



State of Tennessee

PUBLIC CHAPTER NO. 807

HOUSE BILL NO. 1843

By Representatives Terry, Smith, Cepicky, Hazlewood, Love

Substituted for: Senate Bill No. 1846

By Senators Watson, Crowe, Reeves, Stevens, Yarbro

AN ACT to amend Tennessee Code Annotated, Title 56, relative to telemedicine.

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

SECTION 1. Tennessee Code Annotated, Section 56-7-1003(a)(6), is amended by deleting subdivision (C) and substituting:

(C) Notwithstanding subdivisions (a)(6)(A) and (B), includes Health Insurance Portability and Accountability Act (HIPAA) (42 U.S.C. § 1320d et seq.) compliant audio-only conversation for the provision of:

- (i) Behavioral health services when the means described in subdivision (a)(6)(A) are unavailable; and
- (ii) Healthcare services when the means described in subdivision (a)(6)(A) are unavailable;

SECTION 2. Tennessee Code Annotated, Section 56-7-1003, is amended by adding the following as a new subsection:

(k) A healthcare provider, office staff, or party acting on behalf of the healthcare provider submitting for reimbursement of an audio-only encounter under subdivision (a)(6)(C)(ii) shall:

(1) Confirm and maintain documentation that the patient:

(A) Does not own the video technology necessary to complete an audio-video provider-based telemedicine encounter;

(B) Is at a location where an audio-video encounter cannot take place due to lack of service; or

(C) Has a physical disability that inhibits the use of video technology; and

(2) Notify the patient that the financial responsibility for the audio-only encounter will be consistent with the financial responsibility for other in-person or video encounters, prior to the audio-only telemedicine encounter.

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

HOUSE BILL NO. 1843

PASSED: March 21, 2022



CAMERON SEXTON, SPEAKER
HOUSE OF REPRESENTATIVES



RANDY MCNALLY
SPEAKER OF THE SENATE

APPROVED this 8th day of April 2022



BILL LEE, GOVERNOR