



Aging Legislative Report

COMMERCIAL LAW

SB1393/HB0914 Charitable Solicitations - Amendment AMENDMENT #1, AS AMENDED, rewrites the bill to exclude all health care facilities from present law regarding charitable solicitations. This amendment adds that any solicitations for contributions, other than those involving payment for program services, for a health care facility may be conducted through a separate nonprofit charitable entity exempt from the federal income tax which would be subject to present law regarding charitable solicitations.

(S: Johnson; H: Casada)

<http://wapp.capitol.tn.gov/apps/BillInfo/Default.aspx?BillNumber=SB1393> **Fiscal note. H. adopted am.(Amendment 1 of 1 - HA0321); Passed H., as am., Ayes 92, Nays 0**

CRIMINAL LAW

SB0021/HB0081 Elderly Persons - As introduced, establishes a program for senior alert system in Tennessee within the department of safety in cooperation with local law enforcement agencies for assistance in locating certain disabled persons who are missing. - Amends TCA Title 38.(S: B. Marrero/ H: L DeBerry)

<http://wapp.capitol.tn.gov/apps/BillInfo/default.aspx?BillNumber=SB0021> **Fiscal note. Assigned to s/c Civil Practice and Procedure of JUD 03/10/2009**

SB0532/HB0627 TN Senior Alert Act. Amendment Requires the TBI in cooperation with appropriate law enforcement agencies to develop and implement a state-wide alert system to be activated on behalf of missing disabled adults (S: McNally; H: Hackworth)

<http://wapp.capitol.tn.gov/apps/BillInfo/Default.aspx?BillNumber=SB0532> **Fiscal note. Rec. for pass. w/ am., ref. to S. FW&M Comm. Ayes 8, Nays 0 PNV 0; Placed on cal. Judiciary Committee for 05/13/2009**

HB 2081 Safety gun courses after 65. State Summary: Firearms and Ammunition - As introduced, authorizes persons over 65 to obtain a gun carry permit without having to complete a handgun safety course. - Amends TCA Title 39, Chapter 17, Part 13. (H: Towns)

<http://wapp.capitol.tn.gov/apps/BillInfo/Default.aspx?BillNumber=HB2081> **Fiscal note. Taken Off Notice For Cal. in s/c Criminal Practice and Procedure of JUD of Judiciary Committee**

ENVIRONMENT & NATURE

SB2202/HB2345 Game and Fish Laws - As introduced, increases the one-time fee for a lifetime senior citizen sportsman license from \$200 to \$250. - Amends TCA Section 70-2-201.(S: Stewart; H: Fraley)

<http://wapp.capitol.tn.gov/apps/BillInfo/Default.aspx?BillNumber=SB2202> **Fiscal note. Assigned to Gen. Sub of S.E., C7T Comm. 03/09/2009**

ESTATES & TRUSTS

SB0444/HB0608 Guardianship or protective proceedings. Enacts the Uniform Adult Guardianship and Protective Proceedings Jurisdiction Act. Clarifies procedures for appointing guardianships. (S: Overbey; H: Stewart M.)

<http://wapp.capitol.tn.gov/apps/BillInfo/default.aspx?BillNumber=SB0444> **Fiscal Note. Action Def. in S. Jud Comm. To 04/28/2009 . Taken Off Notice For Cal. in s/c Civil Practice and Procedure of JUD of Judiciary Committee**

SB0742/HB0168 Guardianship - As introduced, decreases compensation payable to guardians from not more than 7 percent to not more than 5 percent of the amount of moneys received during the period

covered by the account. - Amends TCA Title 34. (S: Beavers; H: Casada; . **Caption Bill**

<http://wapp.capitol.tn.gov/apps/BillInfo/default.aspx?BillNumber=HB0168> **Fiscal Note**

SB0865HB0170 Wills - As introduced, increases amount of personal property that can be distributed by means of a nuncupative will from \$1,000 to \$10,000 and from \$10,000 to \$50,000 for persons in military service during time of war. - Amends TCA Title 32. (S: Black; H: Casada). **Caption Bill**

<http://wapp.capitol.tn.gov/apps/BillInfo/Default.aspx?BillNumber=HB0170> **Fiscal note.**

HEALTH CARE

SB0015 Elderly Persons - As introduced, establishes a missing senior alert program in Tennessee. - Amends TCA Title 38. Sponsored by Black

<http://wapp.capitol.tn.gov/apps/BillInfo/default.aspx?BillNumber=SB0015> **Fiscal note.** Taken Off Notice For Cal. in s/c Civil Practice and Procedure of JUD of Judiciary Committee

HB0201/SB0031 General Assembly, Studies - As introduced, extends the reporting date from February 1, 2009, to February 1, 2010, for the committee to study the effects of litigation on the nursing home industry. - Amends 2008 Public Chapter 1138. Sponsored by: Curtiss/Henry Sontany, Sargent, Black

<http://wapp.capitol.tn.gov/apps/BillInfo/default.aspx?BillNumber=HB0201> **Fiscal note** Action Def. in S. Jud Comm. to 5/19/2009

SB0009 Nurses, Nursing - As introduced, certifies medication technicians who can administer certain medications in nursing homes under the supervision of licensed nurses. - Amends TCA Title 63, Chapter 7, Part 1. Sponsored by Black

<http://wapp.capitol.tn.gov/apps/BillInfo/default.aspx?BillNumber=SB0009> **Fiscal note** Passed S. as am., Ayes 29, Nays 2, PNV 2; Rcvd. from S., held on H. desk.Placed on cal. Health & Human Resources Committee for 05/20/2009

SB0277/HB0093 Hospitals and Health Care Facilities - As introduced, requires criminal background checks to be conducted for direct care employees "prior to employment" instead of "prior to employment or within seven days of employment". - Amends TCA Section 68-11-256. (S: Haynes; H: Moore)

<http://wapp.capitol.tn.gov/apps/BillInfo/default.aspx?BillNumber=SB0277> **Fiscal note.** Rec. for pass. w/ am., ref. to S. Cal. Comm. Ayes 8, Nays 0 PNV 0; Passed

H., as am., Ayes 96, Nays 0; Engrossed; ready for transmission to Sen.

SB0212/HB0093 ID required receiving prescription drugs. Requires a pharmacist or pharmacy to obtain identification prior to dispensing or delivering a prescription drug to a person. Also requires pharmacies to maintain a database of persons authorized to pick up the prescriptions of individuals for whom the pharmacist or pharmacy dispenses a prescription. Prohibits a pharmacist or pharmacy from dispensing or delivering a prescription drug to an individual under the age of 18. Allows a physician to sign a waiver authorizing an individual under the age of 18 for whom medication has been prescribed to pick up that prescription. (S: Stewart E.; H: Matheny)

<http://wapp.capitol.tn.gov/apps/BillInfo/default.aspx?BillNumber=HB0093> **Fiscal note** Amendment Passed H., as am., Ayes 96, Nays 0; Engrossed; ready for transmission to Sen.; Rec. for pass. w/ am., ref. to S. Cal. Comm. Ayes 8, Nays 0 PNV 0

SB0277/HB0093 Criminal background checks for direct care employees. Requires nursing homes to initiate a criminal background check on direct care employees prior to employment. Current law permits the nursing home to conduct such background check prior to employment or within seven days of employment. (S: Haynes J.; H: Moore)

<http://wapp.capitol.tn.gov/apps/BillInfo/default.aspx?BillNumber=SB0277> **Fiscal note** Rec. for pass. w/ am., ref. to S. Cal. Comm. Ayes 8, Nays 0 PNV 0; Passed H., as am., Ayes 96, Nays 0; Engrossed; ready for transmission to Sen.

SB1441/HB0457 Tennessee Bureau of Investigation - As introduced, establishes the Silver Alert system within the TBI to provide statewide information distribution regarding missing person suffering from dementia or other cognitive impairment. - Amends TCA Title 38, Chapter 6, Part 1. Sponsored by Haynes/McDonald<http://wapp.capitol.tn.gov/apps/BillInfo/Default.aspx?BillNumber=HB0457> **Fiscal Note**Taken Off Notice For Cal. in: Judiciary Committee; Assigned to Gen. Sub of S. Trans. Comm

GOVERNMENT ORGANIZATION

SB1171/HB1410 Tennessee Department of Aging Act of 2009. Amendment.

Amendment rewrites the bill to create a special joint committee to study the creation of a department of aging and adult services, with members to be three representatives from the House and three representatives from the Senate. These members would be appointed by the Speakers. (S: Finney L.; H: Ferguson) **Fiscal note** Rec. for pass. w/ am., ref. to S.

FW&M. Comm. Ayes 6, Nays 0 PNV; Assigned to s/c Budget of FW&M0
<http://wapp.capitol.tn.gov/apps/BillInfo/Default.aspx?BillNumber=SB1171>

SB1048/HB1038 Sunset - TN Alzheimer's disease task force. Sunsets the Tennessee Alzheimer's disease task force on June 30, 2010. (S: Johnson J.; H:Lynn)
<http://wapp.capitol.tn.gov/apps/BillInfo/default.aspx?BillNumber=SB1048> **Fiscal note.**
Recommended for wind-down

SB0455/HB0632 Placement of nursing homes on probation for noncompliance. Specifies that the department of health, through the board for licensing health care facilities, has the authority to place nursing homes on probation for noncompliance. Requires documentation to show that community-based alternatives to long-term care are not desired by an individual or the individual's legal representative prior to nursing facility admission. (S: Overbey; H: Tindell)

<http://wapp.capitol.tn.gov/apps/BillInfo/default.aspx?BillNumber=SB0455> **Fiscal Note Placed on S.GW,H&HR Comm. cal. for 05/06/2009; Taken Off Notice For Cal. in s/c Health Care Facilities of HHR of Health & Human Resources Committee**

SB0459/HB0936 Assessing financing of Option program and long-term care. Requires the select oversight committee on long-term care to annually assess the financing of the Option program and the programs under the Long-Term Care Community Choices Act of 2008 and report to the house and senate standing finance committees. Requires the fiscal review committee to report annually to the oversight committee on long-term care on the financial and program impacts of the nursing home bed tax. (S: Black; H: Ferguson)

<http://wapp.capitol.tn.gov/apps/BillInfo/default.aspx?BillNumber=SB0459> **Fiscal note**

SB0464/HB0450 Random drug testing requirement for nursing home staff. Requires nursing homes to conduct random drug testing for direct care staff at least once a year in addition to conducting initial criminal background checks. (S: Harper; H: Pruitt)
Caption Bill
<http://wapp.capitol.tn.gov/apps/BillInfo/Default.aspx?BillNumber=SB0464> **Fiscal note. Action Def. in S.GW,H&HR Comm. to 4/15/2009. Held pending amendment**

SB0465/HB0448 Personal needs allowance increased. Raises the amount of personal needs allowance to \$50.00 from \$40.00 for long-term nursing home residents. Sponsored by Harper/ Pruitt

<http://wapp.capitol.tn.gov/apps/BillInfo/default.aspx?BillNumber=SB0465> **Fiscal note. Rec. For Pass. ref. to: S. FW&M Comm; Placed Behind the Budget**

SB0466/HB449 Hospitals and Health Care Facilities
As introduced, requires the commissioner of health to submit an annual report to the governor and the speakers of the general assembly by February 1 each year regarding nursing home inspection and enforcement activities and to make recommendations to improve the quality of care and quality of life in nursing homes. - Amends TCA Title 4; Title 7; Title 29; Title 33; Title 67; Title 68 and Title 71. Sponsored by Harper/Pruitt **Caption Bill**

<http://wapp.capitol.tn.gov/apps/BillInfo/default.aspx?BillNumber=SB0466> **Fiscal note. P2C, caption bill, held on desk - pending amdt.**

SB0774/HB1110 Calculation of out-of-pocket costs for prescription drugs. Establishes a methodology and disclosure duties for health insurance entities and pharmacy benefits managers concerning calculation of out-of-pocket costs for prescription drugs. (S: Overbey; H: Shepard)
<http://wapp.capitol.tn.gov/apps/BillInfo/default.aspx?BillNumber=SB0774> **Fiscal note. Amendment Passed S. as am., Ayes 31, Nays 0; Placed on Regular Calendar for 5/18/2009**

SB0209/HB0368 Medical Marijuana Act of 2009.
Enacts the "Medical Marijuana Act of 2009" requiring the department of health to establish and maintain a voluntary program for issuance of identification cards to qualified terminal patients who satisfy specific requirements for medical marijuana. Requires the department of health to maintain a 24-hour toll-free number intended to allow state and local government law enforcement officers to have immediate access to information necessary to verify the validity of an identification card, until a web-based system can be developed for this purpose. Declares that no person designated as primary caregiver in possession of a valid identification card will be subject to arrest for possession of medical marijuana unless reasonable cause to believe that the information on the card is false. Requires a person who seeks an identification card to pay a fee. Declares that an identification card is valid for a period of one year. Creates a Class B misdemeanor for first offense by a physician in regards to discussion or recommendation of unlawful use of marijuana to a patient. Creates Class A misdemeanor for second offense of the same kind. Subjects a person to the same punishments for fraudulently representing a medical condition or fraudulently providing any material misinformation to a physician. (S: Marrero; H: Richardson)

<http://wapp.capitol.tn.gov/apps/BillInfo/default.aspx?BillNumber=SB0209> **Fiscal note**

SB0277/HB0093 Criminal background checks for direct care employees. Requires nursing homes to initiate a criminal background check on direct care employees prior to employment. Current law permits the nursing home to conduct such background check prior to employment or within seven days of employment. (S: Haynes J.; H: Moore)

<http://wapp.capitol.tn.gov/apps/BillInfo/default.aspx?BillNumber=SB0277> **Fiscal note.** Placed on S.GW,H&HR Comm. cal. for 05/13/2009; Placed on cal. Calendar & Rules Committee for 05/12/2009

SB0455/HB0632 Placement of nursing homes on probation for noncompliance. Specifies that the department of health, through the board for licensing health care facilities, has the authority to place nursing homes on probation for noncompliance. Requires documentation to show that community-based alternatives to long-term care are not desired by an individual or the individual's legal representative prior to nursing facility admission. (S: Overbey; H: Tindell)

<http://wapp.capitol.tn.gov/apps/BillInfo/default.aspx?BillNumber=SB0455> **Fiscal note.** Placed on S.GW,H&HR Comm. cal. for 05/06/2009; Taken Off Notice For Cal. in s/c Health Care Facilities of HHR of Health & Human Resources Committee

SB2042/HB1985 Auditing - As introduced requires that certain meetings of an audit committee abide by public notice and public meeting provisions; authorizes confidential meetings in certain circumstances; classifies certain audit-related documents as confidential. - Amends TCA Title 10, Chapter 7, Title 9, Chapter 3 and Title 4, Chapter 3. **Fiscal note**

Amendment

<http://wapp.capitol.tn.gov/apps/BillInfo/Default.aspx?BillNumber=HB1985>

SB0914/HB1268 Exemptions to the Long Term Care Community Choices Act. Exempts the Greater Nashville Council of Governments and the Upper Cumberland Development District from being included in the fully integrated risk-based long-term Care system developed under the Long Term Care Community Choices Act of 2008 for HCBS Medicaid waiver services and case management services. (S: Burks; H: Fincher)

<http://wapp.capitol.tn.gov/apps/BillInfo/default.aspx?BillNumber=SB0914> **Fiscal note.** Assigned to Gen. Sub of: S.GW,H&HR Comm.; Taken Off Notice For Cal. in s/c Professional Occupations of HHR of Health & Human Resources Committee

SB1146/HB1596 Accreditation of home medical equipment provider. Deletes requirement that a home medical equipment provider be accredited by the joint commission on accreditation of health care organizations. (S: Gresham; H: Lynn)

<http://wapp.capitol.tn.gov/apps/BillInfo/Default.aspx?BillNumber=SB1146> **Fiscal note.** Assigned to Gen. Sub of: S.GW,H&HR Comm.; Assigned to s/c Health Care Facilities of HHR .

SB1213/HB1106 Public Contracts - As introduced, requires the department of health to reimburse residential homes for the aged for each resident whose income does not exceed \$800 per month and whose income is limited to SSI benefits. - Amends TCA Title 12, Chapter 4, Part 3.(S: Black; H: J. DeBerry)

<http://wapp.capitol.tn.gov/apps/BillInfo/default.aspx?BillNumber=SB1213> **Fiscal note.** Passed S. as am., Ayes 30, Nays 0; Enrolled and ready for signatures Placed on Regular Calendar for 5/7/2009

SB1214/HB1877 Qualifying for hospice care Clarifies that existing residents as well as new admissions qualify for hospice care in an assisted-care living facility. Clarifies that hospice services are pursuant to a patient care plan. (S: Black; H: Richardson)

<http://wapp.capitol.tn.gov/apps/BillInfo/Default.aspx?BillNumber=SB1214> **Fiscal note.** Am. withdrawn. (Amendment 1 - SA0118) 03/26/2009. Comp. became Pub. Ch. 36

SB1426/HB1706 Healthcare Freedom of Conscience Act. Enacts the "Healthcare Freedom of Conscience Act." Allows health care providers to choose not to participate in the performance of a health care act that violates their conscience. Clarifies that such health care acts includes, but is not limited to, abortions, euthanasia, fetal experimentation, and physician-assisted suicide. Prohibits discrimination against individuals or institutions that decline to perform certain medical procedures or acts. (S: Stanley; H: Hensley)

<http://wapp.capitol.tn.gov/apps/BillInfo/default.aspx?BillNumber=SB1426> **Fiscal note**

SB1462/HB1559 Nashville facility for deaf and hard of hearing. Directs the department of finance and administration to work with deaf and hard of hearing organizations to provide a suitable facility in Nashville for deaf and hard of hearing persons. (S: Haynes J.; H: West)

<http://wapp.capitol.tn.gov/apps/BillInfo/default.aspx?BillNumber=SB1462> **Fiscal note**

SB 1523/HB1276 In-line oxygen arresters for nursing homes. Requires in-line oxygen arresters to be installed in a nursing home or assisted-living facility when the fire marshal determines in a fire risk assessment such arresters would be useful and practical in promoting fire safety. Requires in-line oxygen arresters to be installed within six months of determination by fire marshal. (S: Burchett; H: Ferguson)

<http://wapp.capitol.tn.gov/apps/BillInfo/default.aspx?BillNumber=SB1523> **Fiscal note.**

SB1991/HB2078 Administering medication in assisted care living facilities. Requires the board for licensing health care facilities to develop rules and regulations for a program for training, certifying and regulating certified medication technicians to administer medications to residents of assisted care living facilities and residential homes for the aged. (S: Marrero; H: Ferguson)

<http://wapp.capitol.tn.gov/apps/BillInfo/default.aspx?BillNumber=SB1991> **Fiscal note. Assigned to s/c Professional Occupations of HHR 03/11/2009**

SB2019/HB1737 Services for elderly persons. Requires department of health to submit to governor and general assembly no later than March 1 an annual report on nursing home inspection and enforcement activities. Requires department of human services to submit to governor and general assembly no later than March 1 an annual report on the department's adult protection activities. Broadly captioned. (S: Faulk; H: Fincher)

<http://wapp.capitol.tn.gov/apps/BillInfo/default.aspx?BillNumber=B2019> **Fiscal note. Assigned to Gen. Sub of: S.GW,H&HR Comm. Taken Off Notice For Cal. in s/c Health Care Facilities of HHR of Health & Human Resources Committee**

SB2071/2337 Requirements for home health companies. State Summary: Health Care - As introduced, establishes requirements for home health companies to provide assistance with medication to clients; requires background checks of employees, recordkeeping, and waiver. - Amends TCA Title 63, Chapter 7 and Title 68. (S: Burks; H: Winningham)

<http://wapp.capitol.tn.gov/apps/BillInfo/default.aspx?BillNumber=SB2071> **Fiscal note. Placed on S.GW,H&HR Comm. cal. for 05/13/2009; Action def. in s/c Professional Occupations of HHR to summer study**

SB2072/HB2004 Protective services for disabled adults. State Summary: Disabled Persons - As introduced, revises standards under which the department of human services must seek authorization

to provide protective services for disabled adults. - Amends TCA Title 34 and Title 71, Chapter 6. (S: Burks; H: Curtiss)

<http://wapp.capitol.tn.gov/apps/BillInfo/Default.aspx?BillNumber=SB2072> **Fiscal note Placed on S.GW,H&HR Comm. cal. for 05/13/2009**

HJR 0113 Caregiving and cognitive modules for the 2010 BRFS. Urges department of health to add caregiving and cognitive modules to the 2010 BRFS. (H: Armstrong)

<http://wapp.capitol.tn.gov/apps/BillInfo/default.aspx?BillNumber=HJR0113> **Fiscal note. Action Def. in s/c Budget of FW&M to 5/27/2009**

SB1991/HB2078 Administering medication in assisted care living facilities. Requires the board for licensing health care facilities to develop rules and regulations for a program for training, certifying and regulating certified medication technicians to administer medications to residents of assisted care living facilities and residential homes for the aged. (S: Marrero; H: Ferguson)

<http://wapp.capitol.tn.gov/apps/BillInfo/default.aspx?BillNumber=SB1991> **Fiscal note. Assigned to s/c Professional Occupations of HHR 03/11/2009**

SB2019/HB1737 Services for elderly persons. Requires department of health to submit to governor and general assembly no later than March 1 an annual report on nursing home inspection and enforcement activities. Requires department of human services to submit to governor and general assembly no later than March 1 an annual report on the department's adult protection activities. Broadly captioned. (S: Faulk; H: Fincher)

<http://wapp.capitol.tn.gov/apps/BillInfo/default.aspx?BillNumber=SB2019> **Fiscal note. Assigned to Gen. Sub of: S.GW,H&HR Comm. Taken Off Notice For Cal. in s/c Health Care Facilities of HHR of Health & Human Resources Committee**

SB2071/2337 Requirements for home health companies. State Summary: Health Care - As introduced establishes requirements for home health companies to provide assistance with medication to clients; requires background checks of employees, recordkeeping, and waiver. - Amends TCA Title 63, Chapter 7 and Title 68. (S: Burks; H: Winningham)

<http://wapp.capitol.tn.gov/apps/BillInfo/default.aspx?BillNumber=SB2071> **Fiscal note. Placed on S.GW,H&HR Comm. cal. for 05/13/2009; Action def. in s/c Professional Occupations of HHR to summer study**

TAXES GENERAL

HJR0003 Constitutional Amendments - - Proposes an amendment to clarify the constitutional language that currently prohibits the levying of a tax on any class of income, other than income derived from stocks and bonds, and to prohibit any tax levied on or measured by employer payrolls. Sponsored by: Kelsey Lundberg, Shipley, Williams, Ford, Hill, Harrison, Montgomery, Haynes, Niceley, Brooks H, Watson, Bell, Brooks K, Swafford, McCormick, Floyd, Dean, Cobb J, Faulkner, Weaver, Maggart, Matheny, Carr, Harwell, Lynn, Sargent, Casada, Evans, Johnson C, Hensley, Dennis, McDaniel, Eldridge, Johnson P, Halford, Rich, Todd, McManus, Coley, Lollar,

<http://wapp.capitol.tn.gov/apps/BillInfo/default.aspx?BillNumber=HJR0003> **Fiscal note.** **Placed Behind the Budget**

SB0082/HB0984 Hall income tax exemption increased. Increases the Hall income tax exemption for taxpayers 65 years of age or older from \$16,200 to \$36,000 of income from all sources for single filers. Also increases the Hall income tax exemption for taxpayers 65 years of age or older from \$27,000 to \$60,000 of income from all sources for taxpayers filing jointly. (S: Stanley; H: McManus)

<http://wapp.capitol.tn.gov/apps/BillInfo/default.aspx?BillNumber=SB0082> **Fiscal note.** **Assigned to Gen. Sub of: S. Tax Sub Committee of F,W&M.**

SB0082/HB0345 Hall income tax exemption for certain persons over 70. Exempts from the Hall income tax a person who is 70 years or older having a total annual income derived from all sources that is less than one-half of the per capita income in Tennessee for the prior calendar year. Also exempts from the tax any persons who file a joint return and either spouse is 70 years of age or older having a total joint income derived from any and all sources that is less than one-half of the per capita income in Tennessee for the prior calendar. (S: McNally; H: Hackworth)

<http://wapp.capitol.tn.gov/apps/BillInfo/default.aspx?BillNumber=SB0082> **Fiscal note.**

SB0561/HB0953 Hall income tax deduction. Authorizes a Hall income tax deduction for premiums paid by the taxpayer for long-term care insurance for the taxpayer or the taxpayer's spouse or dependent. (S: Norris; H: Harwell)

<http://wapp.capitol.tn.gov/apps/BillInfo/default.aspx?BillNumber=SB0561> **Fiscal Note.**

SB0574/HB0594 Inheritance tax - maximum single exemption. Increases from \$1 million to \$3.5 million the maximum single exemption allowable for

determining the net taxable estate for inheritance tax purposes for 2009 and subsequent years. (S: Jackson; H: Coleman)

<http://wapp.capitol.tn.gov/apps/BillInfo/default.aspx?BillNumber=SB0574> **Fiscal note.** **Placed Behind the Budget**

SB0696/HB1540 Phasing out of inheritance tax. Phases out the inheritance tax over a four-year period beginning January 1, 2010, by incrementally reducing the amount of the tax each year. For decedents who died in 2014 and thereafter, no such tax applies. (S: Southerland; H: Litz)

<http://wapp.capitol.tn.gov/apps/BillInfo/default.aspx?BillNumber=SB0696> **Fiscal note.**

SB0785/HB1878 Gift tax exemption. Eliminates distinction between Class A and Class B donees for gift tax purposes. Increases gift tax exemption by linking Tennessee law to federal gift tax exemption. Sets tax rate for all gifts to current rate for Class A (family member) donees. (S: Overbey; H: McDaniel)

<http://wapp.capitol.tn.gov/apps/BillInfo/Default.aspx?BillNumber=SB0785> **Fiscal note.**

SB1200/HB1209 Inheritance tax - federal exclusion. Adopts amount of federal exclusion as amount of inheritance tax exemption for decedents dying in 2009 and thereafter. (S: Tracy; H: Litz)

<http://wapp.capitol.tn.gov/apps/BillInfo/Default.aspx?BillNumber=SB1200> **Fiscal note.**

SB1699/HB1879 Revisions to gift and inheritance tax exemptions. Specifies that for the sole purpose of determining net gifts under the gift tax exemption provision, there must be allowed against the net gifts a maximum cumulative lifetime single exemption of an amount equal to \$1,000,000. Clarifies that the maximum single exemption permitted under inheritance tax credits provisions must be reduced by an amount equal to the exemption in the gift tax to the extent that it was applied to reduce the decedent's net gifts. (S: Overbey; H: McDaniel)

<http://wapp.capitol.tn.gov/apps/BillInfo/default.aspx?BillNumber=SB1200> **Fiscal note**

TAXES PROPERTY

SB0187/HB0287 Freezing of property taxes. Creates a property tax freeze program for eligible taxpayers who are totally and permanently disabled. Requires applicants to meet requirements for total and permanent disability under the rules and regulations adopted by the state board of equalization. Creates a

Class A misdemeanor for any taxpayer who knowingly provides false information concerning disability or other information relative to eligibility for the program. (S: Harper; H: Gilmore)

<http://wapp.capitol.tn.gov/apps/BillInfo/default.aspx?BillNumber=SB0187> **Fiscal note. Withdrawn from House.**

SB0517/HB0523 Tax relief program for low-income elderly homeowners. Increases the maximum allowable income for determining eligibility to participate in the tax relief program for elderly low-income homeowners or the tax relief program for disabled homeowners to \$26,500 beginning in tax year 2010. Broadly captioned. (S: McNally; H: Fitzhugh) Caption Bill

<http://wapp.capitol.tn.gov/apps/BillInfo/default.aspx?BillNumber=SB0574> **Fiscal note. Placed Behind the Budget 03/04/2009**

SB0755/HB1177 Eligibility for property tax relief for elderly, disabled. Provides that income attributable to a property owner for purposes of determining eligibility for property tax relief for elderly or disabled homeowners includes the income of a spouse if a joint federal income tax return was filed. (S: Johnson J.; H: Sargent)

<http://wapp.capitol.tn.gov/apps/BillInfo/Default.aspx?BillNumber=SB0755> **Fiscal note. Pub. Ch. 68**

HB0047 Taxes, Real Property - Amends TCA Title 67, Chapter 5, Part 7. - As introduced, enacts a property tax freeze for homeowners totally and permanently disabled. Sponsored by: Gilmore

<http://wapp.capitol.tn.gov/apps/BillInfo/default.aspx?BillNumber=HB0047> **Withdrawn.**

TAXES SALES

SB710/HB0007 Taxes, Sales - Amends amend TCA Title 67, Chapter 6. - As introduced, reduces sales and use tax on food and food ingredients from 5.5 percent to 4.5 percent. (S: Stanley; H: Hardaway)

<http://wapp.capitol.tn.gov/apps/BillInfo/default.aspx?BillNumber=HB0007> **Fiscal note. Placed Behind the Budget**

TENNCARE

SB0460 TennCare - As introduced requires the commissioner of finance and administration to report to certain legislative committees concerning effects of the nursing home transition initiative and authorizes the select oversight committee on long-term care to review

outreach efforts relating to the Options program for community-based long-term care. - Amends TCA Title 68 and Title 71. (S: Black; H:L. Finney)

<http://wapp.capitol.tn.gov/apps/BillInfo/default.aspx?BillNumber=SB0460> **Fiscal note.**

SB0763/HB0546 Federal waiver for personal health accounts program. Directs the commissioner of finance and administration to submit to the federal Centers for Medicare and Medicaid services a waiver amendment to the existing TennCare waiver or to submit a new waiver to use personal health accounts. Sponsored by Crowe; Kelsey/Hensley

<http://wapp.capitol.tn.gov/apps/BillInfo/Default.aspx?BillNumber=SB0763> **Fiscal note.**

SB0851/HB1114 Providing of home health care services. **Amendment** rewrites this bill. This amendment authorizes home health nurses and aides to accompany a recipient outside the home during the course of prior approved home health services, if all of the following criteria are met:

- (1) The home health nurse or aide must not transport the service recipient;
 - (2) The home health agency will have discretion as to whether or not to accompany a recipient outside the home;
 - (3) Additional visits or hours of care will not be approved for the purpose of accompanying a recipient outside the home; and
 - (4) No additional reimbursement will be paid to the home health agency in association with the decision of the agency to accompany a patient outside the home.
- (S: Black; H: Shepard)

<http://wapp.capitol.tn.gov/apps/BillInfo/default.aspx?BillNumber=SB0851> **Fiscal Note. Passed S. as am., Ayes 32, Nays 0; Rcvd. from S., held on H. desk.;**Placed on s/c cal Professional Occupations of HHR for 05/20/2009

SB2100/HB2167 Funding available for healthcare services to hospitals. Sets the 2007-2008 fiscal year funding level as a floor beneath which total funds available for healthcare services to hospitals through the TennCare program may not fall. (S: Burchett; H: Armstrong)

<http://wapp.capitol.tn.gov/apps/BillInfo/default.aspx?BillNumber=SB2100> **Fiscal note. P2C, caption bill, held on desk - pending amdt.**

TORT LIABILITY

SB0076/HB0289 Tort Liability and Reform - As introduced, replaces the term "medical malpractice" with "health care liability action" and revises provisions concerning damages, attorney fees, and other matters

in such actions. - Amends TCA Title 29, Chapter 26, Part 1(S: Stanley; H: Kelsey)

<http://wapp.capitol.tn.gov/apps/BillInfo/default.aspx?BillNumber=SB0076> **Fiscal note.**

SB2160/HB2243 Tort actions involving long-term care facilities. State Summary: Tort Liability and Reform - As introduced, requires a survey of patients and families concerning satisfaction with performance of a long-term care facility; imposes certain requirements on tort actions involving a long-term care facility. - Amends TCA Title 29 and Title 68. (S: Tracy; H: Lundberg)

<http://wapp.capitol.tn.gov/apps/BillInfo/default.aspx?BillNumber=SB2160> **Fiscal note.** Failed In s/c Civil Practice and Procedure of JUD of Judiciary Committee

SB2109/HB2233 Noncompliance - medical malpractice filings. Adds the necessity of showing by clear and convincing evidence to the extraordinary good cause needed for a court to excuse noncompliance with certain requirements for medical malpractice filings. (S: Overbey; H: Coleman)

<http://wapp.capitol.tn.gov/apps/BillInfo/default.aspx?BillNumber=SB2109> **Fiscal note.** Action Def. in S. Jud Comm. to 5/13/2009; Rec. for Pass. if Am. ref. to: Calendar & Rules Committee

TRANSPORTATION

SB1067/HB1372 Expedited driver services to disabled or frail or pregnant. Requires driver service centers to provide expedited services, upon request, to the extent reasonably possible to persons who are physically disabled or visibly pregnant or frail. (S: Marrero; H: Kernell)

<http://wapp.capitol.tn.gov/apps/BillInfo/default.aspx?BillNumber=SB1067> **Fiscal note.** Assigned to Gen. Sub of: S. Trans Comm.; Action Def. in s/c Public Safety of TR to last calendar

2009 Administration Bills

SB2310/HB2312 Commerce & Insurance Makes various changes for several boards within the regulatory division of the department. The bill includes the following: several modifications to the Tennessee Prepaid Funeral Benefits Act of 2007 including the definition of "immediate use" of merchandise and broadens the definition of pre-need sales agents to reflect industry practice.

<http://wapp.capitol.tn.gov/apps/BillInfo/default.aspx?BillNumber=SB2310> **Fiscal note.** Passed S., Ayes 31, Nays 0; Transmitted to Gov. for action.; Placed on Consent Calendar for 5/11/2009

SB2295/HB2286 Unusual Incident Reporting Limits what is reported on unusual incident report to incidents of abuse, neglect or misappropriation for all health care facilities to be consistent with Federal law.

<http://wapp.capitol.tn.gov/apps/BillInfo/Default.aspx?BillNumber=SB2295> **Fiscal note.** Action Def. in S. Jud Comm. to 5/19/2009 Engrossed; ready for transmission to Sen.; Rcvd. from H., P1C.

SB2246/HB2255 Vital Records Adds grandparents and grandchildren to list of relatives to whom a person's vital records must be issued upon application <http://wapp.capitol.tn.gov/apps/BillInfo/default.aspx?BillNumber=SB2246> **Fiscal note.**

Assigned to Gen. Sub of S. GW,H&HR Comm; Taken Off Notice For Cal. in s/c Public Health and Family Assistance of HHR of Health & Human Resources Committee

SB2316/HB2265 Adult and Child Care Licensing Allows DHS Child and Adult Day Care Licensing to submit names of potential employees to DCS, Adult Protective Services for a background search to determine is the applicant has committed acts against these populations (similar to the Dept. of Education checks). **AMENDMENT #1** adds the following records reviews to the bill's list of reviews that must be conducted for all new employees and certain volunteers (including those who have unsupervised access to adult participants) in adult day care centers, all new department of human services licensing staff who regulates the adult day care licensing program, and all new counselors and supervisors in the adult protective services program:

- (1) A review of juvenile records history available to the TBI;
- (2) A review of any available juvenile court records, if determined necessary by the department of human services; and
- (3) A review of records of indicated perpetrators of gross neglect (in addition to abuse) of children or adults maintained by the department of children's services and the department of human services.

<http://wapp.capitol.tn.gov/apps/BillInfo/default.aspx?BillNumber=SB2316> **Fiscal note** Passed S. as am., Ayes 32, Nays 0; Rcvd. from S., held on H. desk.; Action Def. in Calendar & Rules Committee to 5/21/2009

SB2295/HB2286 Vulnerable Person Registry The bill revises the required prerequisite for a name to be placed on the Vulnerable Person Registry so that perpetrators of abuse to children and adults can be more easily placed on the registry to aide in the prevention of abuse.

<http://wapp.capitol.tn.gov/apps/BillInfo/default.aspx?BillNumber=SB2295> **Fiscal note.** Action Def. in S. Jud Comm. to 5/19/2009; Passed H., Ayes 96, Nays 0;

Engrossed; ready for transmission to Sen.; Rcvd. from H., P1C.

SB2297/HB2284 Consumer Protection As introduced, enacts the "Elderly and Disabled Adults Protection Act of 2009." - Amends TCA Title 33; Title 34; Title 63; Title 68 and Title 71.

This bill creates a framework to ensure the appropriate consumer protection for persons receiving long-term care services including background checks, abuse/neglect reporting, public guardianships and HCBS ombudsman.

<http://wapp.capitol.tn.gov/apps/BillInfo/default.aspx?BillNumber=SB2297> **Fiscal note** Placed on S.GW,H&HR Comm. cal. for 05/20/2009; Rec. for Pass. if Am. ref. to: Government Operations Committee

SB2275/HB2282 Long Term Care This bill establishes licensing requirements for a new category of long-term care facilities known as adult care homes (ACH). ACH's house no more that 5 elderly or disabled adults in a home setting.

<http://wapp.capitol.tn.gov/apps/BillInfo/default.aspx?BillNumber=SB2275> **Fiscal note** Placed on S.GW,H&HR Comm. cal. for 05/20/2009; Placed on cal. Government Operations Committee for 05/20/2009

Calendar of Events

THE 16TH ANNUAL ELDER ABUSE INSTITUTE

MILLENNIUM MAXWELL HOUSE, NASHVILLE TN

JUNE 2-3

Putting the Spotlight on Elder Abuse. Speakers include Deputy District Attorney Paul Greenwood, of San Diego Elder Abuse Prosecution Unit, who will speak on "*Myths and Misconceptions Surrounding the Investigation and Prosecution of Elder Abuse*" & John Bordenet, who will discuss "*Assisting Older People to Resist Fraud: How & Why Frauds Work.*"

For registration information contact **Bonnie Allen** by fax 615-726-1944 or email boallen@tennessee.edu no later than May 22, 2009.

World Elder Abuse Awareness Day

"Show Your Support. Wear Purple"

June 15, 2009

Blount ElderWatch

Will sponsor a presentation on elder abuse at the county library in June. At the May ElderWatch meeting members will write letters to the editor of the paper regarding their views on elder abuse. Will request newspaper to run on WEAAD. Will request county mayor to sign a proclamation and permission to hang a WEAAD banner in the courthouse. Local artist Pam

Brockman, with Fine Arts Blount, will create an art piece and approach a downtown business to feature it in their shop. Newspaper and TV will be asked to cover the art project. Will collect local stories on elder abuse and pass out in essay form at the June ElderWatch meeting. Also at the June meeting, local bankers will talk about financial exploitation. Will ask healthcare facilities to encourage their employees to wear a purple ribbon on June 15. Will sponsor an event on June 15 to share stories, artwork and other information.

Davidson County

State Plan Public Hearing

FiftyForward Knowles Senior Center, Patricia Hart Building, from 11 a.m. until 1 p.m.

Welcome from Metro Vice Mayor Dianne Neighbors. Keynote speaker Consumer Affairs Director Mary Clement on financial exploitation. Participants will also enjoy a hotdog cookout.

Hamblen County ElderWatch

Presentation on elder abuse by Morristown City Police Department at the June "Lunch & Learn" meeting. Article on WEAAD/elder abuse in local "Over 50" magazine. County Mayor to sign proclamation. Information on WEAAD/elder abuse in latest newsletter. Requesting newspaper and radio to run article and PSA.

JeffersonCounty ElderWatch

Article in county newspaper and radio PSA. County Mayor will sign a proclamation. Notices and information sent to area churches. Discussions on WEAAD/elder abuse in June at all five Senior Centers in the county.

Knox County ElderWatch

Will request local media to run stories/PSAs on WEAAD/elder abuse. Will request City and County Mayors to sign proclamations. These activities are a precursor to a special ElderWatch Sticker/"I will NOT be Defrauded" training pilot project for the entire East Tennessee ElderWatch region coming very soon.

Lauderdale County TN Technology Center

Monday, June 15, 2009 - 9:00 am - noon

The Lauderdale County TSU Extension Service is collaborating with Lauderdale County Commission on Aging to put on World Elder Abuse Awareness

Day June 15, 2009 at Tennessee Technology Center in Ripley, Tennessee. The event for the day consist of Registration, Discussion Panel with Question and Answers, Refreshments, and informational booths for the general public to be aware of this issue. **For more information please contact Rachel Parker with TSU Extension (731)635-3101 or Joni Cook with Lauderdale County Commission on Aging (LCCOA) at (731)836-5444.**

Marshall County

The FCE Club of Lewisburg in Marshall will sponsor World Elder Abuse Week. They plan to have a display exhibit the whole week in the county senior citizens center. On Friday during the senior citizens center luncheon they have decided to host a seminar event for world elder abuse week.

McMinn Senior Alliance For Empowerment

McSAFE will promote WEAAD by having a booth during a local festival on May 30, 2009, where we will distribute elder abuse brochures, questionnaires for input regarding local senior needs, answer questions and provide other senior-related information. We will also participate in a neighboring county's ElderWatch Safety and Health Fair. Other plans for WEAAD include:

- Proclamation from the County Mayor's Office
- Educational presentations at local churches
- Newspaper articles
- Church bells to ring at 11 AM and 2 PM

McNairy County

Publicized World Elder Abuse Awareness Day at the McNairy County Senior Adult Caregiving Program.

Monroe County Elderwatch

Requesting churches to ring bells on the hour between 11:00 a.m. and 1:00 p.m. in recognition of WEAAD. Newspapers to feature WEAAD/elder abuse information. Ceremony planned with County Mayor to sign proclamation.

Roane County Elderwatch

Will partner with Victorian Square Assisted Living in Rockwood to have an information fair featuring WEAAD/elder abuse and community services information (such as U T Extension, Health Department, Senior Nutrition, Senior Center, etc.) on June 15 between 1:00 and 4:00 p.m.

Scott County Elderwatch

Local media will run PSAs on WEAAD in June. County Mayor will sign a proclamation. Local healthcare facilities will be asked to encourage their employees to wear purple ribbons in June.

Shelby County

June 15, Central Hooks Library 2-4pm

A news conference type of event with exhibits and speakers promoting Elder Abuse Awareness issues and how the various agencies/groups/businesses are working together. We are planning a future in-depth workshop on specific issues related to Elder abuse.

Washington County

The 2nd annual picnic and other activities in Greeneville; programs here in Johnson City and one program combined Sullivan County (Kingsport & Bristol) but different locations! Volunteers that will donate food stuff, drinks,

VOLUNTEERS NEEDED

Help People with Medicare Understand their Benefits! Consider becoming a **Volunteer Medicare Counselor** with the **Tennessee SHIP/SMP Medicare Counseling Program**. Funded by the Centers for Medicare and Medicaid Services (CMS), the SHIP in Tennessee serves consumers statewide. **Volunteers are needed in every county**. For more information, contact SHIP Aging Program Specialist David Devitt at 615-741-2056, Ext. 127 or at David.Devitt@state.tn.us

Recommended Links

AARP

<http://www.aarp.org/states/tn/>

Check here to get the most up-to-date information about AARP activities, events and opportunities in Tennessee.

Consumer Fraud Reporting

<http://www.consumerfraudreporting.org/>

Reporting on the Latest Frauds, Scams, Fake Lotteries, Spams and Hoaxes

Tennessee Disability Coalition

<http://www.tndisability.org/>

The Coalition is an alliance of organizations and individuals who have joined to promote the full and equal participation of men, women and children with disabilities in all aspects of life. We work together to advocate for public policy that ensures self-determination, independence, empowerment, and inclusion for people with disabilities in areas such as accessibility, education, healthcare, housing, and voting rights.

TVAC Online

<http://www.tvaconline.org/>

Tennessee Vulnerable Adult Coalition, or TVAC, is a proactive collage of Partners across Tennessee, focused on raising Awareness of the various forms of abuse committed against vulnerable and older adults, and seeking Prevention Solutions to these issues wherever possible.

You can be a part of that Solution. Listen to the facts about abuse ... Believe those facts ... Act on that belief. Become involved with your local and/or regional TVAC Affiliate. Please refer to the "Regional Sites" menu selection for contact information.

The National Aphasia Association

<http://www.aphasia.org/>

The National Aphasia Association (NAA) is a nonprofit organization that promotes public education, research, rehabilitation and support services to assist people with aphasia and their families.

Women's Institute for a Secure Retirement

<http://www.wiserwomen.org/portal/>

Improving the long-term financial security of all women through education and advocacy.

MedicineNet.com

http://www.medicinenet.com/senior_health/focus.htm

Aging is the process of becoming older, a process that is genetically determined and environmentally modulated. You can change how you think, feel and act when you are older simply by changing how you think, feel and act now. Staying healthy, fit and active are the keys to successful aging.

Tennessee Electronic Library

<http://tntel.tnsos.org/>

The Tennessee Electronic Library (TEL) is a virtual library that you can access from your home pc, your school library computer lab, or your iPhone – anywhere with an internet connection. TEL provides access to over 400,000 electronic resources, including magazines, scholarly journals, podcasts, videos, e-books, test preparation materials, federal census records, Tennessee primary source materials, and more!

All types of not-for-profit libraries participate in TEL and benefit from the wide range of information TEL databases offer, including homework help to new readers, consumer health information, business resources, leisure reading suggestions, current event essays, academic and civil service test preparation help, and genealogy and family history sources. Over 1.2 million searches are performed each month across the various TEL databases. Since 1999, the Tennessee Electronic Library has been dedicated to providing equal access to this expansive collection of electronic resources for all Tennesseans.

Onlinevolunteering.org

<http://www.onlinevolunteering.org/en/index.html>

The United Nations Online volunteering service connects volunteers with organizations working for sustainable human development. Volunteers contribute their skills online to help organizations address development challenges. Organizations collaborate with online volunteers over the internet to strengthen the impact of their development work.