



State of Tennessee

PUBLIC CHAPTER NO. 730

SENATE BILL NO. 1793

By Massey

Substituted for: House Bill No. 2081

By Alexander, Jernigan, Terry, Davis

AN ACT to amend Tennessee Code Annotated, Title 68, Chapter 1, Part 9, relative to medication administration.

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

SECTION 1. Tennessee Code Annotated, Section 68-1-904(c)(1), is amended by deleting the second sentence and substituting:

The training must only be provided to unlicensed individuals who are employed by agencies that are both licensed under title 33 and under contract to provide residential or adult day programs for persons with intellectual disability, to unlicensed individuals employed by community-based licensed intermediate care facilities for persons who have intellectual disability who will administer medication only at a location other than the community-based facility, and to unlicensed individuals employed by personal support service agencies (PSSAs) licensed under title 33.

SECTION 2. Tennessee Code Annotated, Section 68-1-904, is amended by deleting subdivision (c)(3) and substituting:

(3) An unlicensed person who is employed by a personal support service agency (PSSA) licensed under title 33 may administer medications to an individual who is incapable of self-administration in the individual's place of residence after the unlicensed person satisfactorily completes a competency-based training program approved by the department of mental health and substance abuse services.

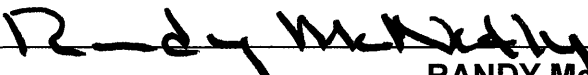
SECTION 3. Tennessee Code Annotated, Section 68-1-904, is amended by adding the following as a new subdivision (c)(4):

(4) The unlicensed personnel referenced in subdivisions (c)(1) and (c)(3) shall not administer intravenous, intramuscular, or certain subcutaneous injectable medications, as defined by rule. The unlicensed personnel referenced in subdivision (c)(2) shall not assist with the self-administration of vaginal medications, rectal medications, intravenous, intramuscular, or certain subcutaneous injectable medications, as defined by rule. The department of intellectual and developmental disabilities, in consultation with the board of nursing, shall promulgate rules, including emergency rules, to provide for competency-based training, education, and appropriate monitoring of the unlicensed personnel covered by this subsection (c) who have the authority to perform the services provided for in this subsection (c), notwithstanding any other statute or rule. The unlicensed personnel are exempt from the licensing requirements contained in and rules promulgated pursuant to title 63, chapter 7, part 1.

SECTION 4. This act takes effect upon becoming a law, the public welfare requiring it.


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PASSED: April 4, 2024


RANDY McNALLY
SPEAKER OF THE SENATE


CAMERON SEXTON, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 19th day of April 2024


BILL LEE, GOVERNOR