

SENATE BILL 139

By Lowe

AN ACT to amend Tennessee Code Annotated, Title 33;
Title 68 and Title 71, relative to healthcare.

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

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

(a)

(1) Each hospital that accepts medicaid must include on a patient's admission or registration forms a provision for the patient or the patient's representative to indicate whether the patient is:

(A) A citizen of the United States;

(B) Lawfully present in the United States; or

(C) Not lawfully present in the United States.

(2) The provision must be followed by a statement that the response will not affect patient care or result in a report of the patient's citizenship status to law enforcement or to the bureau of immigration and customs enforcement of the United States department of homeland security.

(b) Within thirty (30) calendar days after the end of each quarter, each hospital that accepts medicaid shall submit a report to the department of health with the number of hospital admissions and emergency department visits within the previous quarter that were made by a patient who:

(1) Was:

(A) A citizen of the United States or lawfully present in the United States; and

(B) Not lawfully present in the United States; and

(2) Declined to answer.

(c)

(1) On or before July 1, 2026, and on or before July 1 of each subsequent year, the department of health shall submit to the governor, the speaker of the senate, and the speaker of the house of representatives a report of the total number of hospital admissions and emergency department visits for the previous year for which the patient or patient's representative reported that the patient:

(A) Was:

(i) A citizen of the United States or lawfully present in the United States; and

(ii) Not lawfully present in the United States; and

(B) Declined to answer.

(2) The report must describe information relating to the costs of uncompensated care for a person who is not lawfully present in the United States, the impact of uncompensated care on the cost or ability of hospitals to provide services to the public, hospital funding needs, and other related information.

(d) The department of health is authorized to promulgate rules to effectuate this section. The rules must be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5. Any rules promulgated by the department of health to effectuate this section must not require the disclosure of patient names or other personal identifying information to the department of health.

SECTION 2. For purposes of promulgating rules, this act takes effect upon becoming a law, the public welfare requiring it. For all other purposes, this act takes effect July 1, 2025, the public welfare requiring it.