

HOUSE BILL 1927

By Williams

AN ACT to amend Tennessee Code Annotated, Title 33;
Title 56, Chapter 7 and Title 68, relative to
physicians.

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

SECTION 1. Tennessee Code Annotated, Title 33, Chapter 2, Part 4, is amended by adding the following as a new section to be appropriately designated:

(a) As used in this section:

(1) "Continuing medical education" means continued postgraduate medical education required by the board of medical examiners or the board of osteopathic examination intended to provide medical professionals with knowledge of new developments in the professional's field;

(2) "Maintenance of certification" means any process requiring periodic recertification examinations or other activities to maintain specialty medical board certification;

(3) "Maintenance of licensure" means the proprietary framework for physician license renewal established through the Federation of State Medical Boards or its successor organization, which includes additional periodic testing or requirements other than continuing medical education; and

(4) "Specialty medical board certification" means certification by a board that specializes in one (1) particular area of medicine and typically requires additional examinations other than the requirements of the board of medical examiners or board of osteopathic examination to practice medicine.

(b) No physician licensed pursuant to title 63, chapter 6 or 9 shall be denied staff privileges or employment by a facility licensed under this chapter based solely on the physician's decision not to participate in any form of maintenance of licensure or maintenance of certification, including requiring any form of maintenance of licensure tied to maintenance of certification.

(c)

(1) This section does not prevent a facility's credentials committee from requiring physicians licensed pursuant to title 63, chapters 6 and 9 to meet continuing medical education requirements as set by the physician's licensing board.

(2) This section does not prohibit a facility from requiring a physician to undergo remedial or corrective courses or training as may be required by a quality improvement committee.

SECTION 2. Tennessee Code Annotated, Title 56, Chapter 7, Part 10, is amended by adding the following as a new section to be appropriately designated:

(a) As used in this section:

(1) "Continuing medical education" means board of medical examiners or board of osteopathic examination required continued postgraduate medical education intended to provide medical professionals with knowledge of new developments in the professional's field;

(2) "Maintenance of certification" means any process requiring periodic recertification examinations or other activities to maintain specialty medical board certification;

(3) "Maintenance of licensure" means the proprietary framework for physician license renewal established through the Federation of State Medical Boards or its successor organization, which includes additional periodic testing or requirements other than continuing medical education; and

(4) "Specialty medical board certification" means certification by a board that specializes in one (1) particular area of medicine and typically requires additional examinations other than the requirements of the board of medical examiners or board of osteopathic examination to practice medicine.

(b) A health insurance entity, as defined in § 56-7-109, shall not deny reimbursement to or prevent a physician licensed pursuant to title 63, chapter 6 or 9 from participating in any of the insurance entity's provider networks based solely on a physician's decision not to participate in any form of maintenance of licensure or maintenance of certification, including basing a physician's network participation on any form of maintenance of licensure tied to maintenance of certification.

(c) A health insurance entity, as defined in § 56-7-109, shall not discriminate with respect to reimbursement levels based solely on a physician's decision not to participate in any form of maintenance of licensure or maintenance of certification, including basing a physician's reimbursement level on any form of maintenance of licensure tied to maintenance of certification.

SECTION 3. Tennessee Code Annotated, Title 68, Chapter 11, Part 2, is amended by adding the following as a new section to be appropriately designated:

(a) As used in this section:

(1) "Continuing medical education" means continued postgraduate medical education required by the board of medical examiners or the board of osteopathic examiners intended to provide medical professionals with knowledge of new developments in the professional's field;

(2) "Maintenance of certification" means any process requiring periodic recertification examinations or other activities to maintain specialty medical board certification;

(3) "Maintenance of licensure" means the proprietary framework for physician license renewal established through the Federation of State Medical Boards or its successor organization, which includes additional periodic testing or requirements other than continuing medical education; and

(4) "Specialty medical board certification" means certification by a board that specializes in one (1) particular area of medicine and typically requires additional examinations other than the requirements of the board of medical examiners or board of osteopathic examination to practice medicine.

(b) No physician licensed pursuant to title 63, chapter 6 or 9 shall be denied staff privileges or employment by a facility licensed pursuant to this chapter based solely on the physician's decision not to participate in any form of maintenance of licensure or maintenance of certification, including requiring any form of maintenance of licensure tied to maintenance of certification. This section does not prevent a facility's credentials committee from requiring physicians licensed pursuant to title 63, chapters 6 and 9 to meet continuing medical education requirements, as set by the physician's licensing board.

(c) This section does not prohibit a facility from requiring a physician to undergo remedial or corrective courses or training as may be required by a quality improvement committee.

SECTION 4. This act shall take effect July 1, 2018, the public welfare requiring it. This act shall apply to contracts entered into on or after July 1, 2018.