

HOUSE BILL 1754
By Patton

AN ACT to amend Tennessee Code Annotated, Title 68 and Title 71, Chapter 2, relative to programs and services for elderly persons.

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

SECTION 1. Tennessee Code Annotated, Title 71, Chapter 2, is amended by adding sections 2 through 4 as an appropriately numbered new part.

SECTION 2. (a) The general assembly finds that:

(1) Adult foster homes can provide needed care and services to many elderly and disabled Tennesseans who might otherwise be institutionalized;

(2) The protection of the health, safety, and well-being of the residents of adult foster homes is an important function for the state; and

(3) Consistent interpretation, application, and enforcement of regulatory standards is necessary and desirable for the protection of adult foster home residents.

(b) It is the legislative intent that:

(1) Training and guidelines for employees should be established; and

(2) Regular inspections and investigations should be carried out to implement this part.

SECTION 3. (a) Each provider of adult foster care shall be licensed by the department of health before opening or operating an adult foster home caring for adult residents.

13860895

13860895

003303

00330328

(b) A provider shall live in the home that is to be licensed or shall hire a resident manager to live in the home.

(c) There shall be a provider, resident manager, or substitute caregiver on duty twenty-four (24) hours a day in an adult foster home under the jurisdiction of the department of health.

SECTION 4. The commissioner of health is authorized to promulgate rules and regulations to effectuate the purposes of this act. All such rules and regulations shall be promulgated in accordance with the provisions of Tennessee Code Annotated, Title 4, Chapter 5.

SECTION 5. This act shall take effect upon becoming a law, the public welfare requiring it, for the purpose of promulgating rules. For all other purposes, this act shall take effect January 1, 1998.