

HOUSE BILL 2347

By Boyd

AN ACT to amend Tennessee Code Annotated, Title 71, Chapter 5, relative to temporary healthcare staffing.

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

SECTION 1. Tennessee Code Annotated, Title 71, Chapter 5, is amended by adding the following as a new section:

(a) The comptroller of the treasury, in conjunction with the bureau of TennCare and the department of health, shall study the use of temporary staffing provided by healthcare staffing agencies in long-term care facilities. The study must specifically examine the following:

(1) The costs paid by nursing homes for temporary staff provided by healthcare staffing agencies, and the effect those costs may have on the TennCare program;

(2) The impact any increases in charges for temporary healthcare staffing has on assisted-care living facilities; and

(3) Practices that would improve the quality of long-term care facility resident care while reducing costs to the TennCare program.

(b) The comptroller of the treasury shall deliver the report described in subsection (a) to the speaker of the senate, the speaker of the house of representatives, and the legislative librarian no later than January 1, 2023.

(c) As used in this section:

(1) "Assisted-care living facility" has the same meaning as defined in § 68-11-201;

(2) "Healthcare staffing agency":

(A) Means a person, firm, corporation, partnership, or other business entity engaged in the business of providing or procuring, for temporary employment or contracting by a healthcare facility, the following:

- (i) Nurses;
- (ii) Nurse aides;
- (iii) Home health aides;
- (iv) Patient care assistants;
- (v) Direct support professionals; or
- (vi) Other healthcare personnel; and

(B) Does not include an individual who independently provides the individual's own services on a temporary basis to healthcare facilities as an employee or contractor;

(3) "Long-term care facility" means a nursing home or assisted-care living facility licensed under title 68, chapter 11, part 2; and

(4) "Nursing home" has the same meaning as defined in § 68-11-201.

SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it.