

HOUSE BILL 9082

By Russell

AN ACT to amend Tennessee Code Annotated, Title 2; Title 4; Title 5; Title 6; Title 7; Title 8; Title 9; Title 29; Title 33; Title 34; Title 49; Title 56; Title 58; Title 63; Title 68 and Title 71, relative to COVID-19.

WHEREAS, citizens of this State are endowed by their Creator with a set of indisputable rights regarding medical treatment, personal safety, and moral accountability decisions; safety and moral concerns are foundational rights of conscience; and these are individual decisions for which no human authority can dictate abridgement; and

WHEREAS, these rights extend to the patient and family accessing one another for relational, emotional, physical, mental, and spiritual health; and

WHEREAS, this Medical Bill of Rights is intended to provide overarching and guiding principles in development of legislation as recent overreach by government agencies at the federal and state level, as well as policies issued by corporations and healthcare facilities acting as arms of the government, have prompted the need for this Medical Bill of Rights; now, therefore,

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

SECTION 1. Tennessee Code Annotated, Title 68, Chapter 11, Part 2, is amended by adding the following as a new section:

(a) This section is known and may be cited as the "Tennessee Medical Bill of Rights Act."

(b) As used in this section:

(1) "COVID-19" means the novel coronavirus, SARS-CoV-2, and coronavirus disease 2019, including a mutation of the novel coronavirus, SARS-CoV-2, and coronavirus disease 2019;

(2) "Family member" means a spouse, parent, grandparent, stepmother, stepfather, child, grandchild, brother, sister, half-brother, half-sister, adopted child, or spouse's parent; and

(3) "Hospital" has the same meaning as defined in § 68-11-201.

(c) Notwithstanding a law to the contrary, during a period in which a disaster, emergency, or public health emergency for COVID-19 has been declared, a hospital shall not:

(1) Restrict a patient from having at least one (1) family member present with the patient during the stay in the hospital as long as the family member tests negative for COVID-19 and is not exhibiting symptoms of COVID-19 or another virus or communicable disease;

(2) Restrict a patient from having access to all treatments as requested by the patient for the treatment of a diagnosis of COVID-19 or a subsequent diagnosis resulting from a diagnosis of COVID-19; and

(3) Coerce or threaten a patient into acceptance of a treatment for which the patient expresses a safety or moral concern.

SECTION 2. The department of health is authorized to promulgate rules, including emergency rules, to effectuate this act. The rules must be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in Tennessee Code Annotated, Title 4, Chapter 5.

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