

SENATE BILL 2175

By Johnson

AN ACT to amend Tennessee Code Annotated, Section 33-6-407 and Section 33-6-426, relative to individuals authorized to complete certificates of need at state mental health hospitals.

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

SECTION 1. Tennessee Code Annotated, Section 33-6-407, is amended by adding the following as a new subsection (f):

(f) Notwithstanding subsections (a) and (b), a state-owned or state-operated hospital or treatment resource that receives a person transported under § 33-6-406 shall have a licensed physician, a licensed advance practice nurse working under the supervision of a licensed physician, or a licensed physician assistant working under the supervision of a licensed physician examine the person to determine whether the person is subject to admission under § 33-6-403. If the person is subject to admission under § 33-6-403, then the licensed physician, licensed advance practice nurse, or licensed physician assistant shall complete a certificate of need for the emergency diagnosis, evaluation, and treatment showing the factual foundation for the conclusions on each item of § 33-6-403, and the person who took the service recipient to the hospital or treatment resource may then apply for the admission for the purpose of emergency diagnosis, evaluation, and treatment.

SECTION 2. Tennessee Code Annotated, Section 33-6-426, is amended by deleting the section and substituting instead the following:

If a person who is not a licensed physician executes the first certificate of need in support of hospitalization under this part and if the individual is being admitted to a hospital or treatment resource that is not owned or operated by the state, then only a licensed physician shall execute the second certificate of need in support of hospitalization under this part.

SECTION 3. This act shall take effect July 1, 2020, the public welfare requiring it.