

SENATE BILL 1003

By Beavers

AN ACT to amend Tennessee Code Annotated, Title 29 and Title 68, Chapter 11, relative to liability of nonresidential substitution-based treatment centers for opiate addiction.

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

SECTION 1. Tennessee Code Annotated, Title 29, Chapter 34, is amended by adding the following as a new part:

(a) A nonresidential substitution-based treatment center for opiate addiction, as defined by § 68-11-1602, shall be liable for damage or injuries caused by a patient who, upon leaving the treatment center after receiving treatment, commits driving under the influence under § 55-10-401, vehicular assault under § 39-13-106, aggravated vehicular assault under § 39-13-115, vehicular homicide under § 39-13-213(a)(2), or aggravated vehicular homicide under § 39-13-218, and the patient's impairment is due to the treatment provided by the center.

(b) It shall be a defense to liability under subsection (a) that the nonresidential substitution-based treatment center for opiate addiction took reasonable efforts to prevent the patient from driving while impaired. Reasonable efforts include, but are not limited to:

(1) Offering to call a friend, relative, or taxi to transport the patient; or

(2) Immediately notifying law enforcement that an employee of the center has either observed the patient leave treatment by driving in an impaired state or heard the patient's stated intent to drive while the patient was in an impaired state.

SECTION 2. This act shall take effect July 1, 2017, the public welfare requiring it.