

SENATE BILL 820

By Fowler

AN ACT to amend Tennessee Code Annotated, Section 71-5-105, relative to certificates of need.

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

SECTION 1. Tennessee Code Annotated, Section 71-5-105(b), is amended by deleting that section in its entirety and by substituting instead the following language:

(b) The total number of beds in private for-profit and private not-for-profit ICF/MR facilities shall not exceed a total maximum of six hundred sixty-eight (668); provided, that two (2) additional beds shall be allocated to each private community-based not-for-profit ICF/MR facility which has been providing ICF/MR services for at least two (2) years and which accepts one (1) ICF/MR client from a state developmental center for occupancy of one (1) of such beds and makes the other bed available to a local client on the state "waiting list" provided, that the total amount of additional allowed beds shall not exceed fifty (50); and provided further that such additional beds may only be provided in a facility providing not more than four (4) beds, unless the facility is serving clients over fifty-five (55) years of age, in which event the facility shall have not more than eight (8) beds. In compliance with the certificate of need process, private for-profit and private not-for-profit

ICF/MR beds may be transferred from one location to another but the total number of such beds shall not exceed six hundred sixty-eight (668), except as provided above.

SECTION 2. This act shall take effect July 1, 2001, the public welfare requiring it.