

HOUSE BILL 2397

By Littleton

AN ACT to amend Tennessee Code Annotated, Title 63
and Title 68, relative to cytomegalovirus.

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

SECTION 1. Tennessee Code Annotated, Title 68, Chapter 5, Part 1, is amended by adding the following as a new section to be appropriately designated:

(a) As used in this section, "CMV" means cytomegalovirus.

(b) If a "healthcare provider," as defined by § 63-6-703, who assumes responsibility for the prenatal care of either pregnant women during gestation or women who may become pregnant, has determined that a patient is at risk of contracting CMV, the healthcare provider or the healthcare provider's facility shall inform that patient regarding:

(1) The incidence of CMV;

(2) The transmission of CMV to at-risk women who are pregnant or who may become pregnant;

(3) Birth defects caused by congenital CMV;

(4) Methods of diagnosing congenital CMV; and

(5) Available preventative measures.

(c) Healthcare providers covered under subsection (b) are encouraged to provide all other patients with information identifying where the patients can learn about CMV.

(d)

(1) Nothing in this section shall be construed to create or impose liability for failing to comply with the requirements of this section.

(2) Nothing in this section shall be deemed to create a duty of care or other legal obligation beyond the requirements set forth in this section.

SECTION 2. This act shall take effect July 1, 2016, the public welfare requiring it.