

LEGISLATIVE UPDATE

HAMILTON COUNTY
REGIONAL HEALTH COUNCIL

8/4/2017

FEDERAL AND TENNESSEE KEYWORDS

- Prescription Opiate
- Health Insurance
- Mental Health



TENNESSEE “PRESCRIPTION OPIATE”



TENNESSEE

“PRESCRIPTION OPIATE”



- SB1425/HB 1325
 - As introduced, requires prescribers to check the controlled substances database prior to each prescription of one of the controlled substances that triggers a check of the database. - Amends TCA Title 53, Chapter 10, Part 3.
 - Referred to Senate Health and Welfare Committee on 3/7/2017

TENNESSEE

“PRESCRIPTION OPIATE”



- SB 458/HB 448
 - As introduced, authorizes local education agencies and nonpublic schools to maintain opioid antagonists in schools.
 - Amends TCA Title 49 and Title 63.
 - Passed, signed by governor 5/2/2017

TENNESSEE

“PRESCRIPTION OPIATE”



- SB 1227/HB 901
 - As introduced, requires the bureau of TennCare, on and after October 1, 2017, to monitor opioid prescriptions by enrollees; imposes prior authorization requirements for opioid prescriptions for enrollees in certain circumstances; requires exemptions from prior authorization for enrollees with certain medical conditions. - Amends TCA Title 71.
 - Assigned to General Subcommittee of Senate Finance, Ways, and Means Committee 5/9/2017

TENNESSEE

“PRESCRIPTION OPIATE”



- SB 1003/HB 1033
 - As introduced, makes a nonresidential substitution-based treatment center for opiate addiction liable for damages or injuries caused by a patient who receives treatment and upon leaving treatment commits an impaired-related driving offense if the patient's impairment is due to the treatment provided. - Amends TCA Title 29 and Title 68, Chapter 11.
 - Failed in Senate Judiciary Committee since 4/19/2017

TENNESSEE

“PRESCRIPTION OPIATE”



- SB 1041/HB 1207
 - As introduced, requires the department of health to identify the prescribers who are in the top 20 percent prescribers of opioids in this state; requires the identified prescriber to comply with certain requirements after being notified that such provider is a high volume opioid prescriber.
 - Passed, 6/14/2017

TENNESSEE “NEEDLE EXCHANGE”



TENNESSEE

“NEEDLE EXCHANGE”



- SB 806/HB 770
 - As enacted, authorizes, if approved by the department of health, any nongovernmental organization, including an organization that promotes scientifically proven ways of mitigating health risks associated with drug use and other high-risk behaviors, to establish and operate a needle and hypodermic syringe exchange program. - Amends TCA Title 68.
 - Effective date as law 5/18/2017, Pub. Ch. 413.
 - Now it's up to TN Dept. of Health to set the rules and requirements for these NPOs.

TENNESSEE “MENTAL HEALTH”



TENNESSEE

“MENTAL HEALTH”



- SB 709/HB 746
 - As introduced, requires the commissioners of health and mental health and substance abuse services to produce guidelines on nonresidential buprenorphine [eg, Subutex or Suboxone] treatment by January 1, 2018, and to annually update those guidelines. - Amends TCA Title 63, Chapter 1.
 - Signed by Governor and became effective on 4/19/2017 as Pub. Ch. 112
- SB 1323/HB 1216
 - As introduced, requires the commissioner of health, in consultation with the commissioner of mental health and substance abuse services, to study and report to the health committee of the house of representatives and the health and welfare committee of the senate, on or before January 15, 2018, concerning any recommended changes to prescribing guidelines for buprenorphine products, or to Tennessee Code Annotated, Section 53-11-311. - Amends TCA Title 53, Chapter 11, Part 3.
 - 2/13/2017, referred to Senate Health and Welfare Committee (no change from last update)

TENNESSEE

“MENTAL HEALTH”



- SB 967/HB 1128
 - As introduced, enacts the "Drug Treatment Instead of Incarceration Act." - Amends TCA Title 40.
 - 40-20-402.(b) A presumption exists that any person who would otherwise be charged with a nonviolent drug offense for the first time shall, prior to the entry of a guilty plea, be ordered by the court to participate in and complete a rehabilitative drug treatment program. This section applies to all first-time felony and all misdemeanor drug offenders.
 - Assigned to General Subcommittee of Senate Judiciary Committee on 4/11/2017
- SB 129/HB 159
 - As introduced, permits the sheriff or chief administrator of a jail to contract with a substance abuse treatment program to provide services to inmates housed in the jail. - Amends TCA Title 40 and Title 41.
 - 3/7/2017 assigned to General Subcommittee of Senate Judiciary Committee

TENNESSEE

“MENTAL HEALTH”



- SB 887/HB 862
 - As introduced, enacts the "Tennessee Zero to Five Initiative" to create five additional zero to five court programs throughout the state to be administered by the department of children's services. - Amends TCA Title 16; Title 36 and Title 37.
 - (b) The goals of the zero to five court programs created under this part include the following:
 - (1) To reduce the removal of children five (5) years of age or younger from parents by surrounding at risk families with support services;
 - (2) To reduce incidences of dependency and neglect among children five (5) years of age or younger;
 - (3) To reduce the long term and short-term effects of traumatic experiences occurring when a child is five (5) years of age or younger on a child's brain development;
 - (4) To promote public safety through these reductions;
 - (5) To increase the personal, familial, and societal accountability of families; and
 - (6) To promote effective interaction and the use of resources among both public and private state and local child and family services agencies, state and local mental health agencies, and community agencies
- House bill substituted for Senate bill, HB signed by governor 5/22/2017, became Pub. Ch. 366

TENNESSEE

“MENTAL HEALTH”



- SB 834/HB 958
 - As introduced, requires the Tennessee bureau of investigation to notify the department [MHSAS] if a person who has been adjudicated as a mental defective or judicially committed to a mental institution has attempted to purchase a firearm. - Amends TCA Title 16; Title 33 and Section 38-6-109.
 - On 2/13/2017, passed on Second Consideration, refer to Senate Judiciary Committee (no action since last update)

TENNESSEE “HEALTH INSURANCE”



TENNESSEE

“HEALTH INSURANCE”



- SB 830/HB 842
 - As introduced, requires the commissioner of commerce and insurance to establish minimum essential benefits for health insurance coverage in this state that is no less extensive than that available under the federal Patient Protection and Affordable Care Act, Pub. L. No. 111-148. - Amends TCA Title 56.
 - On 2/13/2017, passed on Second Consideration, refer to Senate Commerce and Labor Committee (no action since last update)

TENNESSEE

“HEALTH INSURANCE”



- SB 833/HB 846
 - 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.
 - On 2/13/2017, passed on Second Consideration, refer to Senate Health and Welfare Committee (no action since last update)
- SJR 77 (Senate Joint Resolution)
 - Expresses support for conversion of Medicaid funding to a block grant and opposes expansion of Medicaid under the federal Patient Protection and Affordable Care Act, Pub. L. No. 111-148.
 - Assigned to s/c Insurance and Banking Subcommittee on 3/27/2017

TENNESSEE

“HEALTH INSURANCE”



- SB 118/HB 69
 - As introduced, directs the commissioner of finance and administration to submit a waiver request to the federal centers for Medicare and Medicaid services to enable the state to provide medical assistance to the existing TennCare II waiver population and persons with incomes below 138 percent of the federal poverty line by means of a block grant of federal funds. - Amends TCA Title 4; Title 33; Title 56 and Title 71.
 - Placed on Senate Commerce and Labor Committee calendar for 4/4/2017 (only action since last update is deferral)

TENNESSEE “TOBACCO”



- SB 116/HB 9
 - As introduced, allows the administrative head of each public institution of higher education to adopt policies prohibiting smoking on the institution's campus, except for smoking locations; exempts educational buildings on campuses of public institutions of higher education from smoking prohibition if allowed by policies created by the administrative head of the institution. - Amends TCA Title 4; Title 39, Chapter 17; Title 39, Chapter 15 and Title 49.
 - Passed, became Public Chapter 161, 5/3/2017

TENNESSEE “VIOLENCE”



TENNESSEE “VIOLENCE”



- SB 287/HB 148
 - Expands definition of child abuse
 - As introduced, expands child abuse to include intentionally commanding, inducing, compelling, or otherwise causing, including by use of threats or violence, a minor to commit a criminal gang offense; states that prosecution shall not require conviction of the minor for the criminal gang offense committed; designates a first offense as a Class A misdemeanor and second or subsequent offense as a Class E felony. - Amends TCA Title 39 and Title 40.
 - Assigned to General Subcommittee of Senate Finance, Ways, and Means Committee on 5/9/2017

TENNESSEE “VIOLENCE”



- HJR 32
 - Declaring April as “Child Abuse Prevention Month”
 - Signed by Governor on 3/30/2017

FEDERAL “PRESCRIPTION OPIATE”

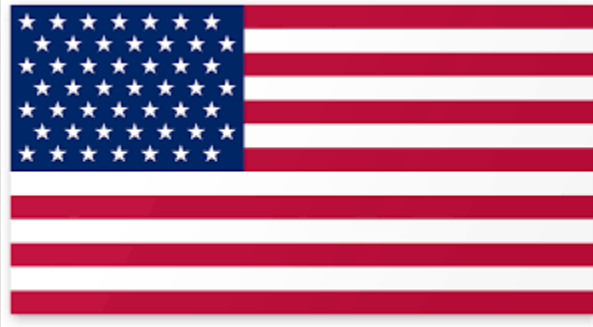


FEDERAL “PRESCRIPTION OPIATE”



- HR 993
 - Opioid Abuse Prevention and Treatment Act of 2017
 - Referred to Subcommittee on Health from Energy and Commerce, 2/10/2017
 - Parts include a pilot project to study dispensing patterns, prevention measure added to the Public Health Service Act, training and screening programs, consideration to make naloxone available over the counter, increase drug take back programs, orders GAO to compile programs, policies, and best practices

FEDERAL “HEALTH INSURANCE”



FEDERAL “HEALTH INSURANCE”



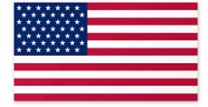
- S. 222
 - Obamacare Replacement Act [by Sen. Rand Paul (R-KY)]
 - Eliminates the employer mandate, the individual mandate, ACA Medicaid expansion, federal regulations on required coverage, requirement to cover birth control, and allow health insurance to be sold across state lines, lift the ban of pre-existing condition bar and replacement with limits, foster HSAs up to \$5K tax credit, and let doctors deduct up to 10% of their annual income for equal to the amount they would otherwise charge for charity care (Sen. Paul is an MD ophthalmologist who does annual mission trips)
 - The bill has 1 cosponsor and is 149 pages
 - Stalled in Senate Finance Committee (read twice), no further action

FEDERAL “HEALTH INSURANCE”



- S. 191
 - Patient Freedom Act of 2017
 - Bill eliminates the employer mandate, the individual mandate, requirements of benefits for all plans; keeps children on parent's policy til 26, prevents denial of coverage based on pre-existing conditions, and prohibits annual and lifetime limits
 - From there, each state would have one of three choices: essentially re-adopt the ACA on a state level, create a new state-designed plan with federal assistance but less money than the ACA provided, or create a new state-designed plan with no federal assistance at all.
 - 5 senate Republican cosponsors and is 73 pages
 - 1/23/2017 Referred to the Subcommittee on Regulatory Reform, Commercial And Antitrust Law

FEDERAL “HEALTH INSURANCE”



- HR 1628 – American Health Care Act of 2017
- Passed House on 5/4/2017
- Failed 7/28/17, returned to Calendar, No. 120.

FEDERAL “MENTAL HEALTH”



FEDERAL “MENTAL HEALTH”



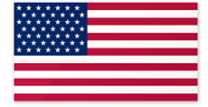
- HR 982
 - TREAT Act
 - To amend title XIX of the Social Security Act to allow for payments to States for substance abuse services furnished to inmates in public institutions, and for other purposes.
 - Referred by House Energy and Commerce Committee to Subcommittee on Health on 2/10/2017
 - 10 cosponsors all Dems

FEDERAL “MENTAL HEALTH”



- HJR 40 – Nullifies the implementation of the rule that would have required the Social Security Administration to send records of some beneficiaries with severe mental disabilities to the FBI's National Instant Criminal Background Check System (the database consulted when purchasing a firearm).
- About 75,000 people found mentally incapable of managing their financial affairs would have been affected.
- Signed by President 2/28/2017, became public law

FEDERAL “MENTAL HEALTH”

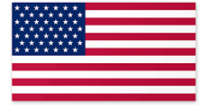


- SB1123
 - Office of National Drug Control Policy Reauthorization Act of 2017
 - Introduced 5/15/2017, assigned to Senate Judiciary Comm.

FEDERAL “VIOLENCE”



FEDERAL “VIOLENCE”



- HR 2757 (House of Representatives)
 - To amend the Public Health Service Act to establish a National Center for Violence Prevention, and for other purposes (asking for \$1 bil.)
 - 6/2/2017, Referred to the Subcommittee on Health by the House Committee on Energy and Commerce