

**Amendment No. 1 to HB2726**

**Helton  
Signature of Sponsor**

**AMEND Senate Bill No. 1894\***

**House Bill No. 2726**

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

SECTION 1. Tennessee Code Annotated, Section 68-11-218, is amended by deleting the section and substituting the following:

(a) The chief administrative official of each hospital or other facility shall report to the respective licensing board, committee, council, or agency the following:

(1) Any disciplinary action taken concerning any person licensed under title 63 or this title, when the action is related to professional ethics, professional incompetence, negligence, moral turpitude, or drug or alcohol abuse; and

(2) Any information that the chief administrative official reasonably believes indicates that a person licensed under title 63 or this title:

(A) Inappropriately prescribed a controlled substance;

(B) Diverted a controlled substance;

(C) Engaged in sexual activity with a patient;

(D) Has a mental or physical impairment that prevents the person from safely practicing the licensed profession;

(E) Acted with incompetence; or

(F) Engaged in unethical or unprofessional conduct.

(b) A report to a licensing board, committee, council, or agency made pursuant to subsection (a) must be in writing and must be made within sixty (60) days of:

(1) The date of a disciplinary action described in subdivision (a)(1); or

(2) The date the chief administrative official first obtains the information described in subdivision (a)(2).

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(c) For purposes of this section, "disciplinary action" includes termination, suspension, reduction, or resignation of hospital privileges for any of the reasons listed in subsection (a).

(d) Notwithstanding § 63-1-150, § 63-6-228, or any other provision to the contrary, the hospital or facility shall make available to the respective licensing board, committee, council, or agency, for examination all records pertaining to a disciplinary action described in subdivision (a)(1) or information described in subdivision (a)(2).

(e) Any individual who, as a member of any committee, an employee, or a contractor of any hospital or facility, files a report pursuant to this section, is immune from liability to the extent provided in § 63-1-150.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it, and applies to disciplinary actions taken or information first received on or after the effective date of this act.