

SENATE BILL 2775

By Bell

AN ACT to amend Tennessee Code Annotated, Title 71,  
relative to TennCare eligibility decisions.

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

SECTION 1. Tennessee Code Annotated, Section 71-5-1424, is amended by deleting subdivision (2) and substituting the following:

(2) The facility may be entitled to participate in any proceeding and hearing that appeals an initial determination that the individual is not financially or medically eligible through the filing of a motion to intervene in that proceeding under § 4-5-310. The administrative judge or hearing officer shall grant a facility's motion to intervene in the appeal of a resident or former resident's eligibility, absent a showing by one (1) or more parties to the appeal that the facility's participation would cause that party to incur an undue burden or unnecessary expense.

(3) Regardless of whether a facility seeks to intervene in any proceeding appealing an individual's eligibility, TennCare shall provide a copy of all notices, pleadings, and orders filed in the action to any facility that is providing, or has provided, care to the individual.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it, and applies to appeals initiated on or after the effective date of this act.