

**PUBLIC CHAPTER NO. 1079**

**HOUSE BILL NO. 219**

**By Representatives Fincher, Ty Cobb, Hardaway, Windle, Favors, Gilmore, Pruitt**

Substituted for: Senate Bill No. 1788

By Senators Herron, Burks, Stewart, Harper

AN ACT to amend Tennessee Code Annotated, Title 3 and Title 71, relative to TennCare.

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

SECTION 1. Tennessee Code Annotated, Section 3-15-508, is amended by deleting subsection (d) in its entirety and by substituting instead the following:

(d) Before the bureau of TennCare may submit a request for an amendment to the waiver or a renewal of the waiver for the TennCare program to the United States department of health and human services, the bureau shall:

(1) Transmit such proposed amendment to the committee for comment at least thirty (30) days prior to submission of the waiver to the department of health and human services; and

(2) Notify each member of the general assembly of such proposed amendment or renewal via electronic mail or other type of electronic communication.

SECTION 2. Tennessee Code Annotated, Section 3-15-508, is further amended by adding the following as a new subsection thereto:

(e) No such amendment or renewal request subject to the provisions of subsection (d) may be submitted or take effect unless the committee has been afforded the opportunity to comment. Since such amendment or renewal requests are legally enforceable when they take effect, the committee shall review such amendments or renewal requests in the same manner as proposed legislation, subject to the thirty-day period required by subsection (d).

SECTION 3. Tennessee Code Annotated, Section 71-5-104, is amended by designating the existing language as subsection (a) and by adding the following as new subsections:

(b) The bureau of TennCare shall notify each member of the general assembly via electronic mail or other type of electronic communication when it:

(1) Proposes a change in services or reimbursement that affects more than two thousand five hundred (2,500) beneficiaries; or

(2) Proposes a change that will affect current or future appropriations made by the general assembly in any amount that is greater than ten million dollars (\$10,000,000.00).

(c) The bureau of TennCare shall report at least quarterly to members of the Tennessee general assembly via electronic mail or other type of electronic communication on the following:

- (1) Status of TennCare reform and improvements;
- (2) Number of recipients on TennCare and costs to the state;
- (3) Viability of MCOs and providers in the TennCare program;
- (4) Success of fraud detection and prevention.

(d) The bureau of TennCare shall concurrently transmit to members of the Tennessee general assembly via electronic mail or other type of electronic communication TennCare's annual budget proposal when presented in a public forum.

SECTION 4. This act shall take effect upon becoming law, the public welfare requiring it.

**PASSED: June 3, 2010**

  
KENT WILLIAMS, SPEAKER  
HOUSE OF REPRESENTATIVES

  
RON RAMSEY  
SPEAKER OF THE SENATE

**APPROVED this 23rd day of June 2010**



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PHIL BREDESEN, GOVERNOR