

SENATE BILL 1758

By Green

AN ACT to amend Tennessee Code Annotated, Title 50,
Chapter 6, relative to workers' compensation silent
PPOs.

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

SECTION 1. Tennessee Code Annotated, Section 50-6-215, is amended by adding the following new subsection:

(e)

(1) The administrator shall assess a civil penalty for violations of this section in an amount of not less than fifty dollars (\$50.00) nor more than five thousand dollars (\$5,000) per violation. Each separate incident shall be considered a violation for purposes of assessing a civil penalty. Appeals of any civil penalty assessed pursuant to this subdivision (e)(1) shall be in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

(2)

(A) In addition to any civil penalty assessed pursuant to subdivision (e)(1), if the administrator finds a violation of this section that caused an underpayment to a healthcare provider, the administrator shall require the workers' compensation payor to compensate the healthcare provider for the difference between the amount paid and the amount that should have been paid, and one percent (1%) interest per month accruing from the date the initial payment was made or the date of the denial of any payment.

(B) The administrator shall assess a civil penalty against a workers' compensation payor for the payor's failure to compensate a healthcare provider in a timely manner, as determined by the administrator. The civil penalty shall be in addition to the civil penalty assessed pursuant to subdivision (e)(2)(A) and shall be not less than one thousand dollars (\$1,000) nor more than ten thousand dollars (\$10,000) per violation.

SECTION 2. This act shall take effect July 1, 2016, the public welfare requiring it, and shall apply to claims dated on or after that date.