



# *State of Tennessee*

## **PUBLIC CHAPTER NO. 1138**

**SENATE BILL NO. 2304**

**By Massey, Crowe, Yager**

Substituted for: House Bill No. 2213

By Hazlewood, Marsh, Freeman

AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 29; Title 33; Title 63 and Title 71, relative to the creation of a healthcare task force to review the reimbursement of health professionals employed by agencies performing healthcare services in this state.

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

SECTION 1. Tennessee Code Annotated, Title 63, Chapter 1, is amended by adding the following as a new part:

**63-1-701.**

There is created a healthcare task force to review the reimbursement of health professionals employed by agencies performing healthcare services in this state. The duties of the task force include studying how reimbursement rates and wages impact the availability of a healthcare workforce, and other such duties imposed under this part.

**63-1-702.**

The task force is composed of fifteen (15) members as follows:

- (1) The commissioner of mental health and substance abuse services, or the commissioner's designee;
- (2) The commissioner of intellectual and developmental disabilities, or the commissioner's designee;
- (3) The deputy commissioner of the bureau of TennCare within the department of finance and administration, or the deputy commissioner's designee;
- (4) The commissioner of children's services or the commissioner's designee;
- (5) The commissioner of labor and workforce development, or the commissioner's designee;
- (6) The commissioner of health, or the commissioner's designee;
- (7) The executive director of the Tennessee commission on aging and disability, or the executive director's designee;
- (8) One (1) member of the senate to be appointed by the speaker of the senate;
- (9) One (1) member of the house of representatives to be appointed by the speaker of the house of representatives; and
- (10) Six (6) public members from organizations representing the provider community that provide healthcare services, three (3) of whom are appointed by the speaker of the senate and three (3) of whom are appointed by the speaker of the house of representatives.

**63-1-703.**

The task force shall recommend a strategic action plan to guide the administration and general assembly on how to:

- (1) Address the challenges of quality, affordability, and accessibility of healthcare professionals in this state;
- (2) More effectively use public resources to address those challenges;
- (3) Study the rates paid to healthcare workers employed in state government compared to healthcare workers in the private sector who perform the same function;
- (4) Address the challenges facing health professionals, generally; and
- (5) Address current workforce shortage challenges and future projections for such shortages.

**63-1-704.**

(a) The members of the task force are not compensated for their service on the task force, nor are they to receive per diem or travel expenses in carrying out their duties under this part.

(b) Vacancies among the members of the task force must be filled in the same manner as the original selection of members.

(c) In making appointments, the speaker of the senate and the speaker of the house of representatives shall strive to ensure that members of the task force are inclusive and reflect the geographic, urban, rural, and economic diversity of this state and are diverse in race, sex, perspective, and experience.

(d) The commissioner of labor and workforce development shall serve as chair and shall call the first meeting of the task force no later than October 1, 2022, at which time the members shall elect a first vice chair and second vice chair from among the public members.

(e) The task force shall meet at least once every two (2) months. The chair may call special meetings whenever necessary for the transaction of business. The chair shall notify each member of the task force of any special meeting at least five (5) days before the time fixed for the special meeting. A majority of the members of the task force may petition the chair to call a special meeting.

(f) The task force may conduct regular or special meetings by conference call or video conference in accordance with the requirements of § 8-44-108.

(g) The task force shall agree upon findings and recommendations by a majority vote of the total membership of the task force. A majority of the members of the task force constitutes a quorum for the purpose of meeting and conducting business.

(h) The chair of the task force may call on appropriate state agencies for reasonable assistance in the work of the task force.

(i) The chair of the task force may utilize subcommittees composed of task force members. The chair may assign a member of the task force to a subcommittee as the chair deems necessary to the performance of task force responsibilities.

(j) The task force has the authority to hire consultants to assist in the performance of the task force responsibilities, subject to a specific appropriation of state funds or the availability of existing state resources.

**63-1-705.**

The task force shall:

- (1) Develop a strategic action plan for increasing the availability of high-quality, affordable, and accessible healthcare professionals in this state;
- (2) Develop a strategic action plan to eliminate the need for agencies to consistently request budget increases and allow state agencies to pay their private

partner providers adequately for work that is being performed under contract with the state;

(3) Identify resources across state government to be streamlined, coordinated, and more effectively utilized to address healthcare workforce challenges;

(4) Identify the healthcare staff positions that are the most difficult to fill and the reasons for the difficulty;

(5) Study the efforts of other states in supporting their healthcare workforce, including salary comparisons for both state employees and private contractor employees, and make suggestions for implementing changes in this state;

(6) Study the disparity in salary structures for the healthcare workforce in this state and its impact on healthcare worker shortages;

(7) Identify processes to ensure that routine reviews of funding for healthcare services under the TennCare program are conducted and to ensure that adequate annual resources are being directed to the provider community; and

(8) Review budgetary and regulatory actions taken to mitigate the healthcare workforce challenges in this state and to assess the impact of these actions for future reference.

**63-1-706.**

(a) The task force shall submit an interim progress report of its findings and recommendations to the speaker of the senate, the speaker of the house of representatives, the chair of the health and welfare committee of the senate, and the chair of the health committee of the house of representatives no later than July 1, 2023, and a final report of its findings and recommendations to such persons no later than December 31, 2023, at which time the task force ceases to exist.

(b) The final report must include:

(1) Findings and conclusions as outlined in § 63-1-705;

(2) The full strategic action plan, with an executive summary; and

(3) Recommendations for legislation deemed necessary to implement the strategic plan.

**63-1-707.**

This part is repealed on December 31, 2023, unless the task force is reenacted or extended by the general assembly prior to such date.

SECTION 2. For the purpose of making appointments, this act takes effect upon becoming a law, the public welfare requiring it. For all other purposes, this act takes effect July 1, 2022, the public welfare requiring it.

SENATE BILL NO. 2304

PASSED: April 27, 2022

  
RANDY McNALLY  
SPEAKER OF THE SENATE

  
CAMERON SEXTON, SPEAKER  
HOUSE OF REPRESENTATIVES

APPROVED this 3<sup>rd</sup> day of June 2022

  
BILL LEE, GOVERNOR