



State of Tennessee

PUBLIC CHAPTER NO. 324

HOUSE BILL NO. 1317

By Representatives Wright, Dunn, Daniel, Bricken

Substituted for: Senate Bill No. 664

By Senator Massey

AN ACT to amend Tennessee Code Annotated, Title 68, Chapter 11, Part 16, relative to the relocation of certain nursing home beds.

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

SECTION 1. Tennessee Code Annotated, Title 68, Chapter 11, Part 16, is amended by adding the following as a new section:

(a)

(1) Any existing licensed and operating nursing home may relocate sixty-two (62) or fewer of its licensed beds to a new, separately licensed nursing home if all the following conditions are satisfied:

(A) The proposed location for the partial relocation of beds is within the same county as the original facility;

(B) Both the original licensed facility and the new separately licensed facility will be licensed to nonprofit corporations, and are affiliated through common ownership or management;

(C) The original facility is located on a campus of not more than five (5) acres;

(D) The original facility is not less than forty (40) years old and is licensed for not less than two hundred (200) nor more than two hundred twenty-five (225) nursing home beds by the department of health; and

(E) A certificate of need application for the relocation of the beds is filed with and approved by the health services and development agency pursuant to this part.

(2) Subdivision (a)(1) does not affect a certificate of need application filed before the effective date of this act.

(b) Any beds relocated to a new location must initially have the same Medicaid certification status that the original, existing nursing home relocating its beds maintains when the certificate of need is granted allowing the movement of beds.

(c) Any certificate of need application for the partial relocation of nursing home beds provided for in this section that seeks to increase the number of licensed beds above the licensed bed capacity of the existing nursing home must be reviewed by the department and considered by the health services and development agency pursuant to § 68-11-1609(b) and is not considered an application for new nursing home beds under the criteria in §§ 68-11-1621 and 68-11-1622.

(d) Notwithstanding subsection (c), if an application for a certificate of need for the partial relocation of nursing home beds provided for in this section seeks to increase the number of licensed beds above the licensed bed capacity of the existing nursing home, that portion of the application that increases the number of beds must comply with § 68-11-1622, and is considered an application for new nursing home beds. The remaining part of the application relative to the qualified divided relocation must be

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reviewed by the department and considered by the health services and development agency pursuant to § 68-11-1609(b), and is not considered an application for new nursing home beds.

SECTION 2. This act shall take effect July 1, 2019, the public welfare requiring it.

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PASSED: April 22, 2019



GLEN CASADA, SPEAKER
HOUSE OF REPRESENTATIVES



RANDY MCNALLY
SPEAKER OF THE SENATE

APPROVED this 8th day of May 2019



BILL LEE, GOVERNOR