

Amendment No. 2 to HB2089

Hazlewood
Signature of Sponsor

AMEND Senate Bill No. 2098

House Bill No. 2089*

by inserting the following as a new Section 52-5-109 in SECTION 1:

52-5-109. Change to rule, regulation, policy, or guideline; estimate of fiscal impact on licensee; review.

As used in this section, "fiscal impact" means any increase, decrease, or other change in revenue, expenditures, or fiscal liability. The department of intellectual and developmental disabilities shall assess in writing the fiscal impact on licensees under chapter 2, part 4 of this title, of any change to any rule, regulation, policy, or guideline relating to the staffing, physical plant, or operating procedures of the licensee for rendering services pursuant to a contract, grant, or agreement with the department. Unless exigent circumstances require the change to be implemented sooner, no less than thirty (30) days before the change in the rule, regulation, policy, or guideline is to take effect, the commissioner of intellectual and developmental disabilities shall transmit the department's estimate of fiscal impact to the finance, ways and means committee of the house of representatives, the finance, ways and means committee of the senate, and the comptroller of the treasury for any appropriate review. If exigent circumstances, such as an unforeseen court order, require a change to be implemented sooner, then the department shall provide a statement describing the exigent circumstances that prevented thirty (30) days' notice to the finance, ways and means committee of the house of representatives, the finance, ways and means committee of the senate, and the comptroller of the treasury no later than five (5) days after implementing the change. In that case, the department shall provide the estimate of fiscal impact to such entities

within sixty (60) days after implementing the change. This section shall cease to apply in its entirety on the effective date of integration of services for members with intellectual or other developmental disabilities into the state's existing managed care service delivery system, as approved by the centers for medicare and medicaid services through Amendment 1 of the TennCare III Demonstration pursuant to 42 U.S.C.A. § 1315.