



State of Tennessee

PUBLIC CHAPTER NO. 512

HOUSE BILL NO. 643

By Representatives Carter, Littleton, Russell, Sherrell, Jerry Sexton, Camper, Bricken, Helton, Hazlewood, Howell, Byrd, Doggett, Calfee, Vaughan, Powell, Chism, Ogles, Ragan, Williams, Crawford, Tillis, Hardaway, Powers, Smith, White, Reedy, Moon, Terry, Hicks, Hall, Marsh, Curcio, Holt, Shaw, Cochran, Weaver, Keisling, Windle, Haston

Substituted for: Senate Bill No. 579

By Senators Gardenhire, Bell, Haile, Hensley, Massey, Yager

AN ACT to amend Tennessee Code Annotated, Title 8, Chapter 21; Title 8, Chapter 42; Title 9, Chapter 8; Title 13, Chapter 26; Title 29, Chapter 20; Title 33, Chapter 2; Title 33, Chapter 6; Title 33, Chapter 7; Title 37, Chapter 1; Title 56; Title 63; Title 68 and Title 71, relative to transportation service for persons with developmental disabilities, mental illness, and serious emotional disturbance.

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

SECTION 1. Tennessee Code Annotated, Section 33-6-406, is amended by adding the following as new subsections:

(c)

(1) Subject to annual appropriations, there is established a grant program to assist sheriffs required to transport persons to a hospital or treatment resource for emergency mental health transport under this section. The department of finance and administration, in consultation with the department of mental health and substance abuse services and the division of TennCare, shall develop and administer the grant program. Assistance from this grant program must not be provided for emergency mental health transports where a physician, psychologist, or designated professional determines that the person can be transported by one (1) or more friends, neighbors, or other mental health professionals familiar with the person, relatives of the person, or a member of the clergy pursuant to § 33-6-901.

(2) A sheriff may contract with one (1) or more third parties or other law enforcement agencies to transport persons to a hospital or treatment resource in accordance with this section. The sheriff shall deem a third party or law enforcement agency contracted to perform this function to be the designated secondary transportation agent pursuant to § 33-6-901. Any contract entered into under this subsection (c) is subject to audit by the comptroller of the treasury or the comptroller's designee.


(3) A sheriff may receive grant funds provided under this subsection (c) and pay the grant funds to third parties or other law enforcement agencies with which the sheriff contracts to transport persons to a hospital or treatment resource in accordance with this section. The receipt or expenditure of grant funds received by a sheriff under this subsection (c) is subject to audit by the comptroller of the treasury or the comptroller's designee.

(d) If telehealth services are available and offered by a hospital or treatment resource at which a person is proposed to be admitted pursuant to title 33, chapter 6, part 4, then the hospital or treatment resource may elect to conduct an evaluation for admission under § 33-6-407 through telehealth as defined in § 56-7-1002.


SECTION 2. This act shall take effect July 1, 2019, the public welfare requiring it.

HOUSE BILL NO. 643

PASSED: May 1, 2019



GLEN CASADA, SPEAKER
HOUSE OF REPRESENTATIVES



RANDY MCNALLY
SPEAKER OF THE SENATE

APPROVED this 3rd day of June 2019



BILL LEE, GOVERNOR