

SENATE BILL 774

By Yarbro

AN ACT to amend Tennessee Code Annotated, Title 56,
relative to preexisting conditions.

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

SECTION 1. This act shall be known and may be cited as the "Tennessee Preexisting Conditions Protection Act."

SECTION 2. Tennessee Code Annotated, Section 56-7-1503(b), is amended by deleting the following language:

more than six (6) months from the effective date of coverage because it involved a preexisting condition. The policy or certificate shall not define a preexisting condition more restrictively than a condition for which medical advice was given or treatment was recommended by or received from a physician within six (6) months before the effective date of coverage.

and substituting the following language:

because it involved a preexisting condition.

SECTION 3. Tennessee Code Annotated, Section 56-7-2207(a), is amended by deleting subdivisions (1), (2), and (4), and substituting the following as new subdivision (1):

(1) A health benefit plan must not impose a preexisting condition exclusion to limit or deny coverage;

SECTION 4. Tennessee Code Annotated, Section 56-7-2207(i), is amended by deleting the subsection.

SECTION 5. Tennessee Code Annotated, Section 56-7-2208(a)(5), is amended by deleting the language "except as provided in § 56-7-2207(a)(4)".

SECTION 6. Tennessee Code Annotated, Section 56-7-2302(e), is amended by deleting the language "if the adoption or placement for adoption occurs while the parent is eligible for coverage".

SECTION 7. Tennessee Code Annotated, Section 56-7-2317, is amended by deleting the language "not excluded by the group policy".

SECTION 8. Tennessee Code Annotated, Section 56-7-2351, is amended by deleting the second sentence of the section and substituting the following:

Pregnancy and maternity benefits must not be excluded from coverage, limited, or denied as a preexisting condition.

SECTION 9. Tennessee Code Annotated, Section 56-7-2803, is amended by deleting subsection (a) and substituting the following:

(a) A group health plan and a health insurance issuer offering group health insurance coverage must not, with respect to a participant or beneficiary, impose a preexisting condition exclusion.

SECTION 10. Tennessee Code Annotated, Section 56-7-2803, is amended by deleting subsection (f).

SECTION 11. Tennessee Code Annotated, Section 56-7-2803(i)(1), is amended by deleting the language "and that does not impose any preexisting condition exclusion allowed under subsection (a) with respect to any particular coverage option".

SECTION 12. Tennessee Code Annotated, Section 56-7-2805, is amended by deleting subdivision (g)(1)(C).

SECTION 13. Tennessee Code Annotated, Section 56-7-2809, is amended by deleting the word "eligible" from subsection (a) and by deleting subsection (b).

SECTION 14. Tennessee Code Annotated, Section 56-7-2910, is amended by deleting subsection (e).

SECTION 15. Tennessee Code Annotated, Section 56-42-105(a), is amended by deleting the language "preexisting conditions,".

SECTION 16. Tennessee Code Annotated, Section 56-42-105, is amended by deleting subsection (c).

SECTION 17. This act shall take effect July 1, 2020, the public welfare requiring it. This act shall apply to policies and contracts that are entered into, renewed, amended, or delivered on or after July 1, 2020.