

HOUSE BILL 2239

By Lamberth

AN ACT to amend Tennessee Code Annotated, Title 53,
Chapter 10, Part 3, relative to the controlled
substance database.

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

SECTION 1. Tennessee Code Annotated, Section 53-10-302(9), is amended by adding the following subdivision:

(D) A state or county medical examiner appointed pursuant to § 38-7-103 or § 38-7-104;

SECTION 2. Tennessee Code Annotated, Section 53-10-302(10), is amended by deleting the first sentence of the subdivision and substituting instead the following:

"Healthcare practitioner delegate" means any person designated by a healthcare practitioner to act as an agent of the healthcare practitioner, upon registering the person as a delegate and providing any information required by the department.

SECTION 3. Tennessee Code Annotated, Section 53-10-303(c), is amended by deleting the language "seven (7)" and substituting instead the language "six (6)".

SECTION 4. Tennessee Code Annotated, Section 53-10-306(a)(6), is amended by deleting the language "or deputy state chief medical examiner appointed pursuant to § 38-7-103" and substituting instead the language "a deputy state chief medical examiner, an assistant state medical examiner".

SECTION 5. Tennessee Code Annotated, Section 53-10-306(a)(7), is amended by deleting the subdivision and substituting instead the following:

(7) Personnel or contractors of TennCare, including personnel of the office of inspector general and the medicaid fraud control unit, actively engaged in analysis of

controlled substances prescription information as a part of their assigned duties and responsibilities related directly to TennCare applicants and enrollees;

SECTION 6. Tennessee Code Annotated, Section 53-10-306(a)(8), is amended by deleting the subdivision.

SECTION 7. Tennessee Code Annotated, Section 53-10-306(l), is amended by deleting the subsection and substituting instead the following:

(l) Personnel of the department of mental health and substance abuse services actively engaged in analysis of controlled substances prescription information as a part of their assigned duties and responsibilities may access the database for controlled substances prescription information for specific patients or healthcare practitioners.

SECTION 8. Tennessee Code Annotated, Section 53-10-306(n), is amended by deleting the language "aggregate unidentifiable" and substituting instead the word "deidentified".

SECTION 9. Tennessee Code Annotated, Section 53-10-306, is amended by adding the following subsection:

() Deidentified information from the database must not include the identifying information of any patient, healthcare practitioner, healthcare practitioner delegate, or healthcare facility.

SECTION 10. Tennessee Code Annotated, Section 53-10-308(b), is amended by deleting the word "aggregate" and substituting instead the word "deidentified".

SECTION 11. Tennessee Code Annotated, Section 53-10-311(e)(2)(B), is amended by deleting the subdivision and substituting instead the following:

(B) Data sharing consistent with the requirements of § 53-10-306.

SECTION 12. This act shall take effect upon becoming a law, the public welfare requiring it, and applies to actions taken on or after the effective date of this act.