

HOUSE BILL 1904

By Dean

AN ACT to amend Tennessee Code Annotated, Title 4;  
Title 5; Title 6; Title 7; Title 12; Title 33; Title 38;  
Title 41; Title 56 and Title 71, relative to persons in  
custody.

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

SECTION 1. Tennessee Code Annotated, Section 4-3-1014(a), is amended by deleting the language "The department of finance and administration is authorized to create "and by substituting instead the language "On or before January 1, 2015, the department of finance and administration shall create".

SECTION 2. Tennessee Code Annotated, Title 33, Chapter 6, Part 1, is amended by adding the following as a new section:

33-6-110. As part of the annual training of police officers under § 38-8-119, the department shall provide training to law enforcement officers in order to enable officers to recognize mentally impaired individuals at risk of coming into custody and to suggest appropriate protocols for responses to such individuals.

SECTION 3. Tennessee Code Annotated, Title 33, Chapter 7, Part 1, is amended by adding the following as a new section:

33-7-105. The commissioner is authorized to contract with regional mental health providers at appropriately secure hospitals and facilities in order to provide efficient, economical and safe treatment and evaluation of inmates under this chapter.

SECTION 4. Tennessee Code Annotated, Section 41-8-106, is amended by adding the following as a new subsection (i):

(i) Notwithstanding any other provision of this title, a county shall be entitled to prompt adequate reimbursement for expenses as provided in this section for housing

convicted felons in county jails from the date of conviction. A county shall be entitled to such reimbursement for prisoners who have been convicted and who are awaiting sentencing.

SECTION 5. Tennessee Code Annotated, Title 71, Chapter 4, Part 11, is amended by adding the following as a new section:

71-4-1116.

Notwithstanding § 71-4-1103(4)(A), an individual who is an inmate of a public institution is eligible for assistance under this part to the full extent permitted by federal law. An individual may have eligibility for assistance suspended but not terminated during periods of actual incarceration.

SECTION 6. Tennessee Code Annotated, Section 71-5-106, is amended by adding the following as a new subsection:

(r)

(1) An individual who is an inmate of a public institution is eligible for medical assistance to the full extent permitted by federal law when the individual is a patient in a medical institution. An individual shall have eligibility for medical assistance suspended but not terminated during periods of actual incarceration. An inmate shall be eligible for temporary reinstatement of medical assistance for care received outside of a jail or correctional facility in a hospital or other health care facility for more than twenty-four (24) hours.

(2) The commissioner of finance and administration shall coordinate with the commissioner of correction and with county mayors and sheriffs in order to effectuate the implementation of this subsection (r). The commissioner of finance and administration shall seek any necessary state plan or federal waivers necessary in order implement this subsection (r).

SECTION 7. This act shall take effect July 1, 2014, the public welfare requiring it.