

HOUSE BILL 2072

By Kernell

AN ACT to amend Tennessee Code Annotated, Section 4-5-320, relative to the Uniform Administrative Procedures Act.

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

SECTION 1. Tennessee Code Annotated, 4-5-320, is amended by adding the following language as new, appropriately designated subsections (e) and (f), respectively:

(e) All proceedings by any state department, division or agency to impose sanctions against a licensed entity whereby such sanctions would affect the ability of the entity to exercise the rights and privileges granted by its license, regardless of whether the entity is a contractor with or provider for any unit of Tennessee state government, shall be conducted in accordance with this chapter. The proceedings shall include, but not be limited to, notice and an opportunity for a hearing before an administrative law judge who shall issue an initial order.

(f) No licensed entity shall be required, as a condition of contracting with any unit of Tennessee state government, to waive, forfeit or relinquish any procedural due process right conferred by its license or any other right under federal, state or local law.

SECTION 2. This act shall take effect upon becoming law, the public welfare requiring it.