



State of Tennessee

PUBLIC CHAPTER NO. 364

SENATE BILL NO. 28

By Crowe, Robinson, Kyle, Johnson, Reeves, Dickerson, Bowling, Massey, White, Jackson, Haile, Hensley, Swann, Watson, Yarbrow, Akbari, Roberts; Mr. Speaker McNally; Rose

Substituted for: House Bill No. 37

By Whitson; Mr. Speaker Casada; Hawk, Love, Hazlewood, Helton, Carter, Gant, Weaver, Beck, Hicks, Matthew Hill, Howell, Gloria Johnson, Ogles, Jernigan, Zachary, Dixie, Lamberth, Clemmons, Cooper, Sherrell, Hall, Byrd, Van Huss, Moon, Calfee, Lafferty, Freeman, Terry, Cepicky, Haston, Keisling, Littleton, Miller, Windle, Holsclaw, Ragan, Boyd, Camper, Marsh, Powell, Chism, Powers, Smith, Garrett, Shaw, Hodges, White, Faison, Hakeem, Bricken, Lamar, Hardaway, Cochran, Sanderson, Crawford, Doggett, Timothy Hill, Moody, Kumar, Hurt, Travis, Daniel, Towns, Williams, Coley, Parkinson, Thompson

AN ACT to amend Tennessee Code Annotated, Title 4; Title 68, Chapter 11, Part 14 and Title 71, relative to the creation of the state Alzheimer's disease and related dementia advisory council.

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

SECTION 1. Tennessee Code Annotated, Section 4-29-242(a), is amended by inserting the following as a new subdivision:

() State Alzheimer's disease and related dementia advisory council, created by § 71-2-117;

SECTION 2. Tennessee Code Annotated, Title 71, Chapter 2, Part 1, is amended by adding the following as a new section:

71-2-117.

(a) As used in this section:

(1) "Alzheimer's disease" means a progressive degenerative disease of the brain that leads to dementia, and is characterized by the finding of unusual helical protein filaments in nerve cells of the brain; and

(2) "Executive director" means the executive director of the Tennessee commission on aging and disability.

(b) There is created the state Alzheimer's disease and related dementia advisory council, referred to in this section as the "council."

(c)(1) The council shall be composed of no less than eleven (11) and no more than thirteen (13) members, which include:

(A) One (1) member of the health and welfare committee of the senate, to be appointed by the speaker of the senate;

(B) One (1) member of the health committee of the house of representatives, to be appointed by the speaker of the house of representatives;

(C) The commissioner of health, or the commissioner's designee, who serves as an ex officio voting member;

(D) One (1) person to be appointed by the governor;

(E) One (1) licensed medical professional with experience in Alzheimer's disease and related dementia care, to be appointed by the executive director;

(F) One (1) person diagnosed with Alzheimer's disease or related dementia, to be appointed by the executive director;

(G) A representative of Alzheimer's Tennessee, Inc., to be appointed by the executive director;

(H) A representative of the Alzheimer's Association, to be appointed by the executive director;

(I) A representative of the bureau of TennCare, to be appointed by the executive director;

(J) A representative of the Tennessee Health Care Association, to be appointed by the executive director;

(K) A representative of LeadingAge Tennessee, to be appointed by the executive director; and

(L) Any other person possessing relevant experience with Alzheimer's disease and related dementia care, to be appointed by the executive director.

(2)(A) The private citizen members listed in subdivisions (c)(1)(E)-(K) may be appointed by the executive director from lists of qualified nominees submitted by groups involved in the study of Alzheimer's disease and related dementia, including, but not limited to, the Alzheimer's Association, Alzheimer's Tennessee, the department of health, the bureau of TennCare, the Tennessee Health Care Association, the Tennessee Association for Home Care, and the Tennessee Nurses Association.

(B) The executive director shall consult with the interested groups listed in subdivision (c)(2)(A) to determine qualified persons to fill the positions as provided in this subsection (c).

(d)(1) The persons appointed under subdivisions (c)(1)(A) and (B) are nonvoting members of the council. They serve only so long as they remain members of the general assembly. Any legislative vacancy on the council shall be filled by the respective speaker, for the purpose of serving out the remainder of the unexpired term.

(2) The private citizen members appointed under subdivisions (c)(1)(D)-(K) are voting members and are eligible for reappointment to the council. Any vacancy among the private citizen members shall be filled by the respective appointing authority to serve for the remainder of the unexpired term.

(e) Except as provided in subsection (f) for initial appointments, the terms of the members of the council are for three (3) years.

(f)(1) In order to stagger the terms of the newly appointed council members, initial appointments shall be made as follows:

(A) The persons appointed under subdivision (c)(1)(D)-(F) serve an initial term of one (1) year, which expires on June 30, 2020;

(B) The persons appointed under subdivisions (c)(1)(G)-(I) serve an initial term of two (2) years, which expires on June 30, 2021; and

(C) The persons appointed under subdivisions (c)(1)(J) and (K) serve an initial term of three (3) years, which expires on June 30, 2022.

(2) Following the expiration of members' initial terms as prescribed in subdivision (f)(1), all three-year terms begin on July 1 and terminate on June 30, three (3) years later.

(g) The members shall elect a chair and a vice chair, whose duties are established by the council.

(h) In making the appointments under subsection (c), the executive director shall strive to ensure that the council is composed of persons who are diverse in professional or educational background, ethnicity, race, sex, geographic residency, heritage, perspective, and experience.

(i) The council shall fix a time and place for regular meetings and shall meet no less than twice yearly to review the state plan and all related metrics and outcomes. The executive director shall call the first meeting of the council. All other meetings of the council shall be at the call of the chair.

(j) A majority of the voting members of the council constitutes a quorum, and all official action of the council requires a quorum.

(k) The respective appointing authority may remove a private citizen member of the council for misconduct, incapacity, or neglect of duty.

(l)(1) The legislative members of the council shall be reimbursed as members of the general assembly are paid for attending legislative meetings as provided in § 3-1-106.

(2) The private citizen members of the council do not receive travel expenses or compensation for their service.

(m) The purpose of the council is to:

(1) Continually assess the current status of Alzheimer's disease and related dementia in this state and to assess the current and future impact of Alzheimer's disease and dementia on Tennessee residents;

(2) Examine the existing industries, services, and resources addressing the needs of persons, families, and caregivers affected by Alzheimer's disease and related dementia;

(3) Develop a strategy to mobilize a state response to matters regarding Alzheimer's disease and related dementia; and

(4) Provide recommendations to the governor and to the general assembly on issues related to its work.

(n) The council is administratively attached to the commission on aging and disability. The council shall consult and advise the executive director on matters related to the establishment, maintenance, and operation of state initiatives related to Alzheimer's disease and related dementia.

(o) The commission and council shall make best efforts to engage the community at large in making its assessments and recommendations regarding Alzheimer's disease and related dementia.

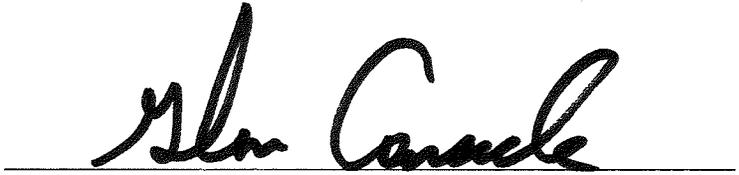
(p) No later than January 15, 2020, the council shall develop and submit an Alzheimer's disease state plan to the chair of the government operations committee of the senate, the chair of the government operations committee of the house of representatives, the chair of the health and welfare committee of the senate, and the chair of the health committee of the house of representatives that identifies barriers to Alzheimer's disease care, analyzes service utilization data, and includes recommendations, metrics, and best practices to address gaps in service. The council shall update the plan and report to the chairs of such legislative committees on its progress no later than January 15 of each year.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.

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PASSED: April 30, 2019


RANDY McNALLY
SPEAKER OF THE SENATE


GLEN CASADA, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 10th day of May 2019


BILL LEE, GOVERNOR