



# *State of Tennessee*

## **PUBLIC CHAPTER NO. 89**

**SENATE BILL NO. 807**

**By Johnson, Massey, Haile**

Substituted for: House Bill No. 951

By Lamberth, Gant, Howell, Hazlewood, Carr, Cameron Sexton, Cochran, Sanderson, Eldridge, Cepicky, Littleton, Crawford, Williams, Hardaway, Parkinson

AN ACT to amend Tennessee Code Annotated, Section 33-2-402 and Section 33-2-403, relative to the licensure of a person providing direct care for a person with an intellectual or developmental disability through consumer direction.

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

SECTION 1. Tennessee Code Annotated, Section 33-2-402, is amended by adding the following as a new subdivision:

( ) "Consumer direction" means a model of service delivery for certain Medicaid home and community-based services in which the person receiving the services, family member, or other representative employs and supervises the individual who provides the services;

SECTION 2. Tennessee Code Annotated, Section 33-2-403(b)(8)(B), is amended by deleting the word "and" at the end of the subdivision.

SECTION 3. Tennessee Code Annotated, Section 33-2-403(b)(9), is amended by deleting the period "." at the end of the subdivision and substituting instead "; and".

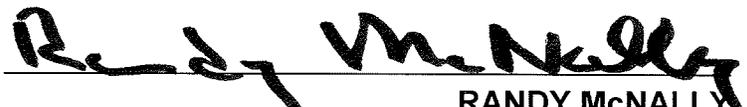
SECTION 4. Tennessee Code Annotated, Section 33-2-403(b), is amended by adding the following as a new subdivision:

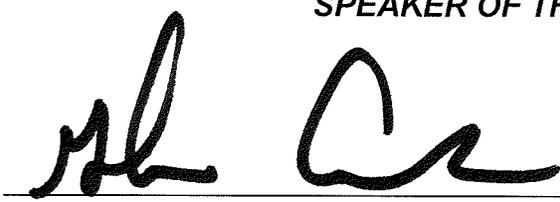
(10) A person providing direct care services to no more than three (3) people receiving services through consumer direction in a medicaid home- and community-based services program. This subdivision (b)(10) does not apply to an individual who holds out to the public as being in the business of providing personal support services for compensation.

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

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PASSED: March 14, 2019

  
RANDY McNALLY  
SPEAKER OF THE SENATE

  
GLEN CASADA, SPEAKER  
HOUSE OF REPRESENTATIVES

APPROVED this 4<sup>th</sup> day of April 2019

  
BILL LEE, GOVERNOR