

SENATE BILL 1771

By Lundberg

AN ACT to amend Tennessee Code Annotated, Title 5;
Title 41 and Title 68, relative to inmates infected
with bloodborne pathogens.

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

SECTION 1. Tennessee Code Annotated, Section 41-4-115, is amended by adding the following as a new subsection:

(i) Notwithstanding this section to the contrary, whenever an inmate is committed to a county jail or workhouse and the inmate is known or determined to be HIV positive, the sheriff or the sheriff's designee shall investigate and determine whether the inmate previously received prescription medication to treat the condition through a state department, agency, or program, including TennCare. Upon finding evidence that the inmate previously received such medication, or payments for the medication, from the state or through a state program, the sheriff or sheriff's designee shall notify the department of correction and file a claim for state funds, including reimbursement if applicable, for the payment of HIV medication for these inmates. The state is liable for and shall pay the expenses for HIV medication for inmates who previously received prescription medication to treat the condition through a state department, agency, or program, including TennCare. The state may use federal funding to pay the medication expenses.

SECTION 2. This act takes effect July 1, 2024, the public welfare requiring it.