



State of Tennessee

PUBLIC CHAPTER NO. 761

HOUSE BILL NO. 2773

By Representatives Cochran, Faison, Lamberth, Zachary, Williams, Grills, Boyd, Moody, Doggett, Cepicky, Alexander, Richey, Littleton, Vital, Sherrell, Davis, Burkhart

Substituted for: Senate Bill No. 2482

By Senators Rose, Crowe, Hensley, Niceley, Pody

AN ACT to amend Tennessee Code Annotated, Title 33; Title 66 and Title 68, relative to parental access to a minor child's medical information.

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

SECTION 1. This act is known and may be cited as the "Cassie Wright Act."

SECTION 2. Tennessee Code Annotated, Section 33-3-207, is amended by designating the existing language as subsection (c) and adding the following as new subsections (a) and (b):

(a) If a service recipient is an unemancipated minor, the duty imposed by § 33-3-206 may be discharged by the professional or service provider by notifying the unemancipated minor's parent, legal guardian, or legal custodian and satisfying the requirements of subsection (c).

(b) If a professional or service provider reports to law enforcement regarding a threat of bodily harm communicated by a service recipient who is an unemancipated minor, pursuant to § 33-3-206, then the professional shall also report information about the threat to the unemancipated minor's parent, legal guardian, or legal custodian.

SECTION 3. Tennessee Code Annotated, Section 33-8-202, is amended by adding the following as a new subsection (c):

(c) Notwithstanding subsections (a) and (b), and to the extent allowable by federal privacy laws and regulations:

(1) A child's parent, legal guardian, or legal custodian may access any prescription records resulting from treatment provided to an unemancipated minor pursuant to this section;

(2) Notwithstanding subdivision (c)(1), a child's parent, legal guardian, or legal custodian shall not access prescription records resulting from the treatment provided to an unemancipated minor pursuant to this section if the treating professional is required to report abuse of the unemancipated minor pursuant to § 37-1-403 or § 37-1-605, and the treating professional believes that access to the prescription records is reasonably likely to endanger the life or physical safety of the minor; and

(3) If an unemancipated minor communicates suicidal ideations to the treating professional, and the professional, using the reasonable skill, knowledge, and care ordinarily possessed and exercised by the professional's specialty under similar circumstances, has determined or reasonably should have determined that the unemancipated minor has the apparent ability to attempt suicide and is likely to attempt suicide unless prevented from doing so, then the treating professional shall, in addition to any other duties required by law, report such suicidal ideations to the unemancipated minor's parent, legal guardian, or legal custodian.

SECTION 4. Tennessee Code Annotated, Section 68-11-304, is amended by adding the following as new subsections:

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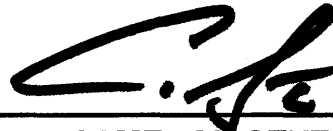
(i) If an unemancipated minor receives medical treatment, then the minor's parent, legal guardian, legal custodian, or other person with medical decision-making authority for the unemancipated minor may access, and a healthcare provider or healthcare facility shall provide access to, any prescription records resulting from medical treatment of the minor, even if the treatment was provided to the unemancipated minor without parental consent, including, but not limited to, treatment provided pursuant to § 68-10-104(c), § 68-34-107, § 63-6-220, § 63-6-222, or § 63-6-223.

(j) Notwithstanding subsection (i), a child's parent, legal guardian, or legal custodian shall not access prescription records resulting from the treatment provided to an unemancipated minor without parental consent, including, but not limited to, treatment provided pursuant to § 68-10-104(c), § 68-34-107, § 63-6-220, § 63-6-222, or § 63-6-223, if the treating professional is required to report abuse of the unemancipated minor pursuant to § 37-1-403 or § 37-1-605, and the treating professional believes that access to the prescription records is reasonably likely to endanger the life or physical safety of the minor.


SECTION 5. This act takes effect upon becoming a law, the public welfare requiring it.

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PASSED: April 1, 2024



CAMERON SEXTON, SPEAKER
HOUSE OF REPRESENTATIVES



RANDY MCNALLY
SPEAKER OF THE SENATE

APPROVED this 22nd day of April 2024



BILL LEE, GOVERNOR