

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

HB 2680 - SB 2684

June 1, 2020

SUMMARY OF ORIGINAL BILL: Authorizes a healthcare facility to provide a method for the insured or the insured's personal representative to acknowledge and sign the notice to receive medical services by an out-of-network provider electronically.

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

IMPACT TO COMMERCE OF ORIGINAL BILL:

NOT SIGNIFICANT

SUMMARY OF AMENDMENTS (015806, 017993): Amendment 015806 deletes all language after the enacting clause. Requires health benefit plans, health carriers, out-of-network facility-based physicians, and healthcare facilities to implement a balance bill prohibition for emergency services in an out-of-network facility and for facility-based non-emergency services. Requires the Commissioner of the Department of Commerce and Insurance to establish an independent dispute resolution process by which a dispute for a bill for out-of-network emergency services or a balance bill may be resolved. Effective January 1, 2022.

Amendment 017993 exempts institutions or other entities licensed under Tenn. Code Ann. Title 68, Chapter 140 (Emergency Services).

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENTS:

Unchanged from the original fiscal note.

Assumptions for the bill as amended:

- The proposed legislation does not apply to any Division of TennCare programs; therefore, any fiscal impact is estimated to be not significant.
- The proposed legislation does apply to the Division of Benefits Administration plans; however any impact is dependent on the independent dispute resolution entity. It is assumed any realized savings will be offset by any increased expenses; therefore, the net impact is estimated to be not significant.

- The DCI can accommodate the proposed legislation utilizing existing resources; therefore, any fiscal impact is estimated to be not significant.

IMPACT TO COMMERCE WITH PROPOSED AMENDMENT:

Other Commerce Impact – Due to multiple unknown factors, an exact impact to commerce and jobs cannot be reasonably determined.

Assumption for the bill as amended:

- Due to multiple unknown factors, such as amount of services billed, what amount will be determined to be paid, and how many claims would be impacted, an exact impact to commerce and jobs cannot be reasonably determined.

CERTIFICATION:

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



Krista Lee Carsner, Executive Director

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