



# *State of Tennessee*

## **PUBLIC CHAPTER NO. 62**

### **SENATE BILL NO. 753**

**By Johnson, Massey**

Substituted for: House Bill No. 81

By Lamberth, Gant, Rudder, Smith, Helton, Hazlewood

AN ACT to amend Tennessee Code Annotated, Section 33-2-203; Section 33-2-901; Section 33-4-109 and Section 63-1-155, relative to mental health and substance abuse services.

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

SECTION 1. Tennessee Code Annotated, Section 33-2-901(b)(3), is amended by adding the following sentence at the end of the subdivision:

For purposes of this subdivision (b)(3), "state official" means an individual elected to a state legislative, executive, or judicial office or an employee of the department.

SECTION 2. Tennessee Code Annotated, Section 33-4-109(a), is amended by deleting the subsection and substituting the following:

(a)(1) Upon the death of a person admitted to a facility, the chief officer of the facility shall mail written notice of death to the next of kin, if known, and notify the office of the medical examiner having jurisdiction to investigate the death.

(2) Upon the death of a person admitted to a facility under chapter 7 of this title, the chief officer of the facility shall mail written notice of death to the court that entered the order resulting in the admission, mail written notice of death to the next of kin, if known, and notify the office of the medical examiner having jurisdiction to investigate the death.

(3) A chief officer of a facility that is required by this subsection (a) to make a notice to the medical examiner having jurisdiction to investigate a death shall make such notice as soon as reasonably practicable, but in no event more than twelve (12) hours after the discovery of the death. A chief officer of a facility shall mail the other notices required by this subsection (a) within ten (10) days of the discovery of the death.

SECTION 3. Tennessee Code Annotated, Section 33-4-109(b), is amended by deleting the language "next of kin and".

SECTION 4. Tennessee Code Annotated, Section 33-2-203, is amended by designating the existing language as subsection (a) and adding the following as a new subsection (b):

(b) Notwithstanding subsection (a), the regional citizen-based planning and policy councils established by the department of mental health and substance abuse services shall strive to ensure that at least a majority of each council's membership consists of current or former service recipients and members of service recipient families.

SECTION 5. Tennessee Code Annotated, Section 63-1-155(g)(1), is amended by deleting the subdivision and substituting the following:

(1) Except as provided in subdivision (g)(2), to practice under this section a healthcare provider must be licensed to practice in this state.

SECTION 6. This act takes effect upon becoming a law, the public welfare requiring it.

SENATE BILL NO. 753

PASSED: March 15, 2021

  
RANDY McNALL  
SPEAKER OF THE SENATE

  
CAMERON SEXTON, SPEAKER  
HOUSE OF REPRESENTATIVES

APPROVED this 29<sup>th</sup> day of March 2021

  
BILL LEE, GOVERNOR