

SENATE BILL 2131

By Johnson

AN ACT to amend Tennessee Code Annotated, Title 49, relative to prohibiting Tennessee school systems from distributing information on the Affordable Care Act to families of students.

WHEREAS, the Patient Protection and Affordable Care Act (Public Law 111-148) was an unwise and costly initiative of the federal government; and

WHEREAS, as the federal Patient Protection and Affordable Care Act moves toward fuller implementation, the federal government and some interest groups have expressed interest in using schools in facilitating implementation of this federal legislation; and

WHEREAS, in some states, various persons and groups have suggested including information on enrolling in federally sponsored health insurance and Medicaid programs in mailings to families of school students dealing with Medicaid programs and children's health insurance programs (CHIP); and

WHEREAS, the federal government has not appropriated adequate funds for the implementation of this federal legislation and the scarce resources of public school systems should not be employed to promote this unwise and costly federal initiative; and

WHEREAS, the federal Department of Education lacks adequate authority to disseminate information and facilitate implementation of the Patient Protection and Affordable Care Act; and

WHEREAS, facilitating implementation of this federal legislation is outside of the mission of Tennessee schools and does not further the education of Tennessee school children; and

WHEREAS, it distracts from the clear mission of Tennessee's TennCare/Medicaid program and the Tennessee CHIP program to import implementation materials concerning the

Patient Protection and Affordable Care Act into packets containing information on established Tennessee programs; and

WHEREAS, using mailings from public school systems to assist the implementation of the Patient Protection and Affordable Care Act is wasteful and inappropriate; now, therefore, BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 2, Part 1, is amended by adding the following as a new section:

49-2-129. Notwithstanding any other provisions of this title, or titles 4 or 71, a local education agency is prohibited from including information on the Patient Protection and Affordable Care Act (P.L. 111-148), as amended, in any mailings to families of students concerning medical assistance, TennCare or the children's health insurance program (CHIP).

SECTION 2. This act shall take effect July 1, 2014, the public welfare requiring it.