

FILED
Date _____
Time _____
Clerk _____
Comm. Amdt. _____

Amendment No. _____

Cameron Austin

 Signature of Sponsor

AMEND Senate Bill No. 168

House Bill No. 75*

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 68-11-1603, is amended by deleting the section and substituting the following:

It is declared to be the public policy of this state that healthcare facility or service development is best left to the free market economics surrounding the relevant healthcare market, and this development should be dependent on the potential for increased accessibility of healthcare services, and an increase in the quality of services rendered. The best interest of the patient consumer is the basis of Tennessee healthcare policy and is achieved by increasing access and encouraging competition and transparency in health care for Tennesseans. To this end, this section must be equitably applied to all healthcare entities, regardless of ownership or type, except those owned and operated by the United States government.

SECTION 2. Tennessee Code Annotated, Section 68-11-1607(a), is amended by deleting the language "two hundred fifty thousand (250,000)" wherever it appears in subdivisions (10) and (11) and substituting the language "one hundred seventy-five thousand (175,000)".

SECTION 3. Tennessee Code Annotated, Section 68-11-1607(g), is amended by deleting the language "ten percent (10%)" wherever it appears in subdivisions (1)(A)(i) and (2) and substituting the language "twenty-five percent (25%)".

SECTION 4. Tennessee Code Annotated, Section 68-11-1607, is amended by adding the following as new subsections:



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(q) Notwithstanding this part, an entity that is operating a facility under a certificate of need and that is leasing or renting property wherein the facility is located is not required to obtain a new certificate of need if that entity relocates its facility to another location within a two-mile radius of the leased or rented property.

(r)

(1) Notwithstanding this part, a certificate of need is not required for magnetic resonance imaging, an independent standing emergency center, an outpatient diagnostic center, an ambulatory surgical treatment center, or home health services provided by a home care organization if those services and facilities are located in a tier 4 enhancement county as determined by the department of economic and community development pursuant to § 67-4-2109(a)(2)(C).

(2) If a county is moved from tier 4 enhancement county status to another tier after an entity has established services or a facility pursuant to this subsection (r), then the entity is not required to obtain a certificate of need for those services or facility in that county.

(3) As used in this subsection (r), "independent standing emergency center" means a free-standing emergency center that is open twenty-four (24) hours a day, seven (7) days a week; is able to treat and stabilize emergency patients with a wide range of medical conditions from mild injuries to life-threatening situations; and is not owned or operated by a hospital.

SECTION 5. This act shall take effect upon becoming a law, the public welfare requiring it.