

SENATE BILL 1579

By Briggs

AN ACT to amend Tennessee Code Annotated, Title 68,
Chapter 11, relative to the relocation of certain
nursing homes.

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

SECTION 1. Tennessee Code Annotated, Title 68, Chapter 11, Part 16, is amended by adding the following as a new, appropriately designated section:

(a) Notwithstanding any other law, the agency is authorized to consider certificate of need applications for a qualified divided relocation of a nursing home facility.

(b) The term "qualified divided relocation of a nursing home facility" refers only to a circumstance where an existing nursing home facility seeks to relocate portions of its beds to two (2) different sites in the same county, provided the existing nursing home facility and the proposed sites meet all of the criteria as follows:

(1) The existing nursing home facility is at least one hundred thirty (130) beds;

(2) The existing nursing home facility has been in existence and operated at the same site for at least forty (40) years;

(3) The existing nursing home facility is located adjacent to a hospital that has received a certificate of need to relocate the hospital to a new site in the same county; and

(4) Each of the sites to which the nursing home facility proposes to relocate a portion of its beds is in the same county as the existing nursing home facility.

(c) An application for a qualified divided relocation of a nursing home facility that does not seek to increase the number of licensed beds from the number of beds to be relocated shall be reviewed by the department and considered by the agency pursuant to § 68-11-1609(b), and shall not be considered new nursing home beds. The criteria of §§ 68-11-1621 and 68-11-1622 shall not apply to an application for a qualified divided relocation of a nursing home facility.

(d) If an application for a qualified divided relocation of a nursing home facility seeks to increase the number of licensed beds from the number of beds to be relocated, that portion of the application that increases the number of beds shall comply with § 68-11-1622, and shall be considered new nursing home beds. The remaining part of the application relative to the qualified divided relocation shall be reviewed by the department and considered under the criteria set out in subsection (c).

(e) A certificate of need and a separate nursing home license shall be required for each of the sites to which a portion of the existing nursing home facility's beds will be relocated as part of a qualified divided relocation of a nursing home facility.

SECTION 2. This act shall take effect upon becoming law, the public welfare requiring it.