

SENATE BILL 1074

By Yarbro

AN ACT to amend Tennessee Code Annotated, Title 56,  
relative to preexisting conditions.

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

SECTION 1. This act is known and may be cited as the "Tennessee Preexisting  
Conditions Protection Act."

SECTION 2. Tennessee Code Annotated, Section 56-7-1503(b), is amended by  
deleting the following language:

more than six (6) months from the effective date of coverage because it involved a  
preexisting condition. The policy or certificate shall not define a preexisting condition  
more restrictively than a condition for which medical advice was given or treatment was  
recommended by or received from a physician within six (6) months before the effective  
date of coverage

and substituting:

because it involved a preexisting condition

SECTION 3. Tennessee Code Annotated, Section 56-7-2207(a), is amended by  
deleting subdivisions (1), (2), and (4), and substituting the following as a new subdivision (1):

(1) A health benefit plan must not impose a preexisting condition exclusion to  
limit or deny coverage;

SECTION 4. Tennessee Code Annotated, Section 56-7-2207(i), is amended by deleting  
the subsection.

SECTION 5. Tennessee Code Annotated, Section 56-7-2208(a)(5), is amended by  
deleting "except as provided in § 56-7-2207(a)(4)".

SECTION 6. Tennessee Code Annotated, Section 56-7-2302(e), is amended by deleting "if the adoption or placement for adoption occurs while the parent is eligible for coverage".

SECTION 7. Tennessee Code Annotated, Section 56-7-2317, is amended by deleting "not excluded by the group policy".

SECTION 8. Tennessee Code Annotated, Section 56-7-2351, is amended by deleting the second sentence and substituting:

Pregnancy and maternity benefits must not be excluded from coverage, limited, or denied as a preexisting condition.

SECTION 9. Tennessee Code Annotated, Section 56-7-2803, is amended by deleting subsection (a) and substituting:

(a) A group health plan and a health insurance issuer offering group health insurance coverage must not, with respect to a participant or beneficiary, impose a preexisting condition exclusion.

SECTION 10. Tennessee Code Annotated, Section 56-7-2803, is amended by deleting subsection (f).

SECTION 11. Tennessee Code Annotated, Section 56-7-2803(i)(1), is amended by deleting "and that does not impose any preexisting condition exclusion allowed under subsection (a) with respect to any particular coverage option".

SECTION 12. Tennessee Code Annotated, Section 56-7-2805, is amended by deleting subdivision (g)(1)(C).

SECTION 13. Tennessee Code Annotated, Section 56-7-2809, is amended by deleting "eligible" from subsection (a) and deleting subsection (b).

SECTION 14. Tennessee Code Annotated, Section 56-7-2910, is amended by deleting subsection (e).

SECTION 15. Tennessee Code Annotated, Section 56-42-105(a), is amended by deleting "preexisting conditions,".

SECTION 16. Tennessee Code Annotated, Section 56-42-105, is amended by deleting subsection (c).

SECTION 17. This act takes effect July 1, 2023, the public welfare requiring it, and applies to policies and contracts that are entered into, renewed, amended, or delivered on or after July 1, 2023.