



March 25, 2024

SUMMARY OF BILL AS AMENDED (017362): Requires an authorized complex rehabilitation technology (CRT) supplier to repair a CRT wheelchair or manual wheelchair that the supplier sold to a consumer, unless:

- (1) The consumer has moved outside of the original supplier's service area;
- (2) The repair is needed as the result of damage caused by consumer abuse or misuse of the complex rehabilitation technology that restricts the consumer's health insurance coverage, and the consumer refuses to pay for the repair; or
- (3) The consumer, or the consumer's representative, poses a potential threat to the health and safety of the supplier.

Authorizes a consumer who owns a power wheelchair or manual wheelchair to choose to self-repair the power wheelchair or manual wheelchair or have repairs performed by an independent repair provider. Establishes that an original equipment manufacturer is not liable for faulty or otherwise improper repairs provided by an independent repair provider or owner. Requires the Department of Commerce and Insurance (DCI) to develop an attestation statement that an authorized CRT supplier must submit affirming compliance with the applicable repair and service requirements.

Requires a policy, certificate, or agreement for health insurance coverage issued under the TennCare program to provide coverage and reimbursement for medically necessary repairs provided by authorized CRT equipment suppliers and for at least one preventative maintenance visit per year performed by an authorized CRT technology supplier. Requires a new TennCare enrollee to be informed of such required coverage at the time of initial enrollment, and a current TennCare enrollee to be informed when renewing a policy, certificate, or agreement for TennCare coverage.

Prohibits a TennCare insurance policy, certificate, or agreement from requiring medical documentation or proof of continued need for a repair or preventative maintenance of a CRT. Allows a policy issued under the TennCare program to require documentation needed for a medical necessity determination. Requires TennCare policies to provide coverage for telehealth visits for CRT consistent with federal law and regulations.

FISCAL IMPACT OF BILL AS AMENDED:

NOT SIGNIFICANT

Assumptions for the bill as amended:

- The proposed legislation will not require the Division of TennCare (Division) to provide coverage for CRT repairs that are not deemed to be medically necessary.
- Based on information provided by the Division, the proposed legislation can be accommodated within existing resources, without an increase in expenditures.
- The DCI can comply with the provisions of the legislation and monitor compliance utilizing existing personnel and resources.

IMPACT TO COMMERCE OF BILL AS AMENDED:

NOT SIGNIFICANT

Assumption for the bill as amended:

- Any impact to commerce or jobs in Tennessee as a result of the proposed legislation is estimated to be not significant.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.



Krista Lee Carsner, Executive Director

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