

SENATE BILL 1788

By Herron

AN ACT to amend Tennessee Code Annotated, Title 3 and  
Title 71, relative to TennCare.

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

SECTION 1. Tennessee Code Annotated, Section 71-5-104, is amended by designating the existing language as subsection (a) and by adding the following language as new subsections thereto:

(b) The department shall notify each member of the general assembly when the department:

(1) Proposes a change in services or reimbursement that affects more than two hundred fifty (250) beneficiaries; or

(2) Proposes a change that will affect current or future appropriations made by the general assembly in any amount that is greater than one hundred thousand dollars (\$100,000.00).

(c) The notice required by subsection (b) shall include:

(1) A description of the department's current practice or policy that the department is proposing to change;

(2) An explanation of the reason for the proposed change;

(3) The proposed change in services or reimbursement, including a description of the effect of the change;

(4) The effect of an increase or decrease in services or benefits on individuals and families; and

(5) The effect of the proposed change on current or future appropriations made by the general assembly.

(d) In accordance with subsection (b), the department shall send notice to each member of the general assembly via email or other type of electronic communication.

SECTION 2: Tennessee Code Annotated, Section 3-15-508, is amended by deleting subsection (d) in its entirety and substituting instead the following:

(d) Before the commissioner of health may submit a request for an amendment to the waiver or a renewal of the waiver for the TennCare program to the United States department of health and human services, the commissioner shall:

(1) Transmit such proposed amendment to the committee for comment at least thirty (30) days prior to submission of the waiver to the department of health and human services; and

(2) Notify each member of the general assembly of such proposed amendment or renewal via email or other type of electronic communication.

SECTION 3. Tennessee Code Annotated, Section 3-15-508, is further amended by adding a new subsection thereto:

(e) No such amendment or renewal subject to the provisions of subsection (d) may be submitted or take effect unless the committee has been afforded the opportunity to comment. Since such amendment or renewal requests are legally enforceable when they take effect, the committee shall review such amendments or renewal requests in the same manner as proposed legislation, subject to the thirty-day period required by subsection (d).

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it.