

HOUSE BILL 1682

By Lamberth

AN ACT to amend Tennessee Code Annotated, Section 33-6-503 and Section 33-6-421, relative to licensed professionals who may sign certificates of need.

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

SECTION 1. Tennessee Code Annotated, Section 33-6-421, is amended by deleting the section and substituting:

The chief officer shall file with the court, by the time of the probable cause hearing, certificates of need for care and treatment from two (2) licensed physicians; one (1) licensed physician and one (1) psychologist qualified under § 33-6-427(a); or one (1) licensed physician and one (1) qualified advanced practice provider as defined in § 33-6-407(a), certifying that the defendant satisfies the requirements of § 33-6-502(1)-(4), and certifying that if involuntary treatment is not continued, the defendant's condition resulting from mental illness or serious emotional disturbance is likely to deteriorate rapidly to the point that the defendant would again be admissible under § 33-6-403, and showing the factual foundation for the conclusions on each item of the certificates.

SECTION 2. Tennessee Code Annotated, Section 33-6-503, is amended by deleting the section and substituting:

No defendant may be judicially committed under this part unless two (2) licensed physicians; one (1) licensed physician and one (1) licensed psychologist qualified under § 33-6-427(a); or one (1) licensed physician and one (1) qualified advanced practice provider as defined in § 33-6-407(a), file in the commitment proceeding certificates of need for care and treatment certifying that the defendant satisfies the requirements of § 33-6-502(1)-(4) and showing the factual foundation for the conclusions on each item. No

defendant who is a child under sixteen (16) years of age may be judicially committed under this part unless one (1) of the certificates is filed by a physician, psychologist, or qualified advanced practice provider with experience with children.

SECTION 3. This act takes effect July 1, 2024, the public welfare requiring it.