

HOUSE BILL 2317

By Howell

AN ACT to amend Tennessee Code Annotated, Title 33;  
Title 63 and Title 68, relative to training of health  
professionals.

WHEREAS, the General Assembly finds that according to the Tennessee Department of Health there are more than 950 suicide deaths in the State of Tennessee annually, more than the number killed by homicide, HIV infection, and drunk driving; and

WHEREAS, 4,730 Tennesseans died by suicide between 2009 and 2013, including 147 children between the ages of ten and eighteen and 385 young people between the ages of nineteen and twenty-four; and

WHEREAS, the Tennessee Department of Health estimates that there were an additional 473 unreported suicides during this period, and that one out of every twelve people in Tennessee has personally been affected by a suicide death; and

WHEREAS, it is estimated that each suicide intimately affects six people; and

WHEREAS, between 2009 and 2013, the suicide rate for the State of Tennessee has exceeded the national average; and

WHEREAS, suicide is the ninth leading cause of death in the State of Tennessee and the third leading cause of death among people between the ages of fifteen and thirty-four; and

WHEREAS, national studies have shown that veterans, active duty military personnel, and National Guardsmen face an elevated risk of suicide as compared to the general population, and that a positive correlation exists between posttraumatic stress disorder and suicide; and

WHEREAS, numerous men and women from Tennessee have deployed in support of the wars in Afghanistan and Iraq; and

WHEREAS, research continues on how the effects of wartime service and injuries such as traumatic brain injury, posttraumatic stress disorder, and other service-related conditions may increase the risk of suicide in veterans; and

WHEREAS, as more men and women separate from the military and transition back into civilian life, community mental health providers will become a vital resource to help these veterans and their families deal with issues that may arise; and

WHEREAS, nationally, the number of adults between forty-five to sixty-four years of age in Tennessee who died by suicide rose by seventeen percent between 2006 and 2010, even as the overall rate increased by only eleven percent; and

WHEREAS, suicide is one of the most disruptive and tragic events a family and a community can experience; and

WHEREAS, approximately ninety percent of people who die by suicide have a diagnosable psychiatric disorder at the time of their death, and most of them exhibit warning signs or behaviors prior to an attempt; and

WHEREAS, it is the intent of the General Assembly to help lower the suicide rate in the State of Tennessee by requiring certain health professionals to complete training in suicide prevention, assessment, treatment, and management as part of their continuing education, continuing competency, and recertification requirements; and to enable these professionals to fulfill the "duty to warn" requirement regarding mental health service recipients with the ability and likelihood to harm self or others as set forth in Tennessee Code Annotated, Section 33-3-206; now, therefore,

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

SECTION 1. Tennessee Code Annotated, Title 63, Chapter 1, Part 1, is amended by adding the following as a new section:

(a) This section shall be known and may be cited as the "Kenneth and Madge Tullis, MD, Suicide Prevention Training Act of 2016".

(b) As used in this section:

(1) "Board" means a health-related board created in this title or title 68 and includes:

(A) The board for professional counselors, marital and family therapists, and clinical pastoral therapists, created by § 63-22-101;

(B) The board of social work licensure, created by § 63-23-101;

(C) The board of alcohol and drug abuse counselors, created by § 68-24-601;

(D) The board of examiners in psychology, created by § 63-11-101; and

(E) The board of occupational therapy, created by § 63-13-216;

(2) "Department" means the department of mental health and substance abuse services, created by §§ 4-3-101 and 4-3-1601; and

(3) "Training program" means an empirically supported training program in suicide prevention, assessment, treatment, and management approved by a board that covers the following elements:

(A) Suicide prevention;

(B) Assessment, including screening and referral;

(C) Treatment; and

(D) Management.

(c) The department shall:

(1) Develop, in collaboration with the Tennessee Suicide Prevention Network, a model list of training programs in suicide prevention, assessment, treatment, and management;

(2) When developing the model list, consider suicide prevention, assessment, treatment, and management training programs of at least two (2)

hours in length that are evidence-based, based on expert consensus, and adhere to high standards of suicide prevention;

(3) When developing the model list, consult with the boards; public and private institutions of higher education; experts in suicide prevention; assessment, treatment, and management; and affected professional associations; and

(4) Report, in collaboration with the Tennessee Suicide Prevention Network, the model list of training programs to the department of health no later than December 15, 2016.

(d)

(1) A board may approve a training program that excludes one (1) of the elements described in subdivision (b)(3) if the element is inappropriate for the profession in question or inappropriate for the level of licensure or credentialing of that profession based on the profession's scope of practice.

(2) A training program that includes only screening and referral elements shall be at least two (2) hours in length.

(e) Beginning January 1, 2017, each of the following professionals certified or licensed under this title or title 68 shall, at least once every two (2) years, complete a training program in suicide prevention, assessment, treatment, and management that is approved by rule by the respective boards:

(1) A social worker licensed under chapter 23 of this title;

(2) A marriage and family therapist, professional counselor, or pastoral counselor certified or licensed under chapter 22 of this title;

(3) An alcohol and drug abuse counselor certified under title 68, chapter 24;

- (4) A psychologist licensed or certified under chapter 11 of this title;
- (5) An occupational therapist licensed under chapter 13 of this title; and
- (6) Any other direct staff working in the field of mental health and

substance abuse.

(f)

(1) Except as provided in subdivision (f)(2), a professional listed in subsection (e) must complete a training program required by this section no later than July 31, 2017.

(2) A professional listed in subsection (e) applying for initial licensure or certification on or after July 1, 2017, is not required to complete the training program required by this section for two (2) years after initial licensure or certification if the professional can demonstrate successful completion of a six-hour academic training program in suicide prevention, assessment, treatment, and management that was completed no more than two (2) years prior to the application for initial licensure or certification.

(g) The hours spent completing the training program under this section count toward meeting any applicable continuing education requirements for each profession.

(h) Nothing in this section shall be interpreted to expand or limit the scope of practice of any profession regulated under this title or title 68.

SECTION 2. The department of health, in consultation with the department of mental health and substance abuse services and each board identified in this act, is authorized to promulgate rules to effectuate the purposes of this act. All rules shall be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in Tennessee Code Annotated, Title 4, Chapter 5.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.