

Amendment No. 1 to HB1556

Smith
Signature of Sponsor

AMEND Senate Bill No. 1743

House Bill No. 1556*

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

SECTION 1. Tennessee Code Annotated, Section 71-5-107(a), is amended by adding the following as a new subdivision:

(27)

(A)

(i) Services within the practice of acupuncture performed by a person who is authorized by title 63, chapter 6, part 10, to engage in the practice of acupuncture;

(ii) Services within the practice of chiropractic performed by a person who is authorized by title 63, chapter 4, to engage in the practice of chiropractic;

(iii) Services within occupational therapy practice performed by a person who is authorized by title 63, chapter 13, to engage in occupational therapy practice; and

(iv) Services within the practice of physical therapy performed by a person who is authorized by title 63, chapter 13, to engage in the practice of physical therapy;

(B) Notwithstanding any law to the contrary, and except as provided in § 71-5-144 and 42 U.S.C. § 1396a(a)(30)(A), the amount, duration, and scope of the services described in subdivisions (a)(27)(A)(i)-(iv) must not be limited for a recipient:

(i) Who is undergoing active cancer treatment, undergoing palliative care treatment, or receiving hospice care;

(ii) With a diagnosis of sickle cell disease;

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(iii) To whom opioids are being administered during the patient's treatment at any facility licensed under title 68, chapter 11, or any hospital licensed under title 33, chapter 2, part 4;

(iv) Who is receiving treatment from a healthcare practitioner who is a pain management specialist, as defined in § 63-1-301, or who is collaborating with a pain management specialist in accordance with § 63-1-306(a)(3);

(v) Who is receiving treatment in an outpatient setting of a hospital exempt under § 63-1-302(2) that holds itself out to the public as a pain management clinic;

(vi) With a diagnosed opioid use disorder who is receiving treatment from a healthcare practitioner practicing under 21 U.S.C. § 823(g); or

(vii) Who suffered a severe burn or major physical trauma and for whom sound medical judgment would determine that the risk of adverse effects from the pain exceeds the risk of the development of a substance use disorder or overdose event. As used in this subdivision (a)(27)(B)(vii), "severe burn" means an injury sustained from thermal or chemical causes resulting in second degree or third degree burns, and "major physical trauma" means a serious injury sustained due to blunt or penetrating force that results in serious blood loss, fracture, significant temporary or permanent impairment, or disability;

SECTION 2. For the purpose of promulgating rules, this act shall take effect upon becoming a law, the public welfare requiring it. For all other purposes, this act shall take effect January 1, 2021, the public welfare requiring it.