

HOUSE BILL 2364

By McCormick

AN ACT to amend Tennessee Code Annotated, Title 33, relative to a statewide admissions review committee for admissions to developmental centers for persons with intellectual or developmental disabilities.

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

SECTION 1. Tennessee Code Annotated, Section 33-5-301, is amended by deleting the language “admission review board” wherever it appears and replacing it with “statewide admission review committee”.

SECTION 2. Tennessee Code Annotated, Section 33-5-301, is further amended by deleting the language “developmental disability” wherever it appears and replacing it with “intellectual or developmental disability”.

SECTION 3. Tennessee Code Annotated, Section 33-5-301, is further amended by deleting the language “chief officer” wherever it appears and replacing it with “chief officer or director of a center or the appointed designee”.

SECTION 4. Tennessee Code Annotated, Section 33-5-301, is further amended by deleting section (b)(1) in its entirety; and substituting the following:

(b)

(1) Under department rules and pursuant to the direction of the statewide admission review committee, the chief officer or director of a center or the appointed designee of a developmental center, subject to the availability of suitable accommodations and the absence of a less restrictive alternative, may admit for diagnosis, care, training and treatment:

SECTION 5. Tennessee Code Annotated, Section 33-5-301, is further amended by deleting section (c) in its entirety; and substituting the following:

(c) The statewide admission review committee shall informally review a person's emergency respite admission within seven (7) days after the person is admitted. If the review is not done, then a hearing shall be held by the committee to review the propriety of the admission as in the case of regular voluntary admissions and shall make its decision within twenty-five (25) days after admission.

SECTION 6. Tennessee Code Annotated, Section 33-5-301, is further amended by adding a new subsection (e):

(e) The department may adopt rules to implement the statewide admissions review committee and to specify its duties and membership.

SECTION 7. Tennessee Code Annotated, Section 33-5-302, is amended by deleting the statutory language in its entirety and replacing it with the following:

The chief officer or director of a center or the appointed designee shall cause each person admitted under § 33-5-301 or transferred under § 33-3-301 or chapter 3, part 4 of this title to be evaluated as often as necessary, but not less often than every six (6) months. If the chief officer, director or designee and the statewide admission review committee determine that a person admitted under § 33-5-301 no longer meets the standards under which the person was admitted, the person shall be discharged. A person admitted under § 33-5-301 may be discharged at any time when it is in his or her best interest.

SECTION 8. Tennessee Code Annotated, Section 33-5-303, is amended by deleting the language "developmental disability" wherever it appears and replacing it with "intellectual or developmental disability".

SECTION 9. Tennessee Code Annotated, Section 33-5-303, is further amended by deleting the language "chief officer" or "chief officer of the developmental center" wherever

these terms appear and replacing them with “chief officer or director of a center or the appointed designee”.

SECTION 10. Tennessee Code Annotated, Section 33-5-304, is amended by deleting the language “developmental disability” or “developmental disabilities” wherever these terms appear and replacing them with “intellectual or developmental disability” or “intellectual or developmental disabilities”.

SECTION 11. This act shall take effect upon passage, the public welfare requiring it.