

SENATE BILL 273

By Kelsey

AN ACT to amend Tennessee Code Annotated, Section 29-26-121(f)(1)(C), relative to qualified protective orders in healthcare liability actions.

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

SECTION 1. Tennessee Code Annotated, Section 29-26-121(f)(1)(C), is amended by deleting the subdivision in its entirety and by substituting instead the following:

(C)

(i) The qualified protective order shall expressly limit the dissemination of any protected health information to the litigation pending before the court and require the defendant or defendants who conducted the interview to return to the healthcare provider or destroy any protected health information obtained in the course of any such interview, including all copies, at the end of the litigation.

(ii) The qualified protective order shall expressly provide that participation in any such interview by a treating healthcare provider is voluntary.

SECTION 2. This act shall take effect July 1, 2013, and shall apply to all healthcare liability actions commenced on or after July 1, 2013, the public welfare requiring it.