



# State of Tennessee

## PUBLIC CHAPTER NO. 607

### SENATE BILL NO. 1487

By Haile

Substituted for: House Bill No. 1498

By Rogers, Weaver, Faison, Staples; Madam Speaker Harwell; Howell, Byrd, Beck, Butt, Towns, Alexander, Kane, Williams, Camper, Reedy, Ragan, Powers, Lynn, Hicks, Love, Gravitt, Windle, Vaughan, Moody, Pitts, Crawford, Hazlewood, Daniel, Holt, Matheny, McCormick, Terry, Rudd, Hawk, Zachary, Tillis, Lamberth, Dawn White, Gant, Hardaway

AN ACT to amend Tennessee Code Annotated, Title 71, relative to adult day care.

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

SECTION 1. Tennessee Code Annotated, Section 71-2-402, is amended by adding the following as a new subsection.

( ) (1) A limited respite care services program is exempt from licensure under this part.

(2) For purposes of this subsection, "limited respite care services program" means a program that has as its sole purpose to provide primary caregivers of appropriate adults with relief from normal caregiving duties and responsibilities and:

(A) Is operated by a religious institution or religious organization that provides custodial care for aging adults and adults with limitations on activities of daily living:

(i) Who can function in a group setting;

(ii) Who can feed and perform toilet functions without the assistance of a personal aide accompanying them; and

(iii) Who attend no more than three (3) days each calendar week, no more than twelve (12) hours in any one (1) week, and no more than six (6) hours in any one (1) day;

(B) Is registered with the department pursuant to rule promulgated by the commissioner under § 71-2-412;

(C) Maintains records that include, at a minimum, dates and times of each adult's attendance;

(D) Provides care services for less than fifteen (15) adults at the same time; and

(E) Does not administer medications to adults while under the program's care.

(3) For purposes of this subsection, "religious institution" or "religious organization" means an entity exempt from registration as a bona fide religious institution under § 48-101-502.

(4) The department is authorized to make site visits to a program in order to ensure compliance with the terms of the exemption permitted under this subsection ( ).

SECTION 2. This act shall take effect upon becoming law, the public welfare requiring it.

SENATE BILL NO. 1487

PASSED: March 19, 2018

  
RANDY McNALLY  
SPEAKER OF THE SENATE

  
BETH HARWELL, SPEAKER  
HOUSE OF REPRESENTATIVES

APPROVED this 2<sup>nd</sup> day of April 2018

  
BILL HASLAM, GOVERNOR