

SENATE BILL 1725

By Tate

AN ACT to amend Tennessee Code Annotated, Title 71, Chapter 5, Part 1, relative to confidentiality of certain reimbursement information provided to the Tennessee department of commerce and insurance or to the TennCare bureau or any successor entity operated by the state of Tennessee for the purpose of administering the TennCare program.

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

SECTION 1. Tennessee Code Annotated, Title 71, Chapter 5, Part 1, is amended by deleting § 71-5-142(a) in its entirety and substituting instead the following language:

71-5-142.

(a)

(1) Except as provided in subdivision (a)(2), all proprietary information provided either to the Tennessee department of commerce and insurance or to the TennCare bureau, or any successor entity operated by the state of Tennessee for the purpose of administering the TennCare program, or any successor program shall be deemed confidential and not subject to disclosure under the Tennessee public records law, compiled in title 10, chapter 7.

(2) All hospital provider reimbursement information provided either to the Tennessee department of commerce and insurance or to the TennCare bureau, or any successor entity operated by the state of Tennessee for the purpose of administering the TennCare program, or any successor program shall be deemed subject to disclosure under the Tennessee public records law, compiled in title 10, chapter 7.

(3) However, nothing contained in this section shall be construed to conflict with or obviate the provisions of §§ 56-9-202(b) and 56-9-504(f).

SECTION 2. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.