

HOUSE BILL 437

By Brooks H

AN ACT to amend Tennessee Code Annotated, Title 29;
Title 56; Title 63 and Title 68, relative to
authorization of medical care by insurers.

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

SECTION 1. Tennessee Code Annotated, Title 56, Chapter 7, Part 10, is amended by adding the following as a new section:

(a) Notwithstanding this title, or titles 63 or 68, any employee, consultant, affiliate, or subcontractor of a health insurance entity, as that entity is defined in § 56-7-109, that approves, disapproves, acts in an advisory role concerning, or recommends appropriate medical care or treatment for a patient to a health care provider under this title, including chapter 6, part 7, is practicing a healing art and must:

(1) Be licensed to practice in this state under title 63, chapter 6, 7, 9, or 19; and

(2) Agree to be subject to any civil or criminal penalty, enforcement procedure, or other liability, including a health care liability action under title 29, chapter 26, to the same extent as any practitioner who is licensed under title 63, chapter 6, 7, 9, or 19.

(b) Notwithstanding this title, or titles 63 or 68, any employee, consultant, affiliate, or subcontractor of a health insurance entity, as that entity is defined in § 56-7-109, that approves, disapproves, acts in an advisory role concerning, or recommends appropriate medical care or treatment for a patient of a hospital or other health facility to a health care provider under this title, including chapter 6, part 7, is practicing a healing art and must obtain appropriate staff privileges at any hospital or facility in order to

approve, disapprove, advise, or recommend appropriate medical care or treatment at the facility. The hospital or facility may remove or condition the staff privileges of persons with privileges under this subsection in the same manner as it would for any other practitioner at the facility.

SECTION 2. This act shall take effect January 1, 2018, the public welfare requiring it.