

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

HB 341 – SB 367

April 16, 2019

SUMMARY OF ORIGINAL BILL: Increases, from 10 to 20 working days, the time in which a health care provider must furnish a copy or summary of a patient's medical records to a patient or a patient's authorized representative when requested by the patient in writing.

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

SUMMARY OF AMENDMENTS (005772, 008192): Amendment 005772 deletes all language after the enacting clause. Establishes that a licensed nonresidential office-based opiate treatment facility that has a physician in the ownership structure of its controlling business entity is authorized to employ or contract with a physician if the employment relationship between the physician to be employed or contracted with and the nonresidential office-based opiate treatment facility is evidenced by a written contract, job description, or documentation containing language that does not restrict the physician from exercising independent professional medical judgement in diagnosing and treating patients.

Amendment 008192 adds language to the bill as amended by amendment 005772 to require the Department of Health (DOH) to promulgate rules by January 1, 2020 to require each healthcare institution that operates an emergency department report to the DOH the number of individuals who present to the emergency department seeking medical treatment and whether the individuals are United State citizens or lawfully present in the United States.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENTS:

Unchanged from the original fiscal note.

Assumptions for the bill as amended:

- The DOH can promulgate rules and accept information from healthcare institutions within existing resources without an increase in expenditures.
- Authorizing a licensed nonresidential office-based opiate treatment facility that has a physician in the ownership structure of its controlling business entity to employ or

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contract with a physician will not significantly impact the procedures or processes of the health related boards or the Department of Health; therefore any fiscal impact is estimated to be not significant.

- Pursuant to Tenn. Code Ann. § 4-29-121, all health related boards are required to be self-supporting over a two-year period. The Board of Medical Examiners had an annual deficit of \$4,714 in FY16-17, an annual deficit of \$231,445 in FY17-18, and a cumulative reserve balance of \$2,467,326 on June 30, 2018.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner". The signature is written in a cursive, flowing style.

Krista Lee Carsner, Executive Director

/vlh