

HOUSE BILL 1721
By DeBerry L

AN ACT to amend Tennessee Code Annotated, Title 63, relative to enacting the "Access to Medical Treatment Act".

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

SECTION 1. This act shall be known, and may be cited as, the "Access to Medical Treatment Act".

SECTION 2. Notwithstanding any other provisions of law to the contrary, any medical doctor duly licensed pursuant to Tennessee Code Annotated, Section 63-6-201, may provide, and any patient may accept, any treatments, drug(s), devices, or procedure which the doctor of that patient deems necessary for the treatment of any ailment, disease, or illness which may be potentially life-threatening or chronically disabling provided that:

(1) Such treatments, drug(s), devices or procedure is approved by the United States Food and Drug Administration for the treatment of any other disease, ailment, or illness; and

(2) The recipient of such treatment is advised, orally and in writing of any potential side effects of such treatment.

SECTION 3. A patient's legal representative may authorize the provision to that patient of any such treatment, drug(s), devices, or procedure described above, provided that the patient's legal representatives is advised, orally and in writing, of any potential side effects of such treatment to the patient. For the purpose of this act, the term "patient's legal representative" shall mean a patient's legal guardian or a person acting on behalf of a patient pursuant to a durable power of attorney for health care, as provided for by Tennessee Code Annotated, Title 34, Chapter 6, Part 2.

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it.