

**BOARD OF EXAMINERS FOR NURSING HOME ADMINISTRATORS
MINUTES**

DATE: August 7, 2023

TIME: 9:00 a.m. Central Time

LOCATION: Office of Health-Related Boards
Iris Conference Room
665 Mainstream Drive
Nashville, TN 37243

MEMBERS PRESENT: Nyda Bays, Board Secretary
Dr. Chris Evans, ex officio Member
Amy Garner
David Keeling
Dr. Victor Legner, Board Vice Chair
Randy Reynolds
Lakecia Thomas, Board Chair

MEMBERS ABSENT: Carl Hudgens, Citizen Member
Marnie Knight, RN

STAFF PRESENT: Kimberly Wallace, Regulatory Board Administrative Director
Sam Mullins, Regulatory Board Administrative Assistant
Timothy Peters, Senior Associate General Counsel

Call to Order

The meeting was called to order at 9:02 am CST. A quorum was present to conduct Board business.

Ms. Wallace introduced new Board Member, Ms. Amy Garner in the hospital administrator seat and notified the Board of the appointment of another new Board Member who was not able to attend this meeting, Ms. Marnie Knight, who will serve as the nurse representative member. Ms. Wallace also notified the Board that Dr. Victor Legner has been reappointed to the Board in the physician representative seat.

Discuss and Consider Approval of Meeting Minutes

A motion was made by Mr. Keeling to approve the Minutes of the June 5, 2023, Board Meetings, as written. With a second made by Dr. Legner

Discussion: None OR As Follows

The motion passed unanimously by voice vote.

Reports and/or Requests from the Office of Investigations

Ms. Barbara Granum, Intake Coordinator with the Office of Investigations, presented the following reports:

CY2023 Y-T-D Totals

New Complaints Opened	44
Total Closed Complaints	18
Currently Open Complaints	41

CY2023 Y-T-D Newly Opened Complaints By Allegation

Unprofessional Conduct	44
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Reports and/or Requests from the Division of Health Licensure and Regulations

There were no reports for review in this meeting.

Discuss and Take Action as Necessary Regarding Legislation

Grayson Carter, Legislative Liaison, was present to review the 2023 Legislative Update. (*See attachment A for the full report.*)

Reports and/or Requests from the Administrative Office

Mr. Mullins presented the following report to the Board:

STATISTICAL REPORT

The Board has 780 total active licensees as of July 27, 2023

Licensing activities from June 1, 2023, through July 27, 2023:

- New applications received- 10
- New licenses issued – 7
- Reinstatements- 0
- Number of paper renewals- 14
- Number of renewals in VO (online) – 37
- Number of licensees who retired – 0
- Failed to Renew/Expired licensees – 7
- Closed applications - 7

The online renewals constitute a usage rate of approximately 72% of all renewals during this period.

2023 BENHA meeting dates:

- November 6, 2023

Ms. Wallace apprised the Board of her speaking engagements and presentations she has made on behalf of the Board with the THCA in June for upcoming preceptors and again in July with upcoming administrators. She expressed appreciation to the THCA for the invitation to share the student outreach presentations and is looking at planning a refresher session to be offered online to all preceptors this Fall. Ms. Wallace reviewed the requirements for completing an A.I.T. Program and the Preceptor's responsibilities.

Reports and/or Requests from the Office of General Counsel

Mr. Peters reminded the Board Members of the Conflict of Interest and Open Meetings requirements, then reported that there are currently two (2) open cases under review. A fee decrease rulemaking is waiting to be heard at a Government Operations hearing. The hearing date has not yet been scheduled.

Presentation of Consent Orders, agreed Citations, and Other Disciplinary Items

There were no disciplinary items to review at this meeting.

Applicant Interviews/File Reviews Waivers & Other Requests

Ms. Wallace gave notice that the applicants being presented in this meeting are seeking to move forward in the pursuit of licensure by either beginning an A.I.T. Program or being approved to take the NAB Exam. All approvals are dependent upon meeting any contingencies as specified by the Board in their motions and/or by examination requirements as described in the Board's Rules.

AIT Applicants

Jonathan Cerino 4152

Applicant was Present In-Person Present By Phone Not Present

The Board discussed the applicant's education and experiences leading up to their application for nursing home administrator.

A motion was made by Ms. Thomas

To approve the applicant for a standard 6-month/1,040-hour A.I.T. Program.

With a second made by Dr. Legner

Discussion: None OR As Follows

The motion passed unanimously by voice vote.

Phillip Duttry 4149

Applicant was Present In-Person Present By Phone Not Present

The Board discussed the applicant's education and experiences leading up to their application for nursing home administrator.

A motion was made by Mr. Keeling

To approve the applicant for a standard 6-month/1,040-hour A.I.T. Program.

With a second made by Ms. Thomas

Discussion: None OR As Follows

The motion passed unanimously by voice vote.

Ariel Estes 4146

Applicant was Present In-Person Present By Phone Not Present

The Board discussed the applicant's education and experiences leading up to their application for nursing home administrator.

A motion was made by Ms. Thomas

To approve the applicant for a standard 6-month/1,040-hour A.I.T. Program.

With a second made by Dr. Legner

Discussion: None OR As Follows

The motion passed unanimously by voice vote.

Rachel Hicks 4155

Applicant was Present In-Person Present By Phone Not Present

The Board discussed the applicant's education and experiences leading up to their application for nursing home administrator.

A motion was made by Ms. Thomas

To approve the applicant for a standard 6-month/1,040-hour A.I.T. Program.

With a second made by Ms. Garner

Discussion: None OR As Follows

The motion passed unanimously by voice vote.

Joshua Hubbuch 4154

Applicant was Present In-Person Present By Phone Not Present

The Board discussed the applicant's education and experiences leading up to their application for nursing home administrator.

A motion was made by Dr. Legner

To approve the applicant for a standard 6-month/1,040-hour A.I.T. Program.

With a second made by Mr. Reynolds

Discussion: None OR As Follows

The motion passed unanimously by voice vote.

Rachel Siddall 4153

Applicant was Present In-Person Present By Phone Not Present

The Board discussed the applicant's education and experiences leading up to their application for nursing home administrator.

A motion was made by Ms. Thomas

To approve the applicant for a standard 6-month/1,040-hour A.I.T. Program.

With a second made by Ms. Bays

Discussion: None OR As Follows

The motion passed unanimously by voice vote.

Stephanie Williford 4156

Applicant was Present In-Person Present By Phone Not Present

The Board discussed the applicant's education and experiences leading up to their application for nursing home administrator.

A motion was made by Mr. Keeling

To approve the applicant for a standard 6-month/1,040-hour A.I.T. Program.

With a second made by Mr. Reynolds

Discussion: None OR As Follows

The motion passed unanimously by voice vote.

Reciprocity Applicants

None

Exam Applicants

Pamela Jackson

Applicant was Present In-Person Present By Phone Not Present

The Board discussed the applicant's education and experiences leading up to their application for nursing home administrator. Applicant had two unsuccessful attempts at the NAB Exam in State of AR; has never been licensed as an NHA in any state. The Board discussed the applicant's plan for preparation for taking the NAB. She does not have a preceptor or mentor in place but plans to work with the Administrator at her current facility. She believes the current Administrator would serve as a Preceptor for her.

Dr. Legner questioned the applicant's degree program, stating it does not meet the requirements for education to qualify to sit for the NAB Exam. Her degree was in Health Studies with a concentration in Healthcare Leadership. Dr. Legner believes she would fall under the pathway of having a bachelor's degree with a 6-month/1,040-hour A.I.T. Program. The applicant stated she did complete an A.I.T. Program in another state.

A motion was made by Dr. Legner to table a decision to the November meeting, and the applicant is to provide proof of having completed an A.I.T. Program outside the state of TN; the Board will

then review that documentation and make a determination regarding her application at the next meeting to determine if it meets the qualification for testing, or if a TN A.I.T. Program would be most appropriate. With a second made by Ms. Thomas.

Discussion: None OR As Follows

The Board discussed the various considerations of end results the Board may consider at the November meeting, including the possibilities of 1) requiring the applicant to complete a remediation plan before taking next test, 2) have a preceptor and A.I.T. docs ready, or 3) a straight-forward approval to take the NAB Exam. Mr. Reynolds noted the Rules refer to exams that are board approved and her previous attempts in AR were not TN Board approved.

The motion passed unanimously by voice vote.

Temporary License Applicants

None

Waivers and Other Applicant Requests

CE Course Approval Request – DDPA Arkansas

This course was originally presented for consideration at the June 5, 2023, Board meeting, wherein, the Board tabled a decision on accepting these courses for CE credit, pending additional information from the course sponsor providing course objectives and definitions for abbreviations used in the materials. The course provider responded and noted that they have only submitted their materials based upon a specific request from one TN licensee who is seeking the Board's approval of the DDPA course as acceptable CE credit for their 2023 CE Cycle requirements.

Mr. Reynolds noted the course descriptions provided do not appear to speak to long-term care needs, but rather, appear to focus on child and developmental needs. Dr. Legner noted a topic for a course about improving HR communications and seems to be an ad for a company, as given by a regional sales company.

A motion was made by Mr. Keeling to not accept the hours from the DDPA Arkansas CE Courses dated April 18-20, 2023, as Board-approved CE. With a second made by Dr. Legner.

Discussion: None OR As Follows

The motion passed unanimously by voice vote.

Ratification of Licensure Files

A motion was made by Ms. Thomas

To approve the Ratification List, as presented.

With a second made by Ms. Bays

Discussion: None OR As Follows

The motion passed unanimously by voice vote.

Ratification List

06/01/2023 - 07/27/2023

Newly licensed

4069 Childress Donna J

4082 Foster Noah

4115 Norris John E

4096 Pafford Kirk T

4129 Lee-Patterson Crystal

4142 Washington Wylee James

3975 Dicus Wilbert Tamarah Ann

Closed Applications

Dodd Sarah Rachel Mrs.

Jackson Pamela A

King Paul G

Lee Caleb Kristopher Mr.

Pruitt Kristy

Shuler Valeria Viola

Windham Todd Daval

Discuss and Take Action as Necessary Regarding Rulemaking, Rulemaking Hearings, Amendments and Policies

There were no rulemaking or policy-related items to review in this meeting.

Review of Correspondence and Notices

There were no correspondence items or notice items for the Board to review in this meeting.

Conference/Event Reports and Upcoming Events Review

There were no conference/event items for the Board to review in this meeting.

Discuss Old/New Board Business

There were no old or new business items for the Board to review in this meeting.

Call for Public Comment

There were no public comments offered. Ms. Wallace reminded the public that they may submit comments in writing in advance of a regularly scheduled meeting by email to the Administrative Office at Unit3HRB.Health@tn.gov or by mail to 665 Mainstream Drive, Nashville, TN 37243.

Adjourn

There being no further business to be heard, a motion was made by Ms. Thomas

To adjourn

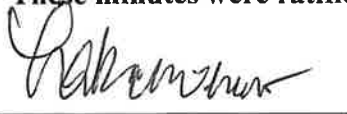
With a second made by Mr. Reynolds

Discussion: None OR As Follows

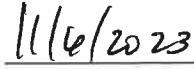
The motion passed unanimously by voice vote.

The meeting was adjourned at: 10:42am

These minutes were ratified by the Board at the November 6, 2023, meeting.



Board Chair



Date



Office of Legislative Affairs 2023 Legislative Update

Noteworthy Health-Related Legislation

- The Department of Health's administration bill successfully extended current opioid prescription protections that were put into place in 2018 under the Tennessee Together Act.
- The Department of Health was extended to June 30, 2027, following an audit and subsequent sunset hearings.
- Multiple boards administratively attached to the Department of Health were extended by the legislature following audits and subsequent sunset hearings.

Non-Health Related Legislative Activity of Note

- June 19th is now designated as a state holiday for Juneteenth.
- State employees are authorized to use sick leave from a sick leave bank to care for a sick minor child of the employee.
- State employees must be provided six paid weeks of leave for the birth of the employee's child or because of the employee's adoption of a child.
- "Send Me" is now an additional state motto.
- The legislature passed an extensive transportation modernization act.
- The legislature passed a teacher paycheck protection act that, among other things, raises the minimum teacher salary to \$50,000 by 2026.
- Law enforcement officers and the district attorney general's office may extend criminal immunity to persons who are experiencing a drug overdose and who are seeking medical assistance.

Pertinent Public Chapters

*All Public Chapters are hyperlinked to the actual document on the Secretary of State's website.

[Public Chapter No. 1—SB1/HB1—Johnson/Lamberth](#)

This law prohibits a healthcare provider from knowingly performing or offering to perform on a minor, or administer or offer to administer to a minor, a medical procedure if the performance or administration of the procedure is for the purpose of enabling a minor to identify with or live as an identity inconsistent with the minor's sex. This bill does not prohibit such medical procedure if the performance or administration is to treat a minor's congenital defect, precocious puberty, disease, or physical injury or the medical procedure began prior to the effective date of this act and concludes on or before March 31, 2024. This law also prohibits a person from knowingly providing a

hormone or puberty blocker by any means to a minor if the provision of the hormone or puberty blocker is not in compliance with this bill. This bill is effective on July 1, 2023.

[Public Chapter No. 2—SB3/HB9—Johnson/Todd](#)

This law creates a Class A misdemeanor offense for a person to perform adult cabaret entertainment on public property or in a location where the adult cabaret entertainment could be viewed by a person who is not an adult. Subsequent offenses are Class E felonies. This bill was effective on April 1, 2023.

[Public Chapter No. 9—SB51/HB217—Roberts/Ragan](#)

This law extends the professional art therapist advisory committee to June 30, 2024.

[Public Chapter No. 10—SB52/HB218—Roberts/Ragan](#)

This law extends the Psychology Interjurisdictional Compact Act to June 30, 2031.

[Public Chapter No. 24—SB248/HB66—Johnson/Lamberth](#)

This law authorized the Department of Intellectual and Development Disabilities to provide home health services to outpatients through its administration of the Tennessee Early Intervention System and the home and community-based services provided through such system. This bill was effective on March 10, 2023. *This law was a DIDD legislative initiative.*

[Public Chapter No. 29—SB36/HB202—Roberts/Ragan](#)

This law extends the Controlled Substance Database Committee to June 30, 2027.

[Public Chapter No. 31—SB33/HB199—Roberts/Ragan](#)

This law extends the Board of Nursing to June 30, 2027.

[Public Chapter No. 32—SB34/HB200—Roberts/Ragan](#)

This law extends the Board of Pharmacy to June 30, 2027.

[Public Chapter No. 33—SB48/HB214—Roberts/Ragan](#)

This law extends the Medical Cannabis Commission to June 30, 2027.

[Public Chapter No. 36—SB23/HB17—Massey/Faison](#)

This law designates the month of May as “Silver Alert Awareness Month.” This bill was effective on March 14, 2023.

[Public Chapter No. 41—SB256/HB75—Johnson/Lamberth](#)

This law allows law enforcement or the district attorney general’s office to extend criminal immunity from being arrested, charged, or prosecuted to persons who are experiencing a subsequent drug overdose. This bill takes effect on July 1, 2023. *This was a Department of Mental Health and Substance Abuse’s legislative initiative.*

[Public Chapter No. 42—SB266/HB314—Johnson/Lamberth](#)

This law makes changes regarding assignment of benefits to a healthcare provider and the collection of out-of-network charges by healthcare facilities, by removing existing notification requirements and duplicative language within code to adhere to the federal No Surprises Act. This law was effective on March 14, 2023. *This was a Department of Commerce and Insurance legislative initiative.*

[Public Chapter No. 46—SB583/HB339—Pody/Raper](#)

This law allows former municipal judges to solemnize marriages. This law was effective on March 14, 2023.

[Public Chapter No. 48—SB11/HB2—Johnson/Zachary](#)

This law extends certain provisions within the code regarding Covid-19 established during the 2021 Special Session. This bill was effective on March 21, 2023.

[Public Chapter No. 49—SB94/HB50—Johnson/Lamberth](#)

This law codifies the Acts of the 2022 legislative session. This law was effective on March 21, 2023.

[Public Chapter No. 50—SB103/HB611—Gardenhire/Hawk](#)

This law makes it a Class A misdemeanor for a state employee to knowingly violate and willfully fail to remedy a violation of the Tennessee State Employees Uniform Nepotism Act of 1980. This bill also creates a rebuttable presumption that a willful failure or refusal to remove or remedy a violation constitutes an actionable basis to institute ouster proceedings, impeachment proceedings, or quo warranto proceedings. This law will be effective on July 1, 2024.

[Public Chapter No. 51—SB0246/HB0064—Johnson/Lamberth](#)

This law amends time requirements set out in current law related to the distribution of funds from the Temporary Assistance for Needy Families Program. Specifically, this law extended dates for the report submission deadline, the pilot programs, the implementation of grants, and the obligation of funds. This law was effective on March 21, 2023. *This was a Department of Human Services legislative initiative.*

[Public Chapter No. 55—SB680/HB895—Reeves/Hurt](#)

This law clarifies that the Medical Assistance Act of 1968 does not require a vendor, healthcare provider, or telehealth provider group that provides healthcare services exclusively via telehealth to have a physical address or site in this state in order to be eligible to enroll as a vendor, provider, or provider group for that program. This law defines telehealth provider as two or more healthcare providers that share a common employer and provide healthcare services exclusively via telehealth. This law was effective on March 21, 2023.

[Public Chapter No. 62—SB486/HB39—Stevens/Bulso](#)

This law states that recoverable costs on appeal include the cost of preparing and transmitting the record, the cost of a transcript of the evidence or proceedings, the cost of producing necessary copies of briefs and the record, premium paid for bonds to preserve the rights pending appeal and costs incurred to obtain such bonds pending appeal, litigation taxes, and other fees of the appellate court or clerk. This law was effective on March 23, 2023.

[Public Chapter No. 66.—SB1202/HB808—Rose/Howell](#)

This law clarifies that “nontraditional childcare agency” does not include a person or entity that places children in family boarding homes or foster homes. This law was effective March 23, 2023.

[Public Chapter No. 70—SB29/HB195—Roberts/Ragan](#)

This law extends the Board for Professional Counselors, Marital and Family Therapists, and Clinical Pastoral Therapists to June 30, 2027.

[Public Chapter No. 71—SB32/HB198—Roberts/Ragan](#)

This law extends the Board of Medical Examiners to June 30, 2027.

[Public Chapter No. 79—SB63/HB229—Roberts/Ragan](#)

This law extends the Opioid Abatement council to June 30, 2025.

[Public Chapter No. 88—SB334/HB704—Jackson/Doggett](#)

This law authorizes the Tennessee Bureau of Investigation to create new divisions outside of the investigation division, the forensic services division, and the narcotics division. This law also expands the duties of the Medicaid fraud control unit to investigate and refer for prosecution violations of laws pertaining to misappropriations of funds or property and complaints of abuse, neglect, and financial exploitation of Medicaid recipients. This law was effective on March 31, 2023.

[Public Chapter No. 90—SB450/HB167—Lowe/Butler](#)

This law creates a Class A misdemeanor to sell or distribute tattoo paraphernalia to a person under eighteen or to purchase tattoo paraphernalia on behalf of a person under eighteen. This law also prohibits a person under eighteen from purchasing or accepting receipt of tattoo paraphernalia or from presenting or offering a person purported proof of age that is false, fraudulent, or not that person’s own to purchase such products. This law will be effective on July 1, 2023.

[Public Chapter No. 91—SB454/HB609—Watson/Hawk](#)

This law authorizes family leave insurance to be written as an amendment or rider to a group disability income policy or life insurance policy, included in a group disability income policy or life insurance policy or a separate group policy purchased by an

employer. Under this law, family leave insurance means an insurance policy issued to an employer related to a benefit program provided to an employee to pay for a percentage or portion of the employee's income loss due to the birth or adoption of a child by the employee, placement of a child with the employee for foster care, care of a family member of the employee who has a serious health condition, or status of family member of the employee who is a service member on active duty or has been notified of impending duty. This law will be effective on January 1, 2024.

[Public Chapter No. 94—SB679/HB803—Reeves/Marsh](#)

This law authorizes certified medical assistants, pursuant to a physician's or nurses' delegation, to administer or prepare only medications that have been ordered by authorized healthcare provider and that are consistent with policies and procedures of the applicable licensed facility. This law also amends the current list of authorized medications by requiring intramuscular or subcutaneous medications to continue to be in a single dose and adds rectal medications and medications prepared by the certified medical assistant for administration by the provider. This law also prohibits certified medical assistants from preparing the current list of drugs prohibited from delegation by a physician or nurse. This law was effective on March 31, 2023.

[Public Chapter No. 99—SB925/HB1429—Lundberg/Hicks](#)

This law removes the requirement that a provider of home medical equipment services that has a principal place of business outside this state maintain an office or place of business within this state. This law also requires the board for licensing health care facilities to promulgate rules to identifying contacts for state surveyors and state surveys. This law was effective on March 31, 2023.

[Public Chapter No. 101—SB984/HB893—Yager/Reedy](#)

This law extends TennCare's ground ambulance service annual assessment to June 30, 2024, and makes certain changes to the requirements for the assessment. This law will be effective on July 1, 2024.

[Public Chapter No. 103—SB1225/HB0556—White/Littleton](#)

This law requires that court clerks notify the health facilities commission, instead of the department of health, when an offender is placed on the registry of persons who have been determined to have abused, neglected, misappropriated, or exploited the property of vulnerable individuals. This law also requires that notice must be provided within 90 days of conviction of the offense. This law became effective on March 31, 2021.

[Public Chapter No. 107—SB72/HB1195—Watson/Williams](#)

This law authorizes nurse practitioners and physician assistants to refer individuals, either orally or in writing, for physical therapy. This law also removes certain minimum education requirements to engage in the independent practice of physical therapy and allows physical therapists to treat patients without a referral from a physician under

certain circumstances. This bill clarifies the definition of “notified” for purposes of treating a patient without a referral. This act became effective on April 4, 2023.

[Public Chapter No.114—SB255/HB74—Johnson/Lamberth](#)

This law changes the terms "general education development credential," "high school equivalency test," and variations of the terms to "high school equivalency credential" as referenced throughout the code. This law also replaces any references in code from GED(R) or HiSET(R) classes, coursework, testing, or services with the phrase “adult education programming to include preparation and testing toward obtaining a high school equivalency credential” throughout the code. This law is effective on July 1, 2023. *This was a Department of Labor and Workforce Development legislative initiative.*

[Public Chapter No.123—SB614/HB1313—Briggs/Kumar](#)

This law requires hospitals that have a certification from a department-approved, nationally recognized certifying body that recognizes the hospital as capable of providing neuroendovascular treatment to report quarterly data that is consistent with nationally recognized stroke consensus measures on the treatment of individuals with confirmed stroke to the East Tennessee State University College of Public Health. This law was effective on April 4, 2023.

[Public Chapter No.125—SB701/HB729—Crowe/Hulse](#)

This law clarifies the emergency medical backup requirement for speech language pathologists using endoscopes so that the procedure may be performed when a physician is on the premises or is remotely available regardless of whether the procedure is performed in a community or institutional setting. This act takes effect July 1, 2023.

[Public Chapter No.150—SB523/HB495— Jackson/Martin](#)

This bill enacts the "Topical Medical Waste Reduction Act of 2023," which allows facilities, defined as a hospital operating room, hospital emergency room department, or ambulatory surgical treatment center, to offer a patient an unused portion of certain medications required for continuing treatment upon discharge when the medication was ordered at least 24 hours in advance for surgical procedures and is administered to the patient at the facility. If a medication is used in an operating room or emergency department setting, then the prescriber shall counsel the patient on a medications proper use and administration, and the requirement of pharmacist counseling is waived. This law was effective on April 13, 2023.

[Public Chapter No.156—SB40/HB206—Roberts/Ragan](#)

This law extends the Department of Health to June 30, 2027. This law was effective on April 17, 2023.

[Public Chapter No.157—SB86HB734—Walley/Rudd](#)

This law clarifies that a person requesting public records is not entitled to special or expedited access to those records based on their occupation or association with a profession. This law was effective on April 17, 2023.

[Public Chapter No. 162—SB401/HB901—Massey/Zachary](#)

This law permanently reenacts the "Proton Therapy Access Act," which was repealed on January 1, 2023. This law requires that state group insurance programs to cover a physician prescribed hypofractionated proton therapy protocol to deliver a biological effective dose by paying the same aggregate amount as would be paid for the delivery of the same biological effective dose with a standard radiation therapy treatment protocol delivered with IMRT for the same indication if certain conditions are satisfied. This law was effective on April 17, 2023, and applies to policies and contracts for insurance executed, renewed, modified, or amended on and after such date.

[Public Chapter No. 168—SB600/HB90—Hensley/Moody](#)

This law prohibits counties, municipalities, and metropolitan governments from expending funds for the purpose of assisting a person in obtaining a criminal abortion. This prohibition includes using funds as part of a health benefit plan or for travel to another state for the purpose of obtaining an abortion. This law was effective on April 17, 2023.

[Public Chapter No. 173—SB953/HB690—Walley/Martin](#)

This law creates authorizes the Board of Psychology to designate a person who has held a valid license or certificate in another state to practice psychology for at least 10 years within the last 15 years as a "health services provider" if the previous license and certification (1) required training that is generally equivalent to certain licensing standards, (2) has never been the subject of disciplinary action, and (3) allowed the licensee to engage in practice as a health services provider in psychology in the other state. This law authorizes the Board of Psychology to pursue emergency rules during the rule-making process. For the purpose of promulgating rules, this law was effective on April 17, 2023. For all other purposes, this law takes effect January 1, 2024.

[Public Chapter No. 188—SB277/HB325—Johnson/Lamberth](#)

This law extends legislation enacted in 2018 to preserve opioid prescription limitations for acute care. In addition, this law exempts individuals who had recent cancer treatment from this prescription limitation. "Recent cancer treatment" is defined as six months following the end of an active cancer treatment. This law creates an exception for informed consent where a healthcare practitioner who issued the initial prescription does not have to obtain and document informed consent, if the subsequent prescription is for the same opioid and for the same episode of treatment. Outside of this exception, informed consent must be updated periodically. This law also requires the Commissioner of the Department of Health to provide a letter, in consultation with the health-related boards, no to certain elected officials that includes information on the

impact and the effects of this legislation in each even-numbered year. This law was effective on April 24, 2023. *This law was a Department of Health legislative initiative.*

[Public Chapter 190—SB350/HB294—Campbell/Freeman](#)

This law creates the “Save Tennessee Students Act” and requires public institutions of higher education to include, among other thing, the telephone number of the suicide and crisis lifeline on student identification cards for students enrolled in the institution. This law takes effect July 1, 2023.

[Public Chapter No. 194—SB451/HB165—Lowe/Butler](#)

This law authorizes employees of a public accommodation to ask for certain information about a guide dog in training. A person who utilizes a guide dog is subject to the same liability for damages as a person whose pet causes damage to a place of public accommodation. Fraudulently representing that an animal is a service animal or service animal in training to an employee of a public accommodation is a Class B misdemeanor. A misrepresentation of service animal is a Class B misdemeanor and requires 100 community service hours to be served. This law is effective on July 1, 2023.

[Public Chapter No. 196—SB560/HB584—Walley/Grant](#)

This law allows an out of state hospital or an affiliated entity to employ emergency physicians to treat patients at a satellite emergency department, a primary care clinic, or an urgent care clinic, if they are located in this state and owned or controlled by the hospital or affiliated entity. The hospitals must meet certain qualifications and the physicians must be licensed in Tennessee. This law is limited to counties that have a population of less than 27,000 according to the 2020 federal census. This law takes effect July 1, 2023.

[Public Chapter No. 199—SB672/HB1051—Reeves/Vaughan](#)

This law authorizes a qualified advance practitioner to issue a certificate of need in support of hospitalization for emergency diagnosis, evaluation, and treatment. A qualified advance practitioner is an individual working in collaboration with a licensed physician and who is a nationally certified psychiatric-mental health advanced practice nurse or physician assistant with additional qualifications in psychiatry. The admitting hospital or treatment resource may rescind the certificate of need if a licensed physician or other qualified professional in examining the patient determines that the patient no longer meets admission criteria. Additionally, this law authorizes a licensed physician who is a board-certified psychiatrist to execute a certificate of need in support of hospitalization for a patient’s admission without a second certificate of need in support of hospitalization. This law takes effect July 1, 2023.

[Public Chapter No. 200—SB675/HB667—Reeves/Hicks](#)

This law re-writes the prescription drug donation repository program act. This law creates prescription drug donation repository program where pharmacies may donate prescription drugs that meet certain qualifications. Donation and facilitation of a donation

are not considered wholesale distribution, and a person donating or facilitating a donation does not require licensure as a wholesaler. Drugs will be dispensed based on a property system where indigent persons, a person whose income is below 600% of the federal poverty level, are the first to receive them. This law does not authorize the resale of prescription drugs. This law takes effect January 1, 2024.

[Public Chapter No. 201—SB721/HB498—Massey/Martin](#)

This law exempts a patient who is receiving an initial behavioral health evaluation or assessment from the requirement from an in-person encounter between the health care service provider, the healthcare services provider's practice group, or the healthcare system and the patient to be within sixteen months prior to the interactive visit. This law also authorizes a physician assistant who is authorized to prescribe drugs and who provides services solely via telehealth to arrange for chart review by a collaborating physician via HIAA-compliant electronic means. This law was effective on April 24, 2023.

[Public Chapter No. 203—SB799/HB859—Yarbro/Jernigan](#)

This law authorizes the Department of Health to disclose de-identified data that is collected from EMS run reports for the purpose of providing opioid overdose response and resources throughout this state. This law was effective on April 24, 2023.

[Public Chapter No. 211—SB1451/HB1312—Roberts/Kumar](#)

This law authorizes the Board of Medical Examiners to issue temporary license for two years to international medical school graduates who meet certain criteria. An international medical school graduate must only provide medical services at a healthcare provider that has in place a post-graduate training program accredited by the accreditation council for graduate medical education. The Board must grant a full and unrestricted license to practice medicine to a temporary licensee who is in good standing two years after the date of temporary licensure. The Board of Medical Examiners will need to promulgate rules for this public chapter. For the purpose of promulgating rules, this rule was effective on April 24, 2023. For all other purposes, this law takes effect July 1, 2024.

[Public Chapter No. 216—SB276/HB324—Johnson/Lamberth](#)

This law makes various changes to current law pertaining to leave for state employees. Among other things, this law allows an eligible employee to be granted absence from work with pay for a period of time equal to six workweeks because of the birth of the employee's child or because of the placement of a child with the employee for adoption. This law is effective on July 1, 2023, and applies to eligible employees who qualify for leave on or after July 1, 2023. *This was one of Governor Lee's legislative initiatives.*

[Public Chapter No. 221—SB678/HB1194—Reeves/Williams](#)

This law makes changes to the Alzheimer's and dementia respite care program. These changes include adding a new definition for "respite care" to mean temporary, substitute support or living arrangements to provide a brief period of relief or rest for informal

caregivers. This law also adds new requirements for which the program must comply. This law was effective on April 25th, 2023.

[Public Chapter No. 244—SB1392/HB1213—McNally/Sexton](#)

This law makes changes to the “Tennessee Right to Shop Act” and changes the structure of certain insurance incentives and out of pocket payments. This law takes effect July 1, 2023.

[Public Chapter 246—SB1294/HB1309—Kumar/Bailey](#)

This law prohibits a life insurance provider from canceling a life insurance policy based on genetic information, from requesting or requiring genetic testing as a condition of insurability, and from accessing the genetic data of an individual without consent. This law is ultimately effective on January 1, 2024.

[Public Chapter No. 252—SB221/HB273—Roberts/Terry](#)

This law requires the division of health-related boards to consult with the Board of Medical Examiners in the hiring of a medical consultant. This law also gives the medical consultant authority to consult on various issues and to work with the board’s attorney on certain portions of the complaint and settlement process. Additionally, the division must provide biannual surveys to the Board for its feedback and review of the consultant. This law authorizes the Board to promulgate rules to effectuate this process. This law was effective on April 28, 2023.

[Public Chapter No. 254—SB267/HB315—Johnson/Lamberth](#)

This makes changes to the allowable number of beds in private for-profit and private not-for-private intermediate care facilities for individuals with intellectual disabilities. This law takes was effective on April 28, 2023. *This was a Department of Intellectual and Development Disabilities legislative initiative.*

[Public Chapter No. 256—SB292/HB275—Briggs/Hazlewood](#)

This law makes expands the needle exchange program statewide. Specifically, this law prohibits a needle exchange program from conducting an exchange within 1,000 feet of a school or public park. If a program established pursuant to this section is in a municipality that has a population of no less than 55,440 nor more than 55,450 according to the 2020 federal census or a subsequent federal census, then it shall not conduct an exchange within 2,000 feet of a school or public park. This law takes effect July 1, 2023.

[Public Chapter No. 258—SB329/HB514—Haile/Terry](#)

This law requires one of the members appointed by the Governor to the Tennessee Medical Cannabis Commission to be a patient who has been diagnosed with a qualifying medical disease or condition and who can establish the diagnosis for purposes of appointment to and service on the commission with a valid letter of attestation. For purposes of an appointment for a term that begins on July 1, 2023, this law takes effect on April 28, 2023. For all other purposes, this law takes effect July 1, 2023.

[Public Chapter No. 265—SB669/HB0981—Reeves/Faison](#)

This law vacates and reconstitutes the Tennessee Emergency Medical Services Board, as of July 1, 2023. This law staggers the initial terms of appointment so that a portion of new members must be appointed in each year for the next four years. Members serving on the Board as of June 30, 2023, may be reappointed to the new Board. After the initial round of appointments, the terms of appointment expand to four years. Additionally, this law also makes various changes to the qualifications for candidates being considered as an appointment for the Board. For purposes of promulgating rules and carrying out administrative duties, this law was effective on April 28, 2023. For all other purposes, this law takes effect on June 30, 2023.

[Public Chapter No. 270—SB859/HB982—Reeves/Terry](#)

This law protects a person's statement regarding the use or possession of marijuana to a healthcare provider through the course of a person's medical care for the purpose of obtaining medical advice on the adverse effects of marijuana with other medications or medical treatments. Under this law, such statement is not admissible as evidence in a criminal proceeding in which the person is a defendant unless a person expressly waives this prohibition and requests that the statement be admitted as evidence. This law was effective on April 28, 2023.

[Public Chapter No. 285—SB1237/HB306—Hensley/Bulso](#)

This law requires, in connection with an interscholastic athletic activity or event where membership in the TSSAA (Tennessee Secondary Athletic Association) is required, a student enrolled in a private school in this state to participate in an athletic activity or event only in accordance with the student's sex as defined in code. This does not prohibit a student whose sex is female from participating on a team designated for male students if the school does not offer a separate team for female students in that sport. This law was effective on April 28, 2023.

[Public Chapter No. 296—SB644/HB252—Hensley/Barrett](#)

This law removes the requirement that a parent-teacher of a home school student provide proof of the student's immunizations and receipt of health services or examinations required by law generally for children in this state to the local education agency. Under this law, if a home school student participates in an LEA-sponsored interscholastic activity or event or an LEA-sponsored extracurricular activity, then the LEA may request and receive proof that the school received a health service or examination that is required for the LEA's students to participate in the activity or event. This law was effective on April 28, 2023.

[Public Chapter No. 300—SB551/HB448—Lowe/Davis](#)

This law requires governmental entities to provide a period of public comment for public meetings but authorizes the governmental entities to place reasonable restrictions on the period for public comment. This does not apply to a meeting of a governing body, or a portion thereof, where the governing body is conducting a disciplinary hearing or a

meeting for which there are no actionable items on the agenda. This takes effect July 1, 2023.

[Public Chapter No. 306—SB924/HB577—Rose/Parkinson](#)

This law adds as an enhancement factor that can be considered during sentencing if a defendant has been convicted of aggravated assault or attempted first degree murder on the grounds or premises of a healthcare facility. Healthcare facility is defined as a hospital licensed under title 33 or 68. This law takes effect July 1, 2023.

[Public Chapter 313—SB745/HB883—Helton-Haynes/Briggs](#)

This law specifies that terminating an ectopic or molar pregnancy does not constitute a criminal abortion. This law removes the current affirmative defense in law and instead provides that it is not an offense of criminal abortion if the abortion is performed or attempted by a licensed physician in a licensed hospital or ambulatory surgical treatment center and certain conditions are met. This law also requires the Department of Health to collect reports submitted under this law and report quarterly the number of abortions performed in this state to certain individuals in the executive and legislative branches no later than January 1, April 1, July 1, and October 1 of each year. This law is effective April 28, 2023.

[Public Chapter No. 316—SB1426/HB1004—Roberts/Darby](#)

This law requires an appointed member of a governing body for a state entity to serve in such capacity until the member's successor is duly appointed and qualified. Under this, an appointed member of a board, commission, or other governing body for a state governmental entity may be removed by the member's appointing authority with or without cause. A vacancy created by the removal of a member must be filled by the appointing authority in the same manner as the original appointment. This law also creates an advisory council on state procurement. This law was effective on April 28, 2023.

[Public Chapter No. 325—SB1191/HB1388—Bailey/Ragan](#)

This law terminates the Radiologic Imaging and Radiation Therapy Board of Examiners with no wind down period. This law authorizes the Board of Medical Examiners to establish and issue limited and full X-ray certifications. This law was effective on April 28, 2023.

[Public Chapter No. 327—SB0004/HB0435—Massey/White](#)

This law establishes a deaf mentor and parent advisor program to assist families in implementing bilingual and bicultural home-based programming for young children who are deaf, hard of hearing, or deaf-blind at the Tennessee Schools for the Deaf and the West Tennessee School for the Deaf. This law makes a pilot program established in 2019 for the West Tennessee School for the Deaf permanent and applicable statewide to Schools for the Deaf. This law is effective on July 1, 2023.

[Public Chapter No. 332—SB0068/HB0234—Roberts/Ragan](#)

This law makes permanent rules filed with the Secretary of State on or after January 1, 2022, which are set to expire on June 30, 2023, remain in effect until repealed, amended or superseded by legislative enactment. This law was effective on May 5, 2023.

[Public Chapter No. 335—SB3195/HB472—Lundberg/Crawford](#)

This law establishes standards for shelters that must be provided specifically to dogs under animal cruelty laws. This law takes effect on July 1, 2023.

[Public Chapter No. 337—SB269/HB317—Johnson/Lamberth](#)

This law designates June 19th as a new official state holiday for Juneteenth. This law was effective on May 5, 2023, and applies to June 19, 2023. *This was one of Governor Lee’s legislative initiatives.*

[Public Chapter No. 352—SB1345/HB1503—Watson/Vaughan](#)

This law creates the “No Surprise Billing Consumer Protection Act.” This act outlines how an insurer provides benefits to covered persons with respect to both emergency and non-emergency medical services, and outlines how the insurer must reimburse for such services. This act also allows an insurer to dispute claims with the Department of Commerce and Insurance as well as requires the Department to maintain an all-payer health claims database. This law has different effective dates for different portions of the law. However, all purposes will be effective on January 1, 2024.

[Public Chapter No. 353—SB1443/HB727—Roberts/Fritts](#)

This law requires an LEA to obtain the written, informed, and voluntary signed consent of a student’s parent or legal guardian, or the student if they are 18 years of age or older, before the student participates in a survey, analysis, or evaluation. A parent or legal guardian who wishes to excuse the student from participating in health screenings as part of a coordinate school health program must submit a request in writing to the school’s nurse, instructor, school, counselor, or principal. As used in this law, “health screening” means vision, dental, blood pressure, and hearing screenings. This law makes other changes regarding a student’s receiving of instruction of sexual orientation curriculum or gender identity curriculum or a student’s membership of a club or organization. This law is effective July 1, 2023.

[Public Chapter No. 372—SB0457/HB0155—Watson/Hicks](#)

This law requires the Board of Emergency Medical Services to pay a supplement of \$800 to a licensed Tennessee ambulance service with full-time employed EMS personnel for each personnel who successfully complete annually an in-service training course of at least 40 hours duration at a training center. For the purpose of rulemaking, this law was effective May 11, 2023. For everything else, this law will be effective on January 1, 2024.

[Public Chapter No. 379—SB0365/HB0355—Massey/Alexander](#)

This law requires that a health benefit plan that provides coverage for a screening mammogram must provide coverage for diagnostic imaging and supplemental breast

screening without imposing a cost-sharing requirement on the patient. This law is effective 90 days after May 11, 2023.

[Public Chapter 380—SB123/HB394—Niceley/Reedy](#)

This law makes various changes to the Tennessee Meat and Poultry Inspection Act and establishes a state meat inspection program within the Department of Agriculture. This law has multiple effective dates.

[Public Chapter 382—SB773/HB457—Lamar/Hakeem](#)

This law requires that each LEA and public charter school to encourage all coaches, whether employed or volunteer, to annually complete training in physical conditioning and in the use of training equipment to the extent such training is available. This law also encourages cities, counties, businesses, and nonprofit organizations that organize community based athletic activities to comply with the safety standards outlined in this law and requires the aforementioned agencies to ensure that at least one individual who is involved has completed and is in compliance with the safety standards applicable to coaches and volunteers. This law is effective on July 1, 2023.

[Public Chapter 386—SB193/HB702—Lundberg/Doggett](#)

This law adds fentanyl, carfentanil, remifentanyl, alfentanil, and thiafentanil to what constitutes a qualifying controlled substance for purposes of certain felony offenses. This law is on July 1, 2023, and applies to offenses after that date.

[Public Chapter No. 390—SB0907/HB0814—Niceley/Davis](#)

This law requires the state fire marshal to create a state fire permit that mobile food units may obtain annually to demonstrate fire safety and electrical code competency to local governments. Additionally, this law requires local governments to recognize such permit in its jurisdiction and prohibits the local government from requiring a mobile food unit with a state fire permit to hold a local fire permit or pass a local fire inspection. This law was effective May 11, 2023.

[Public Chapter No. 395—SB0666/HB0885—Reeves/Hawk](#)

This law creates the Prior Authorization Fairness Act and, among other things, establishes processes for prior authorization requests and appeals of adverse determinations. For purposes of rulemaking, this law was effective May 11, 2023. For all other purposes, this law is effective January 1, 2025, unless otherwise specified within the Act.

[Public Chapter No. 399—SB1458/HB0983—White/Sexton](#)

This law requires local education agencies (LEAs) to provide licensed employees of the LEA 6 paid workweeks after a birth or stillbirth of the employee's child or employee's adoption of a newly placed minor child. This law is effective May 11, 2023, and applies to leave taken on or after that date.

[Public Chapter No. 412—SB1398/HB1242—Reeves/Powers](#)

This law makes it a Class A misdemeanor to knowingly possess xylazine and makes it a Class C felony to knowingly manufacture, deliver, or sell xylazine, or to knowingly possess xylazine with intent to manufacture, deliver, or sell xylazine. This law exempts veterinarians. This law is effective July 1, 2023.

[Public Chapter No. 413—SB1120/HB1280—Jackson/Keisling](#)

This law expands the offense of aggravated stalking to include a person who commits stalking against a victim who is at least 65 or older. This law takes effect on July 1, 2023.

[Public Chapter No. 414—SB0781/HB1281—Crowe/Holsclaw](#)

This law establishes a family medicine student loan repayment grant program to incentivize physicians in residency training to provide medical health services in health resource shortage areas following completion of their training. This law is effective July 1, 2023.

[Public Chapter No. 420—SB1533/HB1543—Johnson/Lamberth](#)

This law increases, for Fiscal Year 23-24, the state employer match to 200 percent of the amount contributed by each state employee to the state's 401(k) plan per month, up to a maximum of \$100 per month. This law was effective May 11, 2023.

[Public Chapter No. 423—SB0378/HB0403—Briggs/Lamberth](#)

This law creates the regulation of the production and sale of hemp-derived cannabinoids, including products known as delta-8 and delta-10 under the Department of Agriculture and the Department of Revenue. The sections of this law have varying effective dates, but this law is ultimately effective July 1, 2024.

[Public Chapter No. 424—SB0394/HB0734—Lamar/Love](#)

This law creates the doula services advisory committee, which is administratively attached to the Department of Health, to advise the Department by establishing core competencies and standards for the provision of doula services in this state and to recommend reimbursement rates and fee schedules for TennCare reimbursement for doula services. The committee consists of five members, one of which is the Commissioner of the Department of Health or his designee with certain experience requirements. This law is effective July 1, 2023.

[Public Chapter No. 426—SB0458/HB0496—Watson/Martin](#)

This law requires certain health related boards to either render a decision on the application or inform the applicant of the need to appear before such board within 60 days from the date the respective board receives a completed application for licensure from either an initial applicant or an applicant who is licensed in another state or territory

of the United States or in the District of Columbia. This law was effective on May 11, 2023, and applies to applications submitted on or after that date.

[Public Chapter No. 431—SB698/HB1358—Crowe/Farmer](#)

This law directs the Department of Health to officially request the United States Department of Health and Human Services to add newborn screening for metachromatic leukodystrophy to the recommended uniform screening panel. This law took effect on May 11, 2023.

[Public Chapter No. 432—SB702/HB1095—Crowe/Boyd](#)

This law places requirements for registration of a temporary healthcare staffing agency. This law requires a temporary healthcare staffing agency to submit a biannual report to the Health Facilities Commission. This law lays out penalties and disciplinary proceedings for temporary healthcare staffing agency, such as revoking registration, under certain circumstances. Sections of this law have differing effective dates.

[Public Chapter No.433—SB1038/HB1365—Stevens/Farmer](#)

This law revises provisions relating to background checks for persons considered for appointment to or employment in various positions in state government and for administrators and employees of childcare agencies. Under this law the Governor, Speaker of the Senate, Speaker of the House of Representatives, and Chief Justice are authorized to request the director of TBI to conduct a background investigation on a person who has asked or agreed to be considered for an appointment to a position of trust and responsibility. This law took effect May 11, 2023.

[Public Chapter No. 438—SB102/HB158—Gardenhire/Zachary](#)

This law prohibits an LEA, public charter school, or public institution of higher education from requiring an educator or other employee of the LEA or public charter school to complete or participate in implicit bias training or take an adverse employment action against them for failure or refusal to complete or participate in implicit bias training. "Implicit bias training" means a training or other educational program designed to expose an individual to biases that the training's or educational program's developer or designer presumes the individual to unconsciously, subconsciously, or unintentionally possess that predispose the individual to be unfairly prejudiced in favor of or against a thing, person, or group to adjust the individual's patterns of thinking in order to eliminate the individual's unconscious bias or prejudice. This law took effect May 17, 2023.

[Public Chapter No. 442—SB219/HB271—Jackson/Hicks](#)

This law adds an additional level of practice under the Board of Examiners in Psychology to include certified psychological testing technician. A person practices as a "certified psychological testing technician" within the meaning of this chapter when the person claims to be a certified psychological testing technician or renders to individuals or the public for remuneration any service involving the application of recognized principles, methods, and procedures of the science and profession of psychology and only under the supervision of either the psychologist or senior psychological examiner employing the certified psychological testing technician or the employing community

mental health center or state governmental agency. Any and all work performed by a certified psychological testing technician is supervised by a psychologist or senior psychological examiner as determined by the board. This law details the requirements for licensure for a certified psychological testing technician. The Board is authorized to promulgate rules, effective immediately. This law takes effect January 1, 2024.

[Public Chapter No. 443—SB296/HB779—Gardenhire/Helton-Haynes](#)

This law requires the Board of Medical Examiners, the Board of Osteopathic Examination, the Board of Nursing, the Board of Physician Assistants, and the Alcohol and Drug Abuse Counselors Board to, upon the receipt of a completed application for licensure from an applicant who is licensed in another state or territory of the United States or in the District of Columbia, render a decision on the application or inform the applicant of the need to appear before the board within 45 days from the date the board receives the application. This law requires the Board of Athletic Trainers to, upon the receipt of a completed application for licensure from an applicant who is licensed in another state or territory of the United States or in the District of Columbia, render a decision on the application or inform the applicant of the need to appear before the board within 60 days from the date the board receives the application. "Completed application" means an application that satisfies all statutory and board rule requirements. This law takes effect May 17, 2023.

[Public Chapter No. 446—SB361/HB942—Massey/Alexander](#)

This law creates the dentist and dental hygienist compact. The compact details licensure requirements and other provisions related to the practice of dentists and dental hygienists who participate in the compact. While this law has been enacted in Tennessee, it will not take effect until the date the seventh compact state enacts the same legislation. This legislation has been enacted in three states as of the date of this publication: Tennessee, Washington, and Iowa. Four states have this legislation: Texas, Kansas, Minnesota, and Ohio.

[Public Chapter No. 447—SB460/HB607—Watson/Hale](#)

This law makes changes relative to the coverage of complex rehabilitation technology (CRT) by health insurance entities and managed care organizations. This law prohibits a health insurance entity that offers health insurance coverage of complex rehabilitation technology (CRT) or manual wheelchairs from requiring a prior authorization for repairs of such technology or equipment unless certain conditions exist. Additionally, a managed care organization must not require a participant in a TennCare program to obtain and submit a prior authorization for repairing complex rehabilitation technology (CRT) or manual wheelchairs unless certain conditions apply. This law takes effect July 1, 2023.

[Public Chapter No. 448—SB466/HB1269—Rose/Cochran](#)

This law provides that a teacher or other employee of a public school or LEA is not required to use a student's preferred pronoun when referring to the student if the preferred pronoun is not consistent with the student's biological sex. Under this law, a teacher or other employee of a public school or LEA is not civilly liable for using a

pronoun that is consistent with the biological sex of the student to whom the teacher or employee is referring, even if the pronoun is not the student's preferred pronoun. Under this law, a teacher or other employee of a public school or LEA are not subject to adverse employment action for not using a student's preferred pronoun if the student's preferred pronoun is inconsistent with the student's biological sex. This law took effect May 17, 2023.

[Public Chapter No. 452—SB543/HB634—Jackson/Moody](#)

This law creates a childcare improvement pilot program, administered by the Department of Human Services, to provide grants to nonprofit organizations to be used for establishing a new child care agency in this state or making improvements to, or assisting with staffing, recruitment, or salary gaps, at an existing child care agency in this state. The program must be operated from July 1, 2023, to June 30, 2026. This law was effective on May 17, 2023.

[Public Chapter No. 457—SB753/HB1317—Haile/Kumar](#)

This law changes the composition and number of members of the Board of Pharmacy by adding two members to the Board and adding a residency requirement of no less than five years for pharmacist members of the board. This law authorizes the Board of Pharmacy to issue advisory opinions. This law also specifies that the current board members must serve on July 1, 2023, through the end of the members' existing terms. This law was effective May 17, 2023.

[Public Chapter No. 466—SB858/HB952—Reeves/Boyd](#)

This law makes several changes concerning the powers and authorities of the Health Facilities Commission, including but not limited to authorizing the Commission to license facilities also licensed by the Department of Mental Health and Substance Abuse Services for the purpose of provide acute care services, authorizes the licensing and regulating of assisted-care facility administrators, amends the duties and responsibilities of the board for licensing health care facilities, authorizes the recovery and collection of civil monetary penalties under certain circumstances, and cleans up references to the Department of Health. This law has multiple effective dates. However, the law in its entirety will become effective on July 1, 2024.

[Public Chapter No. 469—SB469/HB1484—Lundberg/Hulsey](#)

This law authorizes county jails to utilize federal or state funds, if available, for the payment of medication for HIV positive patients. Additionally, this law authorizes the Department of Health to pay for HIV medication for inmates subject to availability of federal or state funds. This law was effective on May 17, 2020.

[Public Chapter No. 470—SB937/HB1311—Briggs/Kumar](#)

This law creates the "Graduate Physicians Act." This act allows medical students who have graduated from medical school and have passed Step 1 and Step 2 of the USMLE, or equivalent, but have not completed an approved postgraduate residency, to practice under a collaborative practice arrangement with a licensed physician under certain parameters. The graduate physician collaborative practice arrangement must

limit the graduate physician to providing primary care services in a medically underserved rural area of the state, a pilot project area established for graduate physicians to practice, or a rural health clinic. This law establishes guidelines for the reviewing of graduate physicians' charts by physicians who have entered into a graduate physician collaborative practice agreement. A graduate physician's license is only valid for 2 years and cannot be renewed. For the purposes of promulgating rules, this act was effective May 17, 2023. For all other purposes, this act takes effect July 1, 2025.

[Public Chapter No. 475—SB1049/HB1077—Yarbro/Thompson](#)

This law creates a farmer's market food unit permit for qualified applicants who pay a \$300 permit fee and who have successfully completed a pre-operational inspection to determine compliance with applicable rules. Additionally, this law exempts vendors from the requirement to obtain a license or permit to offer samples for consumption on the premises of the farmer's market. For the purposes of promulgating rules, this law is effective May 17, 2023. For all other purposes, this law will be effective on July 1, 2024. This requires the Department of Health to promulgate rules.

[Public Chapter No. 477—SB1111/HB1380—Bowling/Ragan](#)

This law creates the "Mature Minor Doctrine Clarification Act." This act prohibits a healthcare provider from providing a vaccination to a minor unless the healthcare provider first receives informed consent from a parent or legal guardian of the minor. The healthcare provider must document receipt of and include in the minor's medical record proof of prior parental or guardian informed consent. This law also requires written consent from a parent or legal guardian before providing a minor with a COVID-19 vaccine. Additionally, this law prohibits an employee or agent of the state to provide, request, or facilitate the vaccination of a minor child in state custody except when certain situations apply. This law was effective May 17, 2023.

[Public Chapter No. 483—SB1274/HB1270—Jackson/Farmer](#)

This law establishes a mechanism for using state funds to contract with local governments and qualified private entities to develop community-based alternatives to incarceration that provide a treatment-centered pathway and community-based supervision for offenders. The department of correction or another state agency shall not penalize, financially or otherwise, the organization for providing such service. This law takes effect July 30, 2023.

[Public Chapter No. 484—SB1275/HB874—Briggs/Lafferty](#)

The law prohibits a health insurance issuer or a managed health insurance issuer from (1) denying a licensed medical laboratory the right to participate as a participating provider in a policy, contract, or plan on the same terms and conditions as offered to another medical laboratory under the same circumstances and (2) preventing a person who is a party to or beneficiary of a policy, contract, or plan from selecting a licensed medical laboratory of a person's choice to furnish services under the contract, policy, or plan. This law becomes effective July 1, 2023.

[Public Chapter No. 486—SB1440/HB239—Roberts/Bulso](#)

This law defines “sex” in code to mean a person's immutable biological sex as determined by anatomy and genetics existing at the time of birth and evidence of a person's biological sex. “Evidence of a person’s biological sex” includes, but is not limited to, a government-issued identification document that accurately reflects a person's sex listed on the person's original birth certificate. This law takes effect on July 1, 2023.

Please note that these are high-level overviews of each public chapter. They do not include every detail or provide all bill information. Please review the text of the bill in its entirety at your own discretion. If you have any questions or need further clarity, please reach out to your attorney.