

HOUSE BILL 1446

By Niceley

AN ACT to amend Tennessee Code Annotated, Title 56
and Title 68, Chapter 11, relative to the cost of
health care services.

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

SECTION 1. Tennessee Code Annotated, Title 68, Chapter 11, Part 2, is amended by inserting the following as a new, appropriately designated section thereto:

(a) Each healthcare facility licensed under this chapter shall be prohibited from requiring an uninsured patient to pay for services in an amount that exceeds one hundred percent (100%) of the average commercial health insurance reimbursement for the services provided.

(b) As used in this section, unless the context otherwise requires:

(1) "Average health insurance reimbursement" means the average of:

(A) The highest reimbursement for the service permitted under a contract between the provider and a commercial health insurance company; and

(B) The lowest reimbursement for the service permitted under a contract between the provider and a commercial health insurance company;

(2) "Healthcare facility" means a hospital, ambulatory surgery center, or outpatient diagnostic center; and

(3) "Uninsured patient" means a person with no public or private source of payment for medical services, including without limitation, Medicare, TennCare, a contract of insurance, an employer-sponsored health plan, or other

enforceable obligation under which a person is responsible for payment for healthcare services provided to the patient.

(c) Information obtained by the department of health as to the amounts billed for services by a healthcare facility pursuant to this section shall be maintained on a confidential basis.

SECTION 2. This act shall take effect July 1, 2007, the public welfare requiring it.