

SENATE BILL 2429

By Harper

AN ACT to amend Tennessee Code Annotated, Title 68, Chapter 11, relative to certificates of need for nursing home beds.

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

SECTION 1. Tennessee Code Annotated, Title 68, Chapter 11, Part 16, is amended by adding the following language as a new section:

68-11-1632

(a) Any existing licensed and operating nursing home may divide and relocate a portion of its licensed beds to not more than two (2) new locations (each being a “qualified partial relocation”), with not more than two hundred sixty (260) beds to be relocated pursuant to each qualified partial relocation, if the existing nursing home facility meets all of the following criteria:

(1) The existing nursing home facility is licensed by the department for at least four hundred (400) beds on the effective date of this act;

(2) The existing nursing home facility has operated for at least forty-five (45) years at its current location;

(3) The existing nursing home facility is located in a county with a metropolitan form of government and a population in excess of five hundred thousand (500,000), according to the 2010 federal census or any subsequent federal census;

(4) Any qualified partial relocation facility is located in the same county as the existing nursing home facility; and

(5) An application for the qualified partial relocation of the beds is filed with and approved by the agency pursuant to this part.

(b) An application for a qualified partial relocation of a nursing home facility that does not seek to increase the number of licensed beds from the number of beds to be relocated shall be reviewed by the department and considered by the agency pursuant to § 68-11-1609(b), and shall not be considered new nursing home beds. The criteria of §§ 68-11-1621 and 68-11-1622 shall not apply to an application for a qualified partial relocation of a nursing home facility filed with the agency pursuant to this section.

(c) Nothing in this section shall affect a certificate of need project filed before the effective date of this act.

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

it.