



State of Tennessee

PUBLIC CHAPTER NO. 484

SENATE BILL NO. 1275

By Briggs, Hensley

Substituted for: House Bill No. 874

By Lafferty

AN ACT to amend Tennessee Code Annotated, Title 8; Title 56, Chapter 7; Title 68 and Title 71, relative to medical laboratories.

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:

(a) As used in this section:

(1) "Managed health insurance issuer" has the same meaning as defined in § 56-32-128(a); and

(2) "Medical laboratory" has the same meaning as defined in § 68-29-103.

(b) A health insurance issuer or a managed health insurance issuer shall not:

(1) Deny a licensed medical laboratory the right to participate as a participating provider in a policy, contract, or plan on the same terms and conditions as are offered to another medical laboratory under the policy, contract, or plan; provided, that this subdivision (b)(1) does not prohibit a managed health insurance issuer or health insurance issuer from establishing rates or fees that may be higher in nonurban areas, or in specific instances where a managed health insurance issuer or health insurance issuer determines it necessary to contract with a particular provider in order to meet network adequacy standards or patient care needs; and

(2) Prevent a person who is a party to or beneficiary of a policy, contract, or plan from selecting a licensed medical laboratory of the person's choice to furnish the medical laboratory services offered under the contract, policy, or plan; provided, that the medical laboratory is a participating provider under the same terms and conditions of the contract, policy, or plan as those offered to another medical laboratory.

(c) Each health insurance issuer or managed health insurance issuer shall apply the same coinsurance, co-payment, deductible, and quantity limit factors within the same employee group and other plan-sponsored groups to all medical laboratory services provided by a licensed medical laboratory; provided, that all medical laboratories comply with the same terms and conditions.

(d) This section does not prohibit:

(1) A health insurance issuer or managed health insurance issuer from applying different coinsurance, co-payment, and deductible factors within the same employer group and other plan-sponsored groups; or

(2) An employer or other plan-sponsored group from offering multiple options or choices of health insurance benefit plans, including, but not limited to, cafeteria benefit plans.

SECTION 2. This act takes effect July 1, 2023, the public welfare requiring it, and applies to policies, contracts, and plans entered into, amended, issued, or renewed on or after that 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