

SENATE BILL 35

By Bailey

AN ACT to amend Tennessee Code Annotated, Title 56
and Title 68, relative to coverage of certain
treatments for infants.

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

SECTION 1. Tennessee Code Annotated, Title 56, Chapter 7, Part 23, is amended by adding the following as a new section to be appropriately designated:

(a) As used in this section, unless the context otherwise requires:

(1) "Breathing and heart rate monitor" means any instrument or device, including a collar or other wearable device, designed for an infant and used to monitor breathing and heart rate by providing improved and rapid detection of breathing problems and heart rate problems in an infant who may be at risk of sudden infant death syndrome; and

(2) "Infant" means any person less than one (1) year of age.

(b) Every individual or group health insurance policy providing coverage on an expense-incurred basis, every policy or contract issued by a hospital or medical service corporation, every individual or group service contract issued by a health maintenance organization, and every self-insured group arrangement to the extent not preempted by federal law, any of which is delivered, issued for delivery, or renewed in this state on or after January 1, 2018, shall provide coverage for a breathing and heart rate monitor for every infant covered by the policy or contract.

(c) The insurer may require the policyholder to provide a prescription by a licensed physician or show proof through other suitable documentation of the need for a breathing and heart rate monitor, and this section shall not preclude the insurer from

conducting managed care, medical necessity, or utilization review, or prevent the operation of policy provisions such as deductibles, coinsurance, allowable charge limitations, and coordination of benefits or provisions restricting coverage to services by licensed, certified or carrier-approved providers or facilities.

(d) This section shall not apply to insurance coverage providing benefits for the following:

- (1) Hospital confinement indemnity;
- (2) Disability income;
- (3) Accident only;
- (4) Long term care;
- (5) Medicare supplement;
- (6) Limited benefit health;
- (7) Specified disease indemnity;
- (8) Sickness or bodily injury or death by accident, or both; and
- (9) Other limited benefit policies.

(e) Notwithstanding § 56-7-1005, this section shall not apply to TennCare or any successor program provided for in title 71, chapter 5.

SECTION 2. This act shall take effect January 1, 2018, the public welfare requiring it. This act shall apply to policies or contracts issued, renewed, or entered into on or after January 1, 2018.