

SENATE BILL 2750

By Bell

AN ACT to amend Tennessee Code Annotated, Title 68, Chapter 11, Part 2, relative to independent informal dispute resolution for nursing homes.

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

SECTION 1. Tennessee Code Annotated, Title 68, Chapter 11, Part 2, is amended by adding the following language as a new, appropriately designated section:

68-11-2\_\_.

(a) The Tennessee department of health shall establish an independent informal dispute resolution program (IIDR) for nursing homes, as required by § 6111 of the Patient Protection and Affordable Care Act (The Affordable Care Act) (Pub. L. 111-148).

(b) The IIDR panel will consist of three (3) independent panel members possessing the proper education, work experience, knowledge and without any conflicts of interest.

(1) An independent panel member must:

(A) Be currently licensed in Tennessee as a registered nurse, nursing home administrator, pharmacist, social worker, or physician;

(B) Be in good standing with any state licensing board where the independent panel member holds a current license and never been subject to formal, public disciplinary action;

(C) Work a minimum of two (2) years in a long term care setting;  
and

(D) Have no conflicts of interest. A conflict of interest exists if the individual:

(i) Is employed by the State of Tennessee;

(ii) Is employed by a nursing home in Tennessee;

(iii) Has a financial interest in the facility requesting an

IIDR; or

(iv) Has served as a surveyor or monitor within the last two

(2) years in the facility requesting an IIDR.

(E) Be knowledgeable of federal nursing home certification regulations and guidelines. An independent panel member meets these qualifications if the independent panel member has:

(i) Passed the standard minimum qualification test (SMQT)

within the past eight (8) years; or

(ii) Been employed in a leadership role within a nursing

home as medical director, administrator, director of nursing, regional administrator or equivalent for no less than five (5) of the past fifteen (15) years.

(c) Any facility requesting an IIDR may submit exhibits or other documentation from its records to support its case without a page limitation.

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

it.