

AN ACT to amend Tennessee Code Annotated, Title 68, Chapter 11, Part 8, relative to nursing home patients.

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

SECTION 1. Tennessee Code Annotated, Title, 68, Chapter 11, Part 8, is amended by adding the following language as a new, appropriately numbered section:

Section _____. (a) If the department receives two (2) complaints from a patient or guardian or family member of a patient within a three (3) month period concerning the patient's care, the department shall conduct an investigation to determine the nature and extent of the complaints. If as a result of its investigation, the department finds that violations have occurred which are or may be the basis of a civil monetary penalty relating to such patient care, and the department assesses a civil monetary penalty for such violations in accordance with this part, in addition to assessing a civil monetary penalty, the nursing home where the violations occurred shall reimburse the patient for a portion of the monthly fees paid to the nursing home by the patient during the period when the violations occurred.

(b) The amount of reimbursement due the patient shall be commensurate with violations found by the department in the care rendered to such patient. The board for licensing health care facilities shall establish appropriate levels of reimbursement.

SECTION 2. This act shall take effect July 1, 1995, the public welfare requiring it.

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