

HOUSE BILL 2371

By Kernell

AN ACT to amend Tennessee Code Annotated, Title 71,
Chapter 5, relative to TennCare.

WHEREAS, less hours of service could incur state costs as nursing homes take clients;
and

WHEREAS, without adequate care, patients will encounter unsafe circumstances
resulting in increased expense on the part of Adult Protective Services, and ambulance costs;
and

WHEREAS, the removal of parents from the home will incur additional costs to foster
care; and

WHEREAS, some will return to the hospital and will have longer stays because they
have nowhere to go; now, therefore,

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

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

Section 71-5-150. Home health services and private duty nursing services shall be
provided to TennCare recipients as prescribed by a physician as medically necessary. Home
health services and private duty nursing services shall be provided on a continual, daily basis if
a physician determines it is medically necessary for a recipient.

SECTION 2. Notwithstanding any provision of law to the contrary, the following rules are
repealed:

Paragraphs (52) and (88) of Rule 1200-13-14-.01; Definitions

Paragraph (8) of Rule 1200-13-14-.04(1)(b)(10) Covered Services

Paragraph (8) of Rule 1200-13-14-.04(8) Covered Services

Paragraph (5) of Rule 1200-13-14-.08(5) Providers

Paragraph (23) of Rule 1200-13-16-.01 Definitions

Paragraph (4) of Rule 1200-13-16-.05(d)(3) Medical Necessity Criteria

SECTION 3. Rules and regulations previously in effect prior to being amended by the rules in Section 2 shall be revived and become effective upon the effective date of this act.

SECTION 4. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

SECTION 5. This act shall take effect upon becoming a law, the public welfare requiring it.