



State of Tennessee

PUBLIC CHAPTER NO. 447

SENATE BILL NO. 460

By Watson, Yager, Akbari, Campbell

Substituted for: House Bill No. 607

By Hale, Lynn, Clemmons, Hardaway, Hakeem, Eldridge, Moody, Slater, Helton-Haynes, Beck

AN ACT to amend Tennessee Code Annotated, Title 56 and Title 71, relative to prior authorization.

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

SECTION 1. Tennessee Code Annotated, Title 56, Chapter 7, Part 10, is amended by adding the following as a new section:

(a) Notwithstanding § 56-7-1018, a health insurance entity that offers health insurance coverage of complex rehabilitation technology (CRT) or manual wheelchairs shall not require a prior authorization for repairs of such technology or equipment unless:

(1) The repairs are covered under a manufacturer's warranty;

(2) The cost of the repairs exceeds the cost to replace the CRT or manual wheelchair; or

(3) The CRT or manual wheelchair in need of repair is subject to replacement because the age of the CRT or manual wheelchair exceeds, or is within one (1) year of the expiration of, the recommended lifespan of the CRT or manual wheelchair.

(b) As used in this section:

(1) "Complex rehabilitation technology" has the same meaning as defined in § 71-5-159;

(2) "Health insurance coverage" has the same meaning as defined in § 56-7-109; and

(3) "Health insurance entity" has the same meaning as defined in § 56-7-109.

SECTION 2. Tennessee Code Annotated, Title 71, Chapter 5, Part 1, is amended by adding the following as a new section:

(a) A managed care organization shall not require a participant in a TennCare program to obtain and submit a prior authorization for repairing complex rehabilitation technology (CRT) or manual wheelchairs unless:

(1) The repairs are covered under a manufacturer's warranty;

(2) The cost of the repairs exceeds the cost to replace the CRT or manual wheelchair; or

(3) The CRT or manual wheelchair in need of repair is subject to replacement because the age of the CRT or manual wheelchair exceeds, or is within one (1) year of the expiration of, the recommended lifespan of the CRT or manual wheelchair.

(b) As used in this section:

(1) "Complex rehabilitation technology" has the same meaning as defined in § 71-5-159; and

(2) "Managed care organization" has the same meaning as defined in § 71-5-156.

SECTION 3. This act takes effect July 1, 2023, the public welfare requiring it, and applies to contracts entered into, amended, or renewed on or after such date.


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PASSED: April 21, 2023


RANDY McNALLY
SPEAKER OF THE SENATE


CAMERON SEXTON, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 17th day of May 2023


BILL LEE, GOVERNOR