

SENATE BILL 319

By Norris

AN ACT to amend Tennessee Code Annotated, Section 33-2-403, relative to licensing of personal support services agencies.

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

SECTION 1. Tennessee Code Annotated, Section 33-2-403(a), is amended by deleting the subsection in its entirety and substituting instead the following:

(a) The departments have the authority to license services and facilities operated for the provision of mental health services, alcohol and drug abuse prevention and/or treatment, for the provision of services for intellectual and developmental disabilities and for personal support services. The department of mental health and substance abuse services shall license services and facilities operated for persons with mental illness and/or serious emotional disturbance or in need of alcohol and drug abuse prevention and/or treatment services. Subject to subsection (c), the department of mental health and substance abuse services shall also license personal support services for the aged as well as persons with mental illness. Subject to subsection (c), services and facilities operated for persons with intellectual or developmental disabilities and personal support services for persons with intellectual or developmental disabilities shall be licensed by the department of intellectual and developmental disabilities. Notwithstanding any references in this part to the licensing of "facilities" or "services," only persons, proprietorships, partnerships, associations, governmental agencies, or corporations may be listed on license applications or licenses as the licensed entity.

SECTION 2. Tennessee Code Annotated, Section 33-2-403(c), is amended by deleting the subsection in its entirety and substituting instead the following:

(c)

(1) A service or facility that can demonstrate compliance with rules and standards by a previously acquired license from another state agency is considered in compliance with rules and standards under this part so that duplicate licensing is not necessary.

(2) An agency licensed as a personal support service agency under this title shall, at the time of licensing, designate the population it proposes to serve.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.