

Amendment No. 1 to SB0474

Crowe
Signature of Sponsor

AMEND Senate Bill No. 474

House Bill No. 387*

by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Title 63, Chapter 1, Part 1, is amended by adding the following as a new section:

(a)

(1) As used in this section, "healthcare provider":

(A) Has the same meaning as defined in § 63-1-117(k);

(B) Includes an employee, assistant, or contractor of such professional establishment or facility; and

(C) Does not include:

(i) A qualified mental health professional as defined in § 33-1-101; or

(ii) A person as described in subdivision (a)(1)(A) or (a)(1)(B) providing emergency services or transport who is inquiring of a patient about the immediate possession of a firearm.

(2) If a healthcare provider reasonably believes that a patient may pose a credible, actual risk to themselves or others based on information that the patient or a person accompanying the patient volunteers, then the healthcare provider may perform a lethality risk assessment.

(b) A healthcare provider shall not:

(1) Inquire as to the patient's ownership, possession of, or access to firearm ammunition or firearm accessories;

(2) Require information described in subdivision (b)(1) to be disclosed before providing treatment to the patient;

(3) Enter, or have another enter, information described in subdivision (b)(1) into a patient's record unless the information is relevant to the patient's medical care or safety or the safety of others; or

(4) Share the information described in subdivision (b)(1) with an insurer.

(c) If a healthcare provider does inquire as to the patient's ownership, possession of, or access to firearm ammunition or firearm accessories, then the healthcare provider shall provide written notice to the patient that the patient has no duty to respond to the inquiry.

(d)

(1) A healthcare provider who violates subsection (b) is guilty of unethical conduct and is subject to:

(A) Disciplinary action by the healthcare provider's licensing authority; and

(B) A fine of one thousand dollars (\$1,000) per violation.

(2) In addition to other penalties available to the provider's licensing authority, the healthcare provider's licensing authority may take disciplinary action and seek injunctive or other relief as appropriate against that healthcare provider or an entity for a violation of this section.

SECTION 2. If any provision of this act or the application of any provision of this act to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the act that can be given effect without the invalid provision or application, and to that end, the provisions of this act are severable.

SECTION 3. This act takes effect July 1, 2025, the public welfare requiring it, and applies to conduct occurring on or after that date.