

SENATE BILL 1828

By Lamar

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

WHEREAS, access to health care for children is important to the child, the child's family, and society at large; and

WHEREAS, access to health care can influence a child's physical and emotional health, growth and development, and the child's capacity to reach their full potential as adults; and

WHEREAS, children are at increased risk of developing preventable conditions if appropriate care is not available when they are sick or injured; and

WHEREAS, many children who are under the age of eighteen and Tennessee residents already qualify for the TennCare Medicaid program or the CoverKids program; and

WHEREAS, this State has a compelling interest to ensure all eligible children in Tennessee have continuous access to healthcare coverage; now, therefore,

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 adding the following as a new section:

(a) As used in this section:

(1) "Bureau" means the bureau of TennCare;

(2) "CoverKids program" means the program created pursuant to the CoverKids Act of 2006, compiled in title 71, chapter 3, part 11;

(3) "Director" means the director of TennCare; and

(4) "Minor" means a person who has not attained eighteen (18) years of age.

(b) Notwithstanding § 71-5-106 or another law, and to the extent permitted by federal law, on and after July 1, 2025, a minor who is enrolled in TennCare medicaid or the CoverKids program remains eligible for TennCare medicaid and the CoverKids program until the minor reaches eighteen (18) years of age.

(c) The bureau shall not subject a minor described in subsection (b) to a redetermination of eligibility or disenroll the minor from TennCare medicaid or the CoverKids program unless the bureau has knowledge to indicate that:

- (1) The minor's parent or guardian requests the minor's voluntary disenrollment;
- (2) The minor is deceased;
- (3) The minor no longer resides in this state;
- (4) The minor's family income exceeds eligibility limits for TennCare medicaid and the CoverKids program; or
- (5) Initial enrollment of the minor was based on a bureau error or on fraud, abuse, or perjury by the minor's parent or guardian in a manner that would disqualify the minor for enrollment eligibility in TennCare medicaid or the CoverKids program.

(d) This section does not prohibit the bureau from shifting an enrolled minor from TennCare medicaid to the CoverKids program, or from the CoverKids program to TennCare medicaid, for purposes of maintaining eligibility.

(e) The director shall submit to the federal centers for medicare and medicaid services a request for any federal waiver the director deems necessary to effectuate this section no later than December 31, 2024.

SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it.