



# State of Tennessee

## PUBLIC CHAPTER NO. 423

### HOUSE BILL NO. 557

By Representatives Curtis Johnson, Gant, Williams

Substituted for: Senate Bill No. 1201

By Senator Crowe

AN ACT to amend Tennessee Code Annotated, Title 68 and Title 71, relative to nursing homes.

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

SECTION 1. Tennessee Code Annotated, Section 71-5-1002(h), is amended by deleting the language "FY 2018-2019" in subdivision (1) and substituting the language "FY 2019-2020", and is further amended by deleting subdivision (4).

SECTION 2. Tennessee Code Annotated, Section 71-5-1003(c), is amended by deleting the language "from July 1, 2018, through June 30, 2019" and substituting the language "from July 1, 2019, through June 30, 2020".

SECTION 3. Tennessee Code Annotated, Section 71-5-1003(c)(1), is amended by deleting the language "July 1, 2018" and substituting the language "July 1, 2019".

SECTION 4. Tennessee Code Annotated, Section 71-5-1003(c)(2), is amended by deleting the language "July 1, 2018" and substituting the language "July 1, 2019".

SECTION 5. Tennessee Code Annotated, Section 71-5-1003(c)(3), is amended by deleting the language "July 1, 2018" and substituting the language "July 1, 2019".

SECTION 6. Tennessee Code Annotated, Section 71-5-1003(c)(4), is amended by deleting the language "after July 1, 2018, shall pay in FY 2018-2019" and substituting the language "after July 1, 2019, shall pay in FY 2019-2020".

SECTION 7. Tennessee Code Annotated, Section 71-5-1003(c)(5), is amended by deleting the language "from July 1, 2018, through June 30, 2019" and substituting the language "from July 1, 2019, through June 30, 2020".

SECTION 8. Tennessee Code Annotated, Section 71-5-1006(c)(1), is amended by deleting the language "on July 1, 2018" and substituting the language "on the first day of the state fiscal year".

SECTION 9. Tennessee Code Annotated, Section 71-5-1006, is amended by deleting subsection (e) and substituting the following:

(1) Any facility that is delinquent on the payment of its nursing home annual assessment fee imposed by law for any current or prior fiscal year shall establish a payment plan as provided for in this section.

(2) If a facility has established a payment plan concerning the delinquency that has been approved by the bureau of TennCare, then all fees and penalties imposed by this section must not be imposed so long as the facility is current with its payment plan, and no interest must accrue on any balance unpaid as of the due date for that amount.

(3) If a facility has not established a payment plan approved by the bureau of TennCare, then the bureau has the authority to recoup the amount of any delinquent payments as provided for in this section, and such amounts must be applied to reduce the unpaid balance of any nursing home assessment fees owed by the facility.

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SECTION 10. Tennessee Code Annotated, Section 71-5-1009, is amended by deleting the language "nursing home assessment fee due prior to July 1, 2016" and substituting the language "nursing home assessment fee due during any current or prior fiscal year".

SECTION 11. Tennessee Code Annotated, Section 71-5-1010, is amended by deleting the language "June 30, 2019" and substituting the language "June 30, 2020".

SECTION 12. Tennessee Code Annotated, Section 71-5-1011, is amended by deleting the section.

SECTION 13. Tennessee Code Annotated, Section 68-11-216, is amended by deleting subsection (c).

SECTION 14. This act shall take effect July 1, 2019, the public welfare requiring it.

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PASSED: April 30, 2019



GLEN CASADA, SPEAKER  
HOUSE OF REPRESENTATIVES



RANDY MCNALLY  
SPEAKER OF THE SENATE

APPROVED this 21<sup>st</sup> day of May 2019



BILL LEE, GOVERNOR