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Amendment No. 4 to SB0998

Cooper J
Signature of Sponsor

AMEND Senate Bill No. 998*

House Bill No. 1386

by deleting in its entirety all the language following the enacting clause, and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 56-7-2355, is amended by adding the following new subsection:

(c) Health benefit plans, including managed care companies that contract with TennCare, shall reimburse non-participating providers their usual and customary charges for providing emergency services to enrollees.

SECTION 2. Tennessee Code Annotated, Title 71, Chapter 5, Part 1, is amended by adding the following language as a new, appropriately designated section:

71-5-194. The amount of the payments due providers for covered services delivered to enrollees participating in the TennCare program shall be determined by the managed care organizations and the providers. The TennCare program shall not dictate by formula or otherwise the amount of the payments that managed care organizations are required to pay providers.

SECTION 3. Tennessee Code Annotated, Title 71, Chapter 5, Part 1, is further amended by adding the following language as a new, appropriately designated section:

71-5-195. On January 15, 2004, the TennCare Bureau shall submit a report to the General Assembly outlining the viability of the future of the TennCare program. Such report shall include, but not be limited to:

- (1) Cost savings in the pharmacy program;

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(2) Resolution to legal actions against the program both pending cases and agreed orders;

(3) Flexibility by the federal government for increased federal funding and programmatic changes to the TennCare program; and

(4) Recommendations for revisions to Title 56, Chapter 9, relative to rehabilitation and liquidation of managed care organizations participating in the TennCare Program. Such recommendations shall be in consultation and coordination with the department of commerce and insurance.

Should the TennCare Bureau determine that continuing the TennCare program is not a viable option, then the TennCare Bureau shall submit a report outlining an alternative plan or program to replace the TennCare program to provide medical assistance to those recipients determined to be eligible under Title 7, Chapter 5, Part 1, to receive medical assistance that conforms to the requirements of title XIX of the Social Security Act and the regulations promulgated pursuant thereto.

SECTION 4. This act shall take effect January 1, 2004, the public welfare requiring it.