

SENATE BILL 1457

By Overbey

AN ACT to amend Tennessee Code Annotated, Title 68, Chapter 11, relative to authorizing the Board for Licensing Health Care Facilities to establish standards for pain management facilities.

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

SECTION 1. Tennessee Code Annotated, Section 68-11-201, is amended by adding the following as new, appropriately numbered subsections:

( ) “Chronic pain management” means the treatment of subacute, persistent pain through the use of interventional pain management techniques, which include but are not limited to percutaneous needle placement through which drugs, including steroids, analgesics, or anesthetics, are injected in targeted areas, nerves are ablated, or certain procedures, such as the insertion of catheters or electrodes, are performed. Such techniques often involve utilization of fluoroscopy, computerized tomography, or ultrasound as a means of accurately directing needles, catheters, or electrodes as part of a therapeutic modality for chronic pain management.

( ) “Pain management facility” means a privately owned facility, not located in a hospital or ambulatory surgical treatment center, in which licensed and properly trained health care professionals provide chronic pain management services to patients. This term does not include facilities, such as the offices of physicians licensed under title 63, chapter 6 or 9, in which a broad range of medical services are provided to patients and in which chronic pain management is not the primary focus of the practice.

SECTION 2. Tennessee Code Annotated, Section 68-11-202(a)(1), is amended by adding the language “, pain management facilities” after the words “outpatient diagnostic centers.”

SECTION 3. Tennessee Code Annotated, Section 68-11-204(a)(1), is amended by adding the language “pain management facility” after the language “ambulatory surgical treatment center,”.

SECTION 4. Tennessee Code Annotated, Section 68-11-206(a), is amended by adding the language “, pain management facility” after the words “ambulatory surgical treatment center.”

SECTION 5. Tennessee Code Annotated, Section 68-11-209, is amended by adding the following language as a new subsection:

( ) The board shall adopt such rules and regulations governing pain management facilities as are necessary to ensure patient safety and the efficient and effective care of patients experiencing chronic pain. These rules may address topics that the board believes necessary to ensure patient safety, including but not limited to:

- (A) Operation of the facility;
- (B) Personnel who provide services at the facility;
- (C) Standards to ensure quality of care and patient safety at the facility;
- (D) License and renewal procedures and requirements for the facility;
- (E) Inspections and complaint investigations regarding the facility; and
- (F) Adoption of fees, pursuant to the board’s authority under §68-11-216,

which must be paid by each pain management facility and which must be sufficient to cover all costs associated with the implementation of this act.

SECTION 6. For the purpose of promulgation of rules and regulations, this act shall become effective on July 1, 2011. For all other purposes, this act shall become effective on July 1, 2012.