

# THE COALITION'S PRIORITY BILLS

## HB1062/SB1349

### REDEFINING INTELLECTUAL DISABILITY FOR CAPITAL PUNISHMENT CASES

**SPONSORS:** Senator Gardenhire and Representative Hawk

**SUMMARY:** This bill modernizes the state's definition of ID and provides a pathway for individuals sentenced to death to be evaluated for ID with this modern definition.

**THE SKINNY:** We fully support this bill - in fact, it's one of our top legislative priorities this year. The current Tennessee code contains an outdated definition of ID that relies exclusively on a hard-line IQ score cutoff for ID. This definition is out of line with current legal and medical criteria, and the US Supreme Court and Tennessee Supreme Court have ruled that it is unconstitutional to use this definition in capital cases.  
Grassroots: [CLICK HERE](#) to use a simple form to email key legislators about our support of this bill.

**WHAT'S NEXT:** House Criminal Justice subcommittee will hear the House version on March 17th

## HB0905/SB0602

### UNIVERSAL CHANGING TABLES

**SPONSORS:** Senator Watson and Representative Doggett

**SUMMARY:** This bill requires that buildings open to the public that are newly constructed or renovated in 2022 and beyond contain an adult-sized, motorized changing table in a single-use universal restroom

**THE SKINNY:** This is a great bill, and we've heard from so many families for whom this would be the difference between community inclusion or seclusion. A fiscal note hasn't been posted yet, and it could receive some pushback for its cost - this is one of the biggest obstacles for this bill moving forward.

**WHAT'S NEXT:** Assigned to committee but not yet on calendar



## **HB0173/SB0182** TEXT-TO-911

**SPONSORS:** Senator Massey and Representative Mannis

**SUMMARY:** This bill mandates that Tennessee develop a state-wide text-to-911 service. As the title suggests, the system would allow individuals who may have a hearing impairment or speech disorder, or anybody who may not be able to speak on the phone during an emergency

**THE SKINNY:** This is a fantastic bill that is relevant and needed in the state. In the 4 other states that mandate the system, texts are fed to local 911 call centers which have equipment capable of receiving and responding to them

**WHAT'S NEXT:** Both versions were heard in committee on March 16th. The Senate version was heard on the floor on the 18th and the House version will be heard in the State Government Committee on March 23rd.

## **HB0002/SB0001** BALANCE BILLING

**SPONSORS:** Senator Watson and Representative Smith

**SUMMARY:** This bill establishes an independent dispute resolution board for balance and emergency bills. The bill requires insurance companies to pay a fee that they determine to be "reasonable" for out-of-network or emergency services. If the healthcare provider finds this to be too little compensation, the dispute resolution hears and rules on the disagreement.

**THE SKINNY:** We like this bill for a lot of reasons. First, surprise bills for healthcare are all too common and discourage individuals from seeking the care that they need. Second, it removes the patient from a dispute which really is between the healthcare provider and the patient's insurance. Finally, it obviously reduces surprise billing, reduces healthcare spending, and begins to address rising healthcare costs in the state.

**WHAT'S NEXT:** The House version was rolled into the Insurance Subcommittee on March 23rd.



## **HB0016/SB0230** TEACHER'S DISCIPLINE ACT

**SPONSORS:** Senator Hensley and Representative Cepicky

**SUMMARY:** This bill requires that LEA's/districts create a behavior policy that allows teachers to remove students they deem to be "disruptive" or "defiant" quickly and easily, followed by the option that they be permanently removed after a brief procedural process.

**THE SKINNY:** This is a bill that will disproportionately harm students with disabilities, among other marginalized student groups. It provides a loophole for the child-find process intended to protect students who have not yet been evaluated for a disability, disrupting interventions and potentially hiding the student's disability. It's difficult to say enough bad things about this bill - unfortunately, the bill is nearly law at this point

**WHAT'S NEXT:** The bill passed the House and Senate last week - it is one step from being signed by the Governor.

## **HB0130/SB0114** \$15 DSP WAGES

**SPONSORS:** Senator Gardenhire and Representative Hazlewood

**SUMMARY:** This bill raises the minimum wage for a direct service provider in a participating agency to \$15 per hour over the next 3 years.

**THE SKINNY:** The intent of this bill is wonderful - DSP's are paid too little for the important work that they do, leading to burnout, turnover and a lack of available workforce. That said, \$15 per hour is a big (and expensive) jump, and there may be some pushback given the recent legislative raises over the past couple of years. We'd like to see this bill continue to move forward, but it has some high hurdles to clear.

**WHAT'S NEXT:** Referred to committee but not on the calendar yet



## **HB0677/SB1310** STEP THERAPY REFORM

**SPONSORS:** Senator Hensley and Representative Hall

**SUMMARY:** This bill establishes several guidelines around the use of Step Therapy in the state. In part, it requires the state to create specific guidelines about how Step Therapy may be used and provides an exception process for individuals for whom Step Therapy may negatively impact their care.

**THE SKINNY:** This is another good bill because it begins to put some guardrails on the use of Step Therapy in the state. The biggest thing is the exception process because it allows individuals to stay on prescription therapies that are working and avoid the "try-and-fail" circus of prescribed therapies.

**WHAT'S NEXT:** Referred to committee but not on the calendar yet

## **HB1348/SB1205** 340B DISCRIMINATION PROHIBITION

**SPONSORS:** Senator Briggs and Representative Helton

**SUMMARY:** This bill prohibits pharmacy benefit managers from reimbursing 340B prescription entities at a lesser rate than others, from using fees or chargebacks that increase cost or exclude 340B entities from their pharmacy networks.

**THE SKINNY:** This is a long-overdue attempt to address a problem that is gaining more and more attention nationally. It may not solve prescription drug costs, but it prevents brazen discrimination against people on Medicaid. The bill comes with a pretty hefty fiscal note that increases over time, and TennCare does not like to increase its costs.

**WHAT'S NEXT:** House version was passed in Insurance Subcommittee on March 16th, and will likely be heard next in the Insurance full committee.



## HB0636/SB0603

### HEALTH BENEFIT PLAN NETWORK ACCESS AND ADEQUACY ACT

**SPONSORS:** Senator Watson and Representative Smith

**SUMMARY:** This bill establishes minimum standards for the creation and maintenance of health networks. Healthcare network providers must ensure that there are adequate numbers of acute care hospitals, primary care providers, and specialists within a reasonable time and distance.

**THE SKINNY:** Given the hospital closure crisis in the state, particularly in rural areas, this bill is so important to facilitating access to care. One of the biggest components is it's monitoring and enforcement mechanisms which hold network providers accountable to establishing and maintaining their networks. Passage of this bill should increase access to healthcare, which, of course, is a great thing. The bill has a fiscal note, but compared to the overall expenditures in healthcare from the state and TennCare, the cost is miniscule compared to the benefit.

**WHAT'S NEXT:** The House version was rolled into the Insurance Subcommittee on March 23rd.

## HB0808/SB1457

### CORPORAL PUNISHMENT PROHIBITION

**SPONSORS:** Senator Akbari and Representative Powell

**SUMMARY:** This bill prohibits the use of corporal punishment in public schools in its entirety.

**THE SKINNY:** The General Assembly passed a bill in 2018 that barred the use of corporal punishment for students with disabilities, but a late amendment provided a loophole that continues to permit the practice. There is little to no evidence that corporal punishment improves behavior or academics in the long term, so the push to replace corporal punishment with a more evidence-based intervention is a good one

**WHAT'S NEXT:** Assigned to committees but not yet on calendar



## **HB1168/SB1388** DISABILITY CHILD CUSTODY

**SPONSORS:** Senator Kyle and Representative Harris

**SUMMARY:** This bill bars judges from considering a parent's disability when making child custody or parental determination rights, except in instances when the disability threatens the child's welfare.

**THE SKINNY:** This is a wonderful bill as well. Parents with disabilities have innumerable strengths and gifts to share with their children, and using their disability status to deny their children this benefit is terrible. The bill re-orientes the state's code from perpetuating erroneous and inappropriate stigmas about disability toward a more inclusive and proper understanding. Also, this bill is Representative Harris' first-ever bill!

**WHAT'S NEXT:** The bill passed through the Child and Family Affairs subcommittee last week, and the Civil Justice Committee this week. It is likely to be heard by Calendar and Rules next week. The Senate version will be heard in the Judiciary Committee March 23rd.

## **HB1331/SB0378** SCHOOL NURSES

**SPONSORS:** Senator Campbell and Representative Harris

**SUMMARY:** This bill increases state school funding for school nurses from a ratio of 1 nurse per 3000 students to 1 nurse per 750 students.

**THE SKINNY:** We like this bill because it would help to provide nursing services for students to receive the care they need that allows them to stay in school with their peers. The BEP, the state's funding formula, is infamously complex and convoluted, which makes attempts to alter it difficult. Likewise, upping the student-to-nurse ratio is going to cost money, which may be difficult for some legislators to swallow after spending in the special session.

**WHAT'S NEXT:** The House version has been assigned but not on the calendar, still waiting on the Senate version.



## **HB1454/SB1292** SUB-MINIMUM WAGE PROHIBITION

**SPONSORS:** Senator Yarbrow and Representative Potts

**SUMMARY:** This bill requires that all employees, regardless of their disability status, be paid the federal minimum wage.

**THE SKINNY:** This is a good bill. People who work deserve to be paid fairly and equitably for their labor, which includes people with disabilities. The bill pushes aside a federal rule that permits sub-minimum wages in some instances - however, there has been a federal push this year in Washington to end the practice altogether. Should that fail, it is important that this bill provide those protections.

**WHAT'S NEXT:** The Senate version was rolled into the Commerce and Labor Committee on March 23rd. The House version has been assigned and is waiting to be placed on the calendar.

## **HB1464/SB0488** TRANSPLANT DISCRIMINATION PROHIBITION

**SPONSORS:** Senator Bell and Representative Cochran

**SUMMARY:** This bill prevents healthcare providers and insurers from refusing to provide, refer or pay for anatomical gifts/organ transplants based solely on an individual's disability.

**THE SKINNY:** This is a great bill because it ends blatant discrimination against individuals with disabilities, based on their disabilities. The fiscal note is "not significant" and it finds no impact to commerce or insurance provider premiums - there is little reason this shouldn't pass. There is a larger nationwide movement to prohibit this practice that is gaining some momentum and Tennessee is as good a place as any to push that fight.

**WHAT'S NEXT:** House version assigned committee, Senate version was taken off notice and reassigned to subcommittee - neither is currently on the calendar.

