



State of Tennessee

PUBLIC CHAPTER NO. 973

SENATE BILL NO. 2134

By Reeves, Haile, Pody

Substituted for: House Bill No. 2048

By Jernigan, Terry, Harris

AN ACT to amend Tennessee Code Annotated, Title 56 and Title 71, relative to medical equipment.

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

SECTION 1. Tennessee Code Annotated, Title 56, Chapter 7, Part 10, is amended by adding the following as a new section:

(a) As used in this section:

(1) "Complex rehabilitation technology" has the same meaning as defined in § 71-5-159;

(2) "Health benefit plan" means health insurance coverage as defined in § 56-7-109; and

(3) "Health insurer" means a health insurance entity as defined in § 56-7-109.

(b) A health insurer that offers a health benefit plan that provides coverage of complex rehabilitation technology:

(1) Shall not consider the location where the complex rehabilitation technology will be used when making a determination of medical necessity; and

(2) Shall offer covered persons a prior authorization process that reviews billable codes and provides coverage determinations for complex rehabilitation technology.

(c) If a health insurer notifies a person who is covered under a policy or contract for a health benefit plan that includes complex rehabilitation technology benefits and coverage that complex rehabilitation technology equipment that was approved in a prior authorization will be fully funded under the health benefit plan, then, as long as the person remains covered under the policy or contract at the time the complex rehabilitation technology is delivered to the person, the health insurer:

(1) Shall pay one hundred percent (100%) of the amount approved in the prior authorization, subject to applicable copayment, coinsurance, or deductible requirements as provided in the policy; and

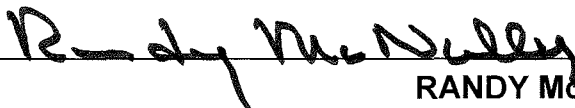
(2) Shall not seek payment or reimbursement from the covered person, a complex rehabilitation technology vendor, or another party involved with the sale or delivery of the complex rehabilitation technology.

(d) This section does not require a health insurer to offer coverage for complex rehabilitation technology in a health benefit plan.

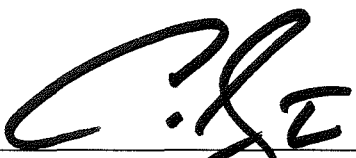
SECTION 2. This act takes effect July 1, 2022, the public welfare requiring it, and applies to contracts entered into, issued, amended, or renewed on or after that date.

SENATE BILL NO. 2134

PASSED: April 14, 2022



RANDY McNALLY
SPEAKER OF THE SENATE



CAMERON SEXTON, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 3rd day of May 2022



BILL LEE, GOVERNOR