

SENATE BILL 826

By Akbari

AN ACT to amend Tennessee Code Annotated, Title 33;
Title 63 and Title 68, relative to healthcare
providers.

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

SECTION 1. Tennessee Code Annotated, Title 68, Chapter 5, Part 1, is amended by adding the following language as a new section:

(a) Facilities that deliver care to patients and that employ or contract with, either directly or indirectly, licensed health care providers, as defined by § 63-6-703, who primarily provide emergency care, shall adopt protocols requiring training in the detection and treatment of domestic abuse victims and sexual assault victims, as defined by § 36-3-601, and victims of human trafficking offenses, as defined by § 39-13-314.

(b) The facilities described in subsection (a) shall have written policies and procedures to:

- (1) Designate staff to implement policies;
- (2) Use routine screening to identify victims of domestic abuse, sexual assault, and human trafficking;
- (3) Document related injuries and illnesses in the patient's medical record;
- (4) Refer victims of domestic abuse, sexual assault, and human trafficking to available local resources; and
- (5) Ensure training of the providers regarding the detection and treatment of victims of domestic abuse, sexual assault, and human trafficking.

(c) The policies and procedures described in subsection (b) must comply with § 38-1-101.

(d) Facilities described in subsection (a) that employ or contract with, either directly or indirectly, more than twenty-five (25) licensed health care providers who primarily provide emergency care to patients shall train those providers on identifying and referring victims of domestic abuse, sexual assault, and human trafficking to appropriate resources.

(e) This section must not be construed to create or impose liability for a provider's or facility's failure to detect, identify, or refer victims of domestic abuse, sexual assault, and human trafficking to available local resources. Any facility described in subsection (a) or practitioner acting within the scope of their licensure or practice is immune from any civil or administrative liability under this section and has an affirmative defense to any criminal liability arising from making such information available.

SECTION 2. This act shall take effect July 1, 2019, the public welfare requiring it.