

SENATE BILL 1298

By Crowe

AN ACT to amend Tennessee Code Annotated, Title 8;
Title 9 and Title 33, relative to transportation of
mentally ill or serious emotionally disturbed
persons.

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

SECTION 1. Tennessee Code Annotated, Section 33-6-901(a)(2), is amended by adding the following language at the end of the subdivision:

Any prescreening agent, physician, or licensed psychologist, while acting under § 33-6-404(3)(B), will be considered a state employee for the purposes of § 8-42-101(3) when such person is assessing the need or absence of need for physical restraint during transportation to a psychiatric hospital or the need or absence of need for secure transportation to a psychiatric hospital. No family member or relative authorized under subdivision (a)(1)(D) who provides transport for a person under this subsection may be held civilly liable for causes of action arising out of that transport except such damages as may result from the gross negligence of the person providing the transport.

SECTION 2. This act shall take effect July 1, 2009, the public welfare requiring it.