

<b>FILED</b>
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Clerk _____
Comm. Amdt. _____

**Amendment No. 1 to HB3835**

**Armstrong  
Signature of Sponsor**

**AMEND Senate Bill No. 2893\***

**House Bill No. 3835**

by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 63, Chapter 6, is amended by adding Sections 2 through 8 of this act as new part 12.

SECTION 2. A clinical laboratory or physician, located in this state, or in another state, providing cytologic pathology services for patients in this state, shall present or cause to be presented a claim, bill or demand for payment for these services only to the following:

- (1) The patient directly;
- (2) The responsible insurer or other third-party payor;
- (3) The hospital, public health clinic, or nonprofit health clinic ordering such services;
- (4) The referring laboratory, other than a laboratory of a physician's office or group practice that does not perform the technical or professional component of the cytologic pathology service for which such claim, bill, or demand is presented; or
- (5) Governmental agencies or their specified public or private agent, agency, or organization on behalf of the recipient of the services.

SECTION 3. Except as provided by Section 7 of this act, no licensed practitioner in the state shall, directly or indirectly, charge, bill, or otherwise solicit payment for cytologic pathology services unless the professional services were rendered personally by the licensed practitioner or under the licensed practitioner's direct supervision in accordance with Section 353 of the Public Health Service Act (42 U.S.C. 263a).

SECTION 4. No patient, insurer, third party payor, hospital, public health clinic, or nonprofit health clinic shall be required to reimburse any licensed practitioner for charges or claims submitted in violation of this part.

SECTION 5. Nothing in this part shall be construed to mandate the assignment of benefits for cytologic pathology services as defined in Section 6 of this part.

SECTION 6. For purposes of this part, "cytologic pathology services" means those services relating to the examination of gynecological slides performed by a physician or under the supervision of a physician:

SECTION 7. The provisions of this part do not prohibit billing of a referring laboratory for cytologic pathology services in instances where a sample or samples must be sent to another specialist, provided, for purposes of this section, "referring laboratory" does not include a laboratory of a physician's office or group practice that does not perform the technical or professional component of the cytologic pathology service involved.

SECTION 8. The appropriate state licensing board having jurisdiction over any practitioner who may request or provide cytologic pathology services may revoke, suspend or deny renewal of the license of any practitioner who violates the provisions of this part.

SECTION 9. This act shall take effect July 1, 2006, the public welfare requiring it.