Tennessee

The Tennessee Legislature is active in recent terms in introducing a number of healthcare legislation to improve price transparency. To protect consumers from surprise or balance billing, the legislature enacted HB 1342/SB 1120 in the 2019 session, which requires at least three days notice to an insured for services from an out-of-network facility-based physician. Similarly, in the 2017-2018 term, the legislature enacted HB 1935/SB 1869, which prohibits healthcare providers from collecting out-of-network charges from an insured unless they provide written notice to the insured.

In other price transparency efforts, the state passed the Tennessee Right to Shop Act (SB 0510) in 2019 to induce consumer price shopping. In the 2017-2018 term, it took steps to increase price transparency among health care providers and passed legislation that requires annual coverage assessments on hospitals.

The state also attempted to eliminate the certificate of need (CON) system in 2019. HB 0541/SB 1390 proposes to remove the CON requirement for building a hospital satellite emergency department, while HB 1085/SB 1291 would repeal the system altogether. These bills did not pass at the end of the 2019 session, but bills from 2019 will carry over to 2020 as part of the 2019-2020 term.