

SENATE BILL 1753

By Massey

AN ACT to amend Tennessee Code Annotated, Title 8;
Title 56 and Title 68, relative to accidental fentanyl
poisoning.

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) A policy of accident and sickness insurance must not be issued, delivered, or amended in this state, on or after January 1, 2024, if the policy contains a provision that limits, excludes, or denies payments of benefits to or on behalf of the insured because the insured or a covered dependent is injured or dies as the result of accidental fentanyl poisoning.

(b) As used in this section, "accidental fentanyl poisoning" means an acute condition, including extreme physical illness, coma, unresponsiveness, decreased level of consciousness, respiratory depression, or death resulting from the consumption of fentanyl, or another substance with which fentanyl was combined.

SECTION 2. Tennessee Code Annotated, Section 68-3-502(d), is amended by adding the following language at the end of the subsection:

An opiate, illegal, or illicit drug overdose must not be listed as the cause of death when fentanyl is determined to be the cause of or a contributing factor in the death. When fentanyl is determined to be the cause of or a contributing factor in the death, the cause of death must be listed as accidental fentanyl poisoning. As used in this subsection (d), "accidental fentanyl poisoning" has the same meaning as defined in SECTION 1(b).

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