, Title 53, Chapter 10, Part 3, relative to the controlled substance monitoring database.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 53-10-302(9), is amended by adding the following subdivision:

(D) The state chief medical examiner, a county medical examiner, a deputy or assistant state medical examiner or forensic pathologist under the control or direction of the chief medical examiner, or a deputy or assistant county medical examiner or forensic pathologist under the control or direction of a county medical examiner.

SECTION 2. Tennessee Code Annotated, Section 53-10-302(10), is amended by deleting the first sentence of the subdivision and substituting instead the following:

"Healthcare practitioner delegate" means any person designated by a healthcare practitioner to act as an agent of the healthcare practitioner, upon registering the person as a delegate and providing any information required by the department.

SECTION 3. Tennessee Code Annotated, Section 53-10-303(c), is amended by deleting the language "seven (7)" and substituting instead the language "six (6)".

SECTION 4. Tennessee Code Annotated, Section 53-10-306(a)(6), is amended by deleting the subdivision and substituting instead the following:

(6) The state chief medical examiner, a deputy or assistant state medical examiner appointed pursuant to § 38-7-103, a county medical examiner or deputy county medical examiner appointed pursuant to § 38-7-104, or a forensic pathologist under the control or direction of the chief medical examiner or a county medical examiner when acting in an official capacity as established in § 38-7-109; provided, that any access to information from the database is subject to the confidentiality provisions of this part, except where information obtained from the database is appropriately included in any official report under § 38-7-110(c);

SECTION 5. Tennessee Code Annotated, Section 53-10-306(a)(8), is amended by deleting the word "aggregate" and substituting instead the word "deidentified".

SECTION 6. Tennessee Code Annotated, Section 53-10-306(l)(2), is amended by deleting the language "Aggregate controlled substances prescribing information from the database which does not contain personally identifiable data" and substituting instead "Deidentified controlled substances prescribing information from the database".

SECTION 7. Tennessee Code Annotated, Section 53-10-306(n), is amended by deleting the language "aggregate unidentifiable" and substituting instead the word "deidentified".

SECTION 8. Tennessee Code Annotated, Section 53-10-306, is amended by adding the following subsection:

Deidentified information from the database must not include the identifying information of any patient, healthcare practitioner, healthcare practitioner delegate, or healthcare facility.

SECTION 9. Tennessee Code Annotated, Section 53-10-308(b), is amended by deleting the word "aggregate" and substituting instead the word "deidentified".

SECTION 10. Tennessee Code Annotated, Section 53-10-311(e)(2)(B), is amended by deleting the subdivision and substituting instead the following:

(B) Data sharing consistent with the requirements of § 53-10-306.

SECTION 11. This act takes effect upon becoming a law, the public welfare requiring it, and applies to actions taken on or after the effective date of this act.

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PASSED: March 22, 2021


RANDY McNALLY
SPEAKER OF THE SENATE


CAMERON SEXTON, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 13th day of April 2021


BILL LEE, GOVERNOR