

SENATE BILL 2061

By Stevens

AN ACT to amend Tennessee Code Annotated, Title 29,
Chapter 26, Part 1, relative to healthcare liability.

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

SECTION 1. Tennessee Code Annotated, Section 29-26-121(a), is amended by deleting subdivision (5) in its entirety and substituting instead the following:

(5)

(A) As used in this subdivision (a)(5), "person" includes an individual or entity.

(B) If a person receives notice of a potential claim for health care liability and asserts that the person would not be a proper defendant pursuant to § 29-26-102, that person shall provide, within thirty (30) days of receiving the notice of a potential claim, written notice to the potential claimant stating that assertion. The written notice shall be responsive to the potential claimant's notice, but a person's failure to provide a written notice as required by this subdivision (a)(5)(B) shall not constitute a waiver of any procedural or substantive right, remedy, privilege, or defense that is otherwise available or that may become available to that person.

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