

CHAPTER NO. 412

HOUSE BILL NO. 1526

By Representatives Kernell, Henri Brooks, Cooper

Substituted for: Senate Bill No. 1484

By Senator Harper

AN ACT relative to agency rules scheduled to expire pursuant to the provisions of the Uniform Administrative Procedures Act, contained within Tennessee Code Annotated, Title 4, Chapter 5.

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

SECTION 1. (a) Except as provided in subsection (c) all permanent rules duly filed in the office of secretary of state between January 1, 2002, and December 31, 2002, which are in effect on the effective date of this act, and which are scheduled for expiration by the provisions of Tennessee Code Annotated, Section 4-5-226, on June 30, 2003, shall not expire on June 30, 2003, but shall remain in effect until repealed or amended by subsequent rule of the appropriate rulemaking agency or until otherwise superseded by force of law.

(b) The provisions of this section shall not be construed to justify the continued effectiveness of any rule included within the provisions of subsection (a) if such rule conflicts with the provisions of any enactment other than Tennessee Code Annotated, Section 4-5-226.

(c) Rule 1200-13-13-.05 – Enrollee Cost Sharing – TennCare Medicaid – of the Official Compilation Rules and Regulations of the State of Tennessee – is amended by deleting such rule in its entirety and by substituting instead the following:

Rule 1200-13-13-.05. – TennCare Medicaid enrollees do not have cost sharing responsibilities for TennCare coverage and covered services.

Rule 1200-13-13-.08(9) – Enrollee Cost Sharing – TennCare Medicaid – of the Official Compilation Rules and Regulations of the State of Tennessee – is amended by deleting the language "TennCare Medicaid or".

Rule 1240-4-3-.10 – Transportation – Department of Human Services – of the Official Compilation of Rules and Regulations of the State of Tennessee – is amended by deleting subparts (ii) and (iii) of part 2 of subparagraph (c) of paragraph (1), in their entireties.

Rule 1240-4-6-.10 – Transportation – Department of Human Services – of the Official Compilation of Rules and Regulations of the State of Tennessee – is amended by deleting subparts (ii) and (iii) of part 2 of subparagraph (c) of paragraph (1), in their entireties.

Rule 1240-4-3-.10 – Transportation – Department of Human Services – of the Official Compilation of Rules and Regulations of the State of Tennessee – is amended by deleting subparagraph (f) of paragraph (4), in its entirety.

Rule 1240-4-6-.10 – Transportation – Department of Human Services – of the Official Compilation of Rules and Regulations of the State of Tennessee – is amended by deleting subparagraph (f) of paragraph (4), in its entirety.

Rule 1240-4-1-.07 – Transportation – Department of Human Services – of the Official Compilation of Rules and Regulations of the State of Tennessee – is amended by deleting parts (ii) and (iii) of part 2 of subparagraph (c) of paragraph (1), in their entirety.

Rule 1240-4-4-.07 – Transportation – Department of Human Services – of the Official Compilation of Rules and Regulations of the State of Tennessee – is amended by deleting parts (ii) and (iii) of part 2 of subparagraph (c) of paragraph (1), in their entirety.

Rule 1240-4-1-.07 – Transportation – Department of Human Services – of the Official Compilation of Rules and Regulations of the State of Tennessee – is amended by deleting subparagraph (f) of paragraph (4), in its entirety.

Rule 1240-4-4-.07 – Transportation – Department of Human Services – of the Official Compilation of Rules and Regulations of the State of Tennessee – is amended by deleting subparagraph (f) of paragraph (4), in its entirety.

SECTION 2. The department of human services is directed to promulgate rules and regulations by July 1, 2003, requiring drug screens of drivers providing child care transportation for a licensed or approved child care agency.

SECTION 3. Rule 1200-4, department of human services, transportation rules, in subsection (c) of Section 1 shall be deleted effective July 1, 2003.

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it.

PASSED: May 29, 2003



JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES



JOHN S. WILDER
SPEAKER OF THE SENATE

APPROVED this day of 2003

PHIL BREDESEN, GOVERNOR

Pursuant to Article III, Section 18, of the Constitution of the State of Tennessee, the Governor had House Bill No. 1526 in his possession longer than ten (10) days; therefore, the bill becomes law without the Governor's signature.