SENATE

COMMERCE AND LABOR
COMMITTEE CALENDAR

TUESDAY, APRIL 9, 2019
1:00 PM - CORDELL HULL BUILDING
SENATE HEARING ROOM I

COMMITTEE MEMBERS:

BAILEY (R) CHAIRMAN
AKBARI (D)

SWANN (R) 1ST VICE CHAIRMAN
GRESHAM (R)

LUNDBERG (R) 2ND VICE CHAIRMAN
JOHNSON (R)

NICELEY (R)
SOUTHERLAND (R)
WATSON (R)

BUDGET HEARINGS

TN DEPARTMENT OF FINANCIAL INSTITUTIONS

TN PUBLIC UTILITIES COMMISSION

FINAL CALENDAR

1. **SB 0438** *Bell, Crowe, Gardenhire, Kyle, Kelsey, Jackson, White, Briggs, Hensley, Massey* (HB 0519 by *Hill T, Helton, Potts, Jernigan, Shaw, Carter, Parkinson, Johnson G, DeBerry, Love, Whitson, Ramsey, Carr, Doggett, Calfee, Tillis, Weaver, Sparks, Hurt, Russell, Byrd, Casada, Cepicky, Vaughan, Coley, Thompson, Leatherwood, Miller, White, Towns, Lamar, Smith, Crawford, Ragan, Hicks, Hall, Freeman, Eldridge)

   Firefighters- As introduced, creates a rebuttable presumption that a firefighter's cancer that causes a disabling health condition is a result of the firefighter's duties as a firefighter. - Amends TCA Title 7, Chapter 51; Title 50, Chapter 6 and Title 68, Chapter 102.

2. **SB 1395** *Bell* (HB 0518 by *Hill T, Calfee, Travis, Wright, Crawford, Lamar)

   Firefighters- As introduced, creates a program managed by the commissioner of commerce and insurance to annually award grants to volunteer fire departments for the purchase of firefighting equipment or to meet local match requirements for federal grants for the purchase of firefighting equipment and training. - Amends TCA Title 68, Chapter 102.
3. **SB  0571** *Bowling, Niceley* (HB  0353 by *Daniel)
   Professions and Occupations- As introduced, allows persons who receive certified
   occupational training as a prisoner or a student in a high school technical training class
   to receive equivalent credit toward an occupational license relating to the training
   received. - Amends TCA Title 4, Chapter 6, Part 1; Title 37; Title 38; Title 41; Title 49;
   Title 62 and Title 63.

4. **SB  0348** *Briggs* (HB  0610 by *Terry)
   Insurance, Health, Accident- As introduced, authorizes the commissioner of commerce
   and insurance to make available to healthcare providers on the department's website any
   prescribed claim form for reporting by healthcare providers. - Amends TCA Title 8;
   Title 56; Title 68 and Title 71.

5. **SB  0532** *Briggs* (HB  0604 by *Marsh)
   Public Utilities- As introduced, allows an acquiring public utility that acquires a selling
   utility to request that the Tennessee public utility commission use certain procedures to
   establish the ratemaking rate base of that selling utility at the time when it is acquired
   by the acquiring utility. - Amends TCA Title 65.

6. **SB  1123** *Briggs* (HB  1129 by *Hazlewood)
   Public Health- As introduced, changes from December 31 to December 15 the annual
   date by which the departments of health and human services must jointly provide to the
   appropriate committees of the senate and the house of representatives a written list of
   available state and federal options under medicaid and temporary assistance for needy
   families. - Amends TCA Title 4; Title 39; Title 43; Title 44; Title 53; Title 67 and Title
   68.

7. **SB  1215** *Crowe* (HB  1010 by *Hill M)
   Drugs, Prescription- As introduced, removes restrictions on coverage of off-label drugs
   by insurers; removes definitions of medical literature and standard reference
   compendia. - Amends TCA Title 56; Title 63 and Title 71.

8. **SB  0168** *Gardenhire* (HB  0075 by *Sexton C, Smith, Gant)
   Hospitals and Health Care Facilities- As introduced, increases the period in which
   notice must be given to the health services and development agency that a health care
   institution has changed ownership from 30 to 60 days. - Amends TCA Title 4; Title 33;
   Title 56 and Title 68.
9. **SB 0484** *Gardenhire (HB 0530 by *Hill T)*
   Insurance Companies, Agents, Brokers, Policies- As introduced, requires governmental entities to utilize public bidding when purchasing insurance; requires governmental entities to make certain disclosures in the public bids. - Amends TCA Title 5; Title 6; Title 7; Title 29 and Title 56.

10. **SB 0718** *Gardenhire (HB 0855 by *Carter)*
    Codes- As introduced, extends the period, from 10 working days to 15 calendar days, by which the state fire marshal must issue a decision resolving a conflict between a city's and a county's building or fire code when a county building is located within a city. - Amends TCA Title 13, Chapter 19; Title 62 and Title 68.

11. **SB 1331** *Gardenhire (HB 1347 by *Carter)*
    Public Employees- As introduced, requires a county that provides insurance coverage for its employees and officials to make its policy or policies of group insurance for group life, hospitalization, disability, or medical expenses for such employees and officials readily available on the county's website. - Amends TCA Title 5; Title 8 and Title 56.

12. **SB 0963** *Gilmore (HB 0887 by *Dixie)*
    Drugs, Prescription- As introduced, enacts the "Prescription Drug Fair Pricing Act." - Amends TCA Title 4; Title 53; Title 56; Title 63; Title 68 and Title 71.

13. **SB 0983** *Gilmore (HB 1092 by *Hodges, Clemmons)*
    TennCare- As introduced, authorizes the governor to expand medicaid pursuant to the Affordable Care Act; authorizes the governor to negotiate with the centers for medicare and medicaid services to determine the terms of the expansion. - Amends TCA Title 71, Chapter 5.

14. **SB 0244** *Hensley (HB 0158 by *Sexton C)*
    TennCare- As introduced, allows the comptroller of the treasury to report any annual actuarial study of the medical assistance program and any participating managed care organizations and associated comments in electronic format to the finance, ways and means committees of the senate and the house of representatives, the office of legislative budget analysis, and the fiscal review committee of the general assembly. - Amends TCA Title 4; Title 56 and Title 71.
15. **SB 0849** *Hensley, Kyle* (HB 1459 by *Gant, Sexton C, Kumar, Zachary, Dunn, White, Marsh, Littleton, Tillis, Smith, Moody, Miller, Dixie, Whitson, Leatherwood)*
   Criminal Offenses- As introduced, increases the age to access or use tobacco and vapor products from 18 to 21 years of age. - Amends TCA Title 39.

16. **SB 1165** *Hensley* (HB 1239 by *Griffey, Weaver)*
   Employees, Employers- As introduced, prohibits governmental entities from contracting with a person who does not provide evidence of work authorization status for each individual to whom public money will be received under a public contract; requires private employers with at least six employees and governmental entities to verify the work authorization status of employees hired on or after January 1, 2020. - Amends TCA Title 4; Title 5; Title 6; Title 7; Title 8; Title 12 and Title 50.

17. **SB 0322** *Jackson* (HB 0278 by *Daniel, Smith)*
   Commerce and Insurance, Dept. of- As introduced, requires the department to enter into a memorandum of understanding for collaboration in the development of a comprehensive healthcare information system, which must be accessible on the department's website. - Amends TCA Title 4; Title 33; Title 56; Title 63 and Title 68.

18. **SB 0602** *Jackson* (HB 0785 by *Hicks)*
   Trusts- As introduced, authorizes a trustee to establish a single trust fund for all pre-need funeral contracts issued by multiple pre-need sellers, instead of having to establish a trust fund for each pre-need seller. - Amends TCA Title 62, Chapter 5, Part 4.

19. **SB 1157** *Jackson* (HB 1300 by *Casada, Ogles)*
   Insurance Companies, Agents, Brokers, Policies- As introduced, makes various changes to the "Revised Tennessee Captive Insurance Act," including allowing captives to get one change of business plan for free each year, allowing captives to hold their capital and surplus in currencies other than U.S. dollars, such as cryptocurrency, with the approval of the commissioner, and other changes. - Amends TCA Title 56.

20. **SB 0324** *Johnson* (HB 0271 by *Gant, Hill T, Cepicky, Coley, Ramsey, Hill M, Doggett, Lamberth, Powers)*
   Contractors- As introduced, prohibits the inclusion of a condition precedent for payment clause in construction contracts that precludes a prime contractor from having to pay a remote contractor for services rendered until the prime contractor is paid by the construction owner client. - Amends TCA Title 62, Chapter 6; Title 66, Chapter 11 and Title 66, Chapter 34.
21. **SB 0286** *Kelsey* (HB 0265 by *Terry)  
TennCare - As introduced, decreases the amount of time an enrollee in the TennCare program has to notify the Bureau of TennCare of any material change to the information provided in the enrollee's application for TennCare benefits from 30 days to 15 days from the material change. - Amends TCA Title 4; Title 33; Title 56; Title 68 and Title 71.

22. **SB 0738** *Kyle* (HB 1419 by *Towns)  
Tobacco, Tobacco Products - As introduced, raises the minimum age from 18 to 21 to purchase any tobacco or vapor products; creates a Class C misdemeanor of selling or distributing flavored electronic cigarettes; increases the tax rate on cigarettes by 1.25 cents per cigarette. - Amends TCA Section 1-3-113; Title 39 and Title 67, Chapter 4, Part 10.

23. **SB 1343** *Massey* (HB 1038 by *Moody)  
Employees, Employers - As introduced, requires a covered employer under the drug-free workplace program to provide a written copy of the employer's policy on a drug-free workplace to an employee at the employee's request. - Amends TCA Title 4 and Title 50.

24. **SB 0612** *Reeves* (HB 0709 by *Terry)  
Insurance, Health, Accident - As introduced, corrects a reference to the insurance and banking committee of the house of representatives by replacing it with a reference to the insurance committee of the house of representatives. - Amends TCA Title 33; Title 56; Title 63; Title 68 and Title 71.

25. **SB 0613** *Reeves* (HB 0710 by *Terry)  
Hospitals and Health Care Facilities - As introduced, clarifies that a written request to a hospital for a detailed statement of services received and expenses incurred by a patient may be delivered by electronic means. - Amends TCA Title 33; Title 47, Chapter 18; Title 56; Title 63; Title 68 and Title 71.

26. **SB 0723** *Reeves* (HB 0708 by *Helton)  
Insurance, Health, Accident - As introduced, reduces from 21 to 14 calendar days the time within which a health insurance entity must pay a claim for payment from a provider that is submitted electronically; establishes a period of 10 calendar days within which a health insurance entity must pay a claim received by electronic submission and that was approved through the entity's preauthorization process. - Amends TCA Title 56.
27. **SB 1200** *Reeves, Gilmore* (HB 1454 by *Ramsey, Jernigan, Dixie)
   Tobacco, Tobacco Products- As introduced, increases age of persons allowed to use tobacco and vapor products from 18 years of age to 21 years of age. - Amends TCA Title 4, Chapter 29; Title 39, Chapter 17; Title 39, Chapter 15; Title 43 and Title 68.

28. **SB 0510** *Roberts* (HB 0419 by *Smith, Casada, Sexton C, Helton, Howell, Daniel, Powers)
   Insurance Companies, Agents, Brokers, Policies- As introduced, enacts the "Tennessee Right to Shop Act." - Amends TCA Title 8; Title 33; Title 56; Title 63 and Title 68.

29. **SB 0645** *Roberts* (HB 0874 by *Curcio, Hodges)
   Insurance Companies, Agents, Brokers, Policies- As introduced, corrects a reference to the insurance and banking committee of the house of representatives by replacing it with a reference to the insurance committee of the house of representatives. - Amends TCA Title 56.

30. **SB 0744** *Robinson* (HB 0857 by *Parkinson)
   TennCare- As introduced, makes it a requirement, instead of optional, that the comptroller of the treasury conduct an annual actuarial study of the medical assistance program and any participating managed care organizations, reporting to the finance, ways and means committees of the senate and the house of representatives, the office of legislative budget analysis, and the fiscal review committee of the general assembly. - Amends TCA Title 4; Title 56 and Title 71.

31. **SB 0709** *Stevens* (HB 1113 by *Curcio, Hill T, Howell, Holt)
   Trade Regulation- As introduced, increases the period in which a transportation network company must maintain records relevant to a rider complaint regarding a driver being under the influence of drugs or alcohol during a trip from two years to 30 months. - Amends TCA Title 4; Title 5; Title 6; Title 7; Title 12; Title 13; Title 42; Title 54; Title 55; Title 56; Title 62; Title 65; Title 66; Title 67 and Title 68.

32. **SB 1382** *Yager* (HB 0743 by *Powers)
   Fireworks- As introduced, requires the state fire marshal to post notice in a newspaper of general circulation once a week for four, instead of three, consecutive weeks when fireworks are seized in the county in order that the identity of the owner can be determined. - Amends TCA Title 8; Title 39; Title 67 and Title 68.
33. **SB 0462** *Yarbro (HB 0313 by *Johnson G)*
   Insurance Companies, Agents, Brokers, Policies- As introduced, requires that a health benefit plan issued, entered into, or renewed on or after January 1, 2020, provide, at a minimum, coverage for certain items or services, immunizations, preventive care, and screenings. - Amends TCA Title 56, Chapter 7.

34. **SB 0464** *Yarbro (HB 1050 by *Johnson G)*
   TennCare- As introduced, authorizes the governor to expand medicaid pursuant to the Affordable Care Act; authorizes the governor to negotiate with the centers for medicare and medicaid services to determine the terms of the expansion. - Amends TCA Title 71, Chapter 5.

35. **SB 0939** *Yarbro (HB 1429 by *Stewart)*
   Insurance, Health, Accident- As introduced, enacts the "Medical Assistance Savings Act" to require health insurance policies to cover a dependent child until the child reaches 26 years of age. - Amends TCA Title 56.

36. **SB 0941** *Yarbro (HB 0859 by *Thompson)*
   Economic and Community Development, Dept. of- As introduced, establishes the office of apprenticeship and work-study programs within the department; provides a tax credit to entities that participate in the programs; and reinstates certain apprenticeship programs for certain professional boards and commissions. - Amends TCA Title 4; Title 49; Title 62 and Title 67.

37. **SB 0974** *Yarbro (HB 1094 by *Johnson G)*
   TennCare- As introduced, directs the commissioner of finance and administration to seek a federal waiver to establish VolunteerCare and permits persons who are 55 years of age or older to purchase healthcare coverage through the TennCare program. - Amends TCA Title 4; Title 56 and Title 71.

38. **SB 1027** *Yarbro (HB 1102 by *Shaw)*
   Workers Compensation- As introduced, changes from December 31 to December 15 of each year the date by which the bureau of workers' compensation must report to the advisory council on workers' compensation, the chair of the commerce and labor committee of the senate, and the chair of the consumer and human resources committee of the house of representatives regarding all of the covered employers that failed to obtain coverage or self-insure during the previous fiscal year. - Amends TCA Title 4; Title 8 and Title 50.
39. **SB 1029** *Yarbro* (HB 1430 by *Stewart, Clemmons, Jernigan)*

TennCare- As introduced, authorizes the governor to expand medicaid pursuant to the Affordable Care Act; authorizes the governor to negotiate with the centers for medicare and medicaid services to determine the terms of the expansion. - Amends TCA Title 71, Chapter 5.

40. **SB 1115** *Yarbro* (HB 1223 by *Potts)*

Economic and Community Development- As introduced, requires department of economic and community development to report annually to office of legislative budget analysis in addition to senate and house finance, ways and means committees regarding the Tennessee job skills program. - Amends TCA Title 4; Title 6; Title 7, Chapter 53; Title 8, Chapter 23; Title 9, Chapter 16; Title 9, Chapter 3; Title 13, Chapter 16; Title 13, Chapter 3; Title 49, Chapter 7; Title 50, Chapter 7; Title 64, Chapter 6; Title 65, Chapter 5 and Title 67.

41. **SB 1116** *Yarbro* (HB 1136 by *Hakeem)*

Finance and Administration, Dept. of- As introduced, requires the commissioner to submit to the centers for medicare and medicaid services, within 120 days, a waiver amendment to the TennCare II waiver or new waiver to improve access to and quality of evidence-based home visitation services for the families of babies suffering from neo-natal abstinence syndrome or related conditions. - Amends TCA Title 71.


TennCare- As introduced, directs the governor, through the commissioner of finance and administration, to submit a waiver amendment to the centers for medicare and medicaid services to provide TennCare II funding by means of a block grant indexed for inflation and population growth. - Amends TCA Title 4; Title 33; Title 56 and Title 71.

43. **SB 1429** *Bailey* (HB 1290 by *Farmer)*

Real Property- As introduced, requires the department of environment and conservation to make available on its website for public viewing a sample solar easement instrument prepared by the department's office of energy programs. - Amends TCA Title 45; Title 47 and Title 66.
44. **SB 1467** *Bailey* (HB 0741 by *Hill M*)
   Health Care- As introduced, corrects a reference to the insurance and banking committee of the house of representatives by replacing it with a reference to the insurance committee of the house of representatives. - Amends TCA Title 3; Title 4; Title 8 and Title 71.

45. **SB 1469** *Bailey* (HB 1175 by *Weaver*)
   TennCare- As introduced, clarifies that the bureau of TennCare and the health care finance and administration of the department of finance and administration may submit by electronic means the quarterly reports on the use of technical assistance groups of healthcare providers in developing episodes of care. - Amends TCA Title 4; Title 33; Title 56; Title 63; Title 68 and Title 71.

46. **SB 0739** *Lundberg* (HB 0806 by *Haston*)
   TennCare- As introduced, requires the commissioner of finance and administration to report to the general assembly regarding the amount of money received pursuant to the Ground Ambulance Service Provider Assessment Act no later than January 1, 2020. - Amends TCA Title 5; Title 7; Title 56; Title 68 and Title 71.

47. **SB 1169** *Swann* (HB 0753 by *Smith*)
   Insurance Companies, Agents, Brokers, Policies- As introduced, adds a patient's residence and place of employment, if equipped to engage in telehealth communications, as locations a patient may be and receive telehealth services covered by health insurance; revises other telehealth provisions. - Amends TCA Title 56.

48. **SB 1173** *Swann* (HB 0650 by *Hicks*)
   Insurance Companies, Agents, Brokers, Policies- As introduced, allows the owner of a prearrangement insurance policy, and not just the beneficiary, to irrevocably assign the policy or policy benefits to a funeral establishment if the insurance company issuing the policy does not offer a funeral trust, or only offers a funeral trust for an additional charge. - Amends TCA Title 56 and Title 62, Chapter 5, Part 4.

49. **SB 1174** *Swann* (HB 0673 by *Garrett, Hill T, Bricken*)
   Insurance Companies, Agents, Brokers, Policies- As introduced, specifies that the rules that the commissioner of commerce and insurance adopts in accordance with the Insurers Rehabilitation and Liquidation Act must be promulgated in accordance with the Uniform Administrative Procedures Act. - Amends TCA Title 56.
50. **SB 1053** *Watson, Kelsey, Crowe* (HB 1063 by *Vaughan, Casada, Lamberth, Sexton C, Gant, Ogles, Whitson, Moon, Smith, Crawford, Hazlewood, Hodges, Hawk, White, Staples, Clemmons)

Historical Sites and Preservation- As introduced, enacts the "Main Street Historic Tourism and Revitalization Act." - Amends TCA Title 4, Chapter 11, Part 1; Title 56, Chapter 4 and Title 67.

51. **SB 1328** *Watson*

Business Organizations- As introduced, reduces the annual filing fee for limited liability companies from at least $300 to $20.00. - Amends TCA Title 48.

52. **SB 1444** *Watson* (HB 0720 by *Hill M, Gant)

Health Care- As introduced, clarifies that a written request for a hospital to provide a more detailed statement of services received and expenses incurred by a patient must be received by the hospital within one year of the patient's discharge in order for the hospital to be required to respond. - Amends TCA Title 10; Title 49; Title 56; Title 63; Title 68 and Title 71.

53. **SB 1430** *Bailey* (HB 0523 by *Hill T)

Banks and Financial Institutions- As introduced, requires the commissioner of financial institutions to publish on the department's website its annual report summarizing the department's accomplishments under the Tennessee BIDCO Act in promoting economic development in this state. - Amends TCA Title 45.

54. **SB 1431** *Bailey* (HB 0520 by *Hill T)

Professions and Occupations- As introduced, allows a HiSET(R) diploma to fulfill education requirements for licensure or registration of funeral directors, embalmers, and their apprentices. - Amends TCA Title 38; Title 62 and Title 67.

55. **SB 1432** *Bailey* (HB 0522 by *Hill T)

Real Property- As introduced, prohibits a landlord from using the tenant's email address as provided in the rental agreement for notifications required by the Uniform Residential Landlord and Tenant Act if the tenant has rescinded the use of the email address in written notice to the landlord. - Amends TCA Title 13; Title 66 and Title 67.
56. **SB 1433** *Bailey* (HB 0521 by *Hill T*)
Utilities, Utility Districts- As introduced, deletes a provision that required the Tennessee public utility commission hold a hearing no later than January 1, 2000, to take testimony concerning whether independent contractors should have access to the Do Not Call Register. - Amends TCA Title 5; Title 6; Title 7; Title 65 and Title 67.

57. **SB 1434** *Bailey* (HB 0524 by *Hill M, Hill T*)
Business and Commerce- As introduced, deletes provision that required the office of small business advocate to report the status of the office's web page project no later than February 15, 2013. - Amends TCA Title 4; Title 5; Title 6; Title 7; Title 12; Title 47; Title 48; Title 61 and Title 67.

58. **SB 1435** *Bailey* (HB 0064 by *Travis*)
Insurance Companies, Agents, Brokers, Policies- As introduced, requires the commerce and labor committee of the senate, the insurance committee of the house of representatives, and the finance, ways and means committees of the senate and the house of representatives to recommend any necessary changes to the Access Tennessee Act of 2006 by February 1 after conducting the committees' annual review of the act. - Amends TCA Title 56.

59. **SB 1436** *Bailey* (HB 0065 by *Travis*)
Insurance, Health, Accident- As introduced, increases from 15 days to 30 days the period of time during which an HMO or a representative of an HMO may request a hearing in response to a cease and desist order from the commissioner of commerce and insurance. - Amends TCA Title 56.

60. **SB 1437** *Bailey* (HB 0371 by *Boyd*)
Consumer Protection- As introduced, increases the amount of time from 10 days to 15 days in which the seller of a home must return payment to a buyer after cancellation of the sale. - Amends TCA Title 47 and Title 62.

61. **SB 1438** *Bailey* (HB 0372 by *Boyd*)
Employees, Employers- As introduced, allows the commissioner of labor and workforce development to electronically notify other state officials regarding a reduction in operations of an employer and the number of employees affected. - Amends TCA Title 4; Title 8 and Title 50.
62. **SB 1439** *Bailey* (HB 0374 by *Boyd)*

Workers Compensation- As introduced, changes the date by which the bureau of workers' compensation must produce its report of all the employers that failed to obtain coverage or self-insure during the previous fiscal year from December 31 to December 15. - Amends TCA Title 7; Title 50 and Title 56.

63. **SB 1440** *Bailey* (HB 0375 by *Boyd)*

Human Rights- As introduced, increases from 10 days to 15 days the deadline by which a failure of the commissioner of labor and workforce development to respond to a written request for special exemption to the Child Labor Act of 1976 is considered to be a refusal. - Amends TCA Title 4; Title 7; Title 50 and Title 56.

64. **SB 1441** *Bailey* (HB 0373 by *Boyd)*

Firefighters- As introduced, increases the amount of time from 10 days to 15 days in which assistants to the commissioner of the department of commerce and insurance must report in writing to the commissioner if a fire in which property has been destroyed or damaged appears to be suspicious. - Amends TCA Title 7; Title 8; Title 50; Title 56 and Title 68.

65. **SB 1459** *Bailey* (HB 1026 by *Lynn)*

Taxes- As introduced, declares July 1, instead of May 31, as the deadline to renew a license to sell, distribute, or handle tobacco products. - Amends TCA Title 67.

66. **SB 1466** *Bailey* (HB 0300 by *Hill M)*

TennCare- As introduced, encourages the commissioner of finance and administration to consult the TennCare advisory commission concerning the impact of policies and procedures on providers with respect to home- and community-based services. - Amends TCA Title 4; Title 33; Title 56; Title 63; Title 68 and Title 71.

67. **SB 0466** *Roberts* (HB 0539 by *Howell)*

Employees, Employers- As introduced, requires the consideration of the 20-factor test in IRS Revenue Ruling 87-41 to determine whether an employer-employee relationship exists in certain employment arrangements. - Amends TCA Title 50.