

SENATE BILL 53

By Kelsey

AN ACT to amend Tennessee Code Annotated, Title 58 and Title 63, relative to licensure exemptions for certain persons participating in federal Innovative Readiness Training programs.

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

SECTION 1. Tennessee Code Annotated, Title 63, Chapter 4, is amended by adding the following as a new section:

(a) A chiropractor who has a current license to engage in the practice of chiropractic from another state, commonwealth, territory, or the District of Columbia is exempt from the licensure requirements of this chapter, if:

(1) The chiropractor is an active or reserve member of the armed forces of the United States, a member of the national guard, a civilian employee of the United States department of defense, an authorized personal services contractor under 10 U.S.C. § 1091, or a healthcare professional otherwise authorized by the department of defense; and

(2) The chiropractor is engaged in the practice of chiropractic through a program in partnership with the federal Innovative Readiness Training.

(b) The exemption provided by this section only applies while:

(1) The chiropractor's practice is required by the program pursuant to military orders; and

(2) The services provided by the chiropractor are within the chiropractor's licensed scope of practice.

(c) Nothing in this section permits a chiropractor exempt by this section to engage in the practice of chiropractic except as part of federal Innovative Readiness Training as described in this section.

(d) The board of chiropractic examiners may promulgate rules to effectuate this section. The rules must be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

SECTION 2. Tennessee Code Annotated, Title 63, Chapter 5, is amended by adding the following as a new section:

(a) A dentist who has a current license to practice dentistry, or a dental hygienist who has a current license to practice dental hygiene, from another state, commonwealth, territory, or the District of Columbia is exempt from the licensure requirements of this chapter, if:

(1) The dentist or dental hygienist is an active or reserve member of the armed forces of the United States, a member of the national guard, a civilian employee of the United States department of defense, an authorized personal services contractor under 10 U.S.C. § 1091, or a healthcare professional otherwise authorized by the department of defense; and

(2) The dentist is engaged in the practice of dentistry or the dental hygienist is engaged in the practice of dental hygiene through a program in partnership with the federal Innovative Readiness Training.

(b) The exemption provided by this section only applies while:

(1) The dentist's or dental hygienist's practice is required by the program pursuant to military orders; and

(2) The services provided by the dentist or dental hygienist are within the dentist's or dental hygienist's licensed scope of practice.

(c) Nothing in this section permits a dentist or dental hygienist exempt by this section to engage in the practice of dentistry or dental hygiene, respectively, except as part of federal Innovative Readiness Training as described in this section.

(d) The board of dentistry may promulgate rules to effectuate this section. The rules must be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

SECTION 3. Tennessee Code Annotated, Title 63, Chapter 6, Part 2, is amended by adding the following as a new section:

(a) A physician who has a current license to practice medicine from another state, commonwealth, territory, or the District of Columbia is exempt from the licensure requirements of § 63-6-201, if:

(1) The physician is an active or reserve member of the armed forces of the United States, a member of the national guard, a civilian employee of the United States department of defense, an authorized personal services contractor under 10 U.S.C. § 1091, or a healthcare professional otherwise authorized by the department of defense; and

(2) The physician is engaged in the practice of medicine through a program in partnership with the federal Innovative Readiness Training.

(b) The exemption provided by this section only applies while:

(1) The physician's practice is required by the program pursuant to military orders; and

(2) The services provided by the physician are within the physician's licensed scope of practice.

(c) Nothing in this section permits a physician exempt by this section to engage in the practice of medicine except as part of federal Innovative Readiness Training as described in this section.

(d) The board of medical examiners may promulgate rules to effectuate this section. The rules must be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

SECTION 4. Tennessee Code Annotated, Title 63, Chapter 7, Part 1, is amended by adding the following as a new section:

(a) A nurse who has a current license to practice professional nursing or practical nursing from another state, commonwealth, territory, or the District of Columbia is exempt from the licensure requirements of this part, if:

(1) The nurse is an active or reserve member of the armed forces of the United States, a member of the national guard, a civilian employee of the United States department of defense, an authorized personal services contractor under 10 U.S.C. § 1091, or a healthcare professional otherwise authorized by the department of defense; and

(2) The nurse is engaged in the practice of professional nursing or practical nursing through a program in partnership with the federal Innovative Readiness Training.

(b) The exemption provided by this section only applies while:

(1) The nurse's practice is required by the program pursuant to military orders; and

(2) The services provided by the nurse are within the nurse's licensed scope of practice.

(c) Nothing in this section permits a nurse exempt by this section to engage in the practice of professional nursing or practical nursing except as part of federal Innovative Readiness Training as described in this section.

(d) The board of nursing may promulgate rules to effectuate this section. The rules must be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

SECTION 5. Tennessee Code Annotated, Title 63, Chapter 8, is amended by adding the following as a new section:

(a) An optometrist who has a current license to engage in the practice of optometry from another state, commonwealth, territory, or the District of Columbia is exempt from the licensure requirements of this chapter, if:

(1) The optometrist is an active or reserve member of the armed forces of the United States, a member of the national guard, a civilian employee of the United States department of defense, an authorized personal services contractor under 10 U.S.C. § 1091, or a healthcare professional otherwise authorized by the department of defense; and

(2) The optometrist is engaged in the practice of optometry through a program in partnership with the federal Innovative Readiness Training.

(b) The exemption provided by this section only applies while:

(1) The optometrist's practice is required by the program pursuant to military orders; and

(2) The services provided by the optometrist are within the optometrist's licensed scope of practice.

(c) Nothing in this section permits an optometrist exempt by this section to engage in the practice of optometry except as part of federal Innovative Readiness Training as described in this section.

(d) The board of optometry may promulgate rules to effectuate this section. The rules must be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

SECTION 6. Tennessee Code Annotated, Title 63, Chapter 9, is amended by adding the following as a new section:

(a) A physician who has a current license to practice medicine from another state, commonwealth, territory, or the District of Columbia is exempt from the licensure requirements of this chapter, if:

(1) The physician is an active or reserve member of the armed forces of the United States, a member of the national guard, a civilian employee of the United States department of defense, an authorized personal services contractor under 10 U.S.C. § 1091, or a healthcare professional otherwise authorized by the department of defense; and

(2) The physician is engaged in the practice of medicine through a program in partnership with the federal Innovative Readiness Training.

(b) The exemption provided by this section only applies while:

(1) The physician's practice is required by the program pursuant to military orders; and

(2) The services provided by the physician are within the physician's licensed scope of practice.

(c) Nothing in this section permits a physician exempt by this section to engage in the practice of medicine except as part of federal Innovative Readiness Training as described in this section.

(d) The board of osteopathic examination may promulgate rules to effectuate this section. The rules must be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

SECTION 7. Tennessee Code Annotated, Title 63, Chapter 11, Part 2, is amended by adding the following as a new section:

(a) A psychologist, psychological examiner, senior psychological examiner, or certified psychological assistant who has a current license or certificate to practice psychology from another state, commonwealth, territory, or the District of Columbia is exempt from the licensure or certification requirements of this chapter, as applicable, if:

(1) The psychologist, psychological examiner, senior psychological examiner, or certified psychological assistant is an active or reserve member of the armed forces of the United States, a member of the national guard, a civilian employee of the United States department of defense, an authorized personal services contractor under 10 U.S.C. § 1091, or a healthcare professional otherwise authorized by the department of defense; and

(2) The psychologist, psychological examiner, senior psychological examiner, or certified psychological assistant is engaged in the practice of psychology through a program in partnership with the federal Innovative Readiness Training.

(b) The exemption provided by this section only applies while:

(1) The practice of the psychologist, psychological examiner, senior psychological examiner, or certified psychological assistant is required by the program pursuant to military orders; and

(2) The services provided by the psychologist, psychological examiner, senior psychological examiner, or certified psychological assistant are within the licensed or certified scope of practice of the psychologist, psychological examiner, senior psychological examiner, or certified psychological assistant.

(c) Nothing in this section permits a psychologist, psychological examiner, senior psychological examiner, or certified psychological assistant exempt by this section to engage in the practice of psychology except as part of federal Innovative Readiness Training as described in this section.

(d) The board of examiners in psychology may promulgate rules to effectuate this section. The rules must be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

SECTION 8. Tennessee Code Annotated, Title 63, Chapter 11, Part 3, is amended by adding the following as a new section:

(a) A licensed behavior analyst, or licensed assistant behavior analyst, who has a current license to engage in the practice of applied behavior analysis from another state, commonwealth, territory, or the District of Columbia is exempt from the licensure requirements of § 63-11-304, if:

(1) The licensed behavior analyst or licensed assistant behavior analyst is an active or reserve member of the armed forces of the United States, a member of the national guard, a civilian employee of the United States department of defense, an authorized personal services contractor under 10



U.S.C. § 1091, or a healthcare professional otherwise authorized by the department of defense; and

(2) The licensed behavior analyst or licensed assistant behavior analyst is engaged in the practice of applied behavior analysis through a program in partnership with the federal Innovative Readiness Training.

(b) The exemption provided by this section only applies while:

(1) The licensed behavior analyst's or licensed assistant behavior analyst's practice is required by the program pursuant to military orders; and

(2) The services provided by the licensed behavior analyst or licensed assistant behavior analyst are within the licensed behavior analyst's or licensed assistant behavior analyst's licensed scope of practice.

(c) Nothing in this section permits a licensed behavior analyst or licensed assistant behavior analyst exempt by this section to engage in the practice of applied behavior analysis except as part of federal Innovative Readiness Training as described in this section.

(d) The board of examiners in psychology may promulgate rules to effectuate this section. The rules must be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

SECTION 9. Tennessee Code Annotated, Title 63, Chapter 12, Part 1, is amended by adding the following as a new section:

(a) A veterinarian, or veterinary technician, who has a current license to engage in the practice of veterinary medicine from another state, commonwealth, territory, or the District of Columbia is exempt from the licensure requirements of this part, if:

(1) The veterinarian or veterinary technician is an active or reserve member of the armed forces of the United States, a member of the national

guard, a civilian employee of the United States department of defense, an authorized personal services contractor under 10 U.S.C. § 1091, or a healthcare professional otherwise authorized by the department of defense; and

(2) The veterinarian or veterinary technician is engaged in the practice of veterinary medicine through a program in partnership with the federal Innovative Readiness Training.

(b) The exemption provided by this section only applies while:

(1) The veterinarian's or veterinary technician's practice is required by the program pursuant to military orders; and

(2) The services provided by the veterinarian or veterinary technician are within the veterinarian's or veterinary technician's licensed scope of practice.

(c) Nothing in this section permits a veterinarian or veterinary technician exempt by this section to engage in the practice of veterinary medicine except as part of federal Innovative Readiness Training as described in this section.

(d) The board of veterinary medical examiners may promulgate rules to effectuate this section. The rules must be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

SECTION 10. Tennessee Code Annotated, Title 63, Chapter 13, Part 2, is amended by adding the following as a new section:

(a) An occupational therapist, or occupational therapy assistant, who has a current license to engage or assist in occupational therapy practice from another state, commonwealth, territory, or the District of Columbia is exempt from the licensure requirements of this part, if:

(1) The occupational therapist or occupational therapy assistant is an active or reserve member of the armed forces of the United States, a member of

the national guard, a civilian employee of the United States department of defense, an authorized personal services contractor under 10 U.S.C. § 1091, or a healthcare professional otherwise authorized by the department of defense; and

(2) The occupational therapist or occupational therapy assistant is engaged in or assists occupational therapy practice through a program in partnership with the federal Innovative Readiness Training.

(b) The exemption provided by this section only applies while:

(1) The occupational therapist's or occupational therapy assistant's practice is required by the program pursuant to military orders; and

(2) The services provided by the occupational therapist or occupational therapy assistant are within the occupational therapist's or occupational therapy assistant's licensed scope of practice.

(c) Nothing in this section permits an occupational therapist or occupational therapy assistant exempt by this section to engage or assist in occupational therapy practice except as part of federal Innovative Readiness Training as described in this section.

(d) The board of occupational therapy may promulgate rules to effectuate this section. The rules must be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

SECTION 11. Tennessee Code Annotated, Title 63, Chapter 13, Part 3, is amended by adding the following as a new section:

(a) A physical therapist, or physical therapist assistant, who has a current license to engage or assist in the practice of physical therapy from another state,

commonwealth, territory, or the District of Columbia is exempt from the licensure requirements of this part, if:

(1) The physical therapist or physical therapist assistant is an active or reserve member of the armed forces of the United States, a member of the national guard, a civilian employee of the United States department of defense, an authorized personal services contractor under 10 U.S.C. § 1091, or a healthcare professional otherwise authorized by the department of defense; and

(2) The physical therapist or physical therapist assistant is engaged in or assists the practice of physical therapy through a program in partnership with the federal Innovative Readiness Training.

(b) The exemption provided by this section only applies while:

(1) The physical therapist's or physical therapist assistant's practice is required by the program pursuant to military orders; and

(2) The services provided by the physical therapist or physical therapist assistant are within the physical therapist's or physical therapist assistant's licensed scope of practice.

(c) Nothing in this section permits a physical therapist or physical therapist assistant exempt by this section to engage or assist in the practice of physical therapy except as part of federal Innovative Readiness Training as described in this section.

(d) The board of physical therapy may promulgate rules to effectuate this section. The rules must be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

SECTION 12. Tennessee Code Annotated, Title 63, Chapter 19, Part 1, is amended by adding the following as a new section:

(a) A physician assistant who has a current license to practice medicine or osteopathic medicine from another state, commonwealth, territory, or the District of Columbia is exempt from the licensure requirements of this part, if:

(1) The physician assistant is an active or reserve member of the armed forces of the United States, a member of the national guard, a civilian employee of the United States department of defense, an authorized personal services contractor under 10 U.S.C. § 1091, or a healthcare professional otherwise authorized by the department of defense; and

(2) The physician assistant is engaged in the practice of medicine or osteopathic medicine through a program in partnership with the federal Innovative Readiness Training.

(b) The exemption provided by this section only applies while:

(1) The physician assistant's practice is required by the program pursuant to military orders; and

(2) The services provided by the physician assistant are within the physician assistant's licensed scope of practice.

(c) Nothing in this section permits a physician assistant exempt by this section to engage in the practice of medicine or osteopathic medicine except as part of federal Innovative Readiness Training as described in this section.

(d) The board of medical examiners may promulgate rules to effectuate this section. The rules must be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

SECTION 13. Tennessee Code Annotated, Title 63, Chapter 19, Part 2, is amended by adding the following as a new section:

(a) An orthopedic physician assistant who has a current license to practice medicine or osteopathic medicine from another state, commonwealth, territory, or the District of Columbia is exempt from the licensure requirements of this part, if:

(1) The orthopedic physician assistant is an active or reserve member of the armed forces of the United States, a member of the national guard, a civilian employee of the United States department of defense, an authorized personal services contractor under 10 U.S.C. § 1091, or a healthcare professional otherwise authorized by the department of defense; and

(2) The orthopedic physician assistant is engaged in the practice of medicine or osteopathic medicine through a program in partnership with the federal Innovative Readiness Training.

(b) The exemption provided by this section only applies while:

(1) The orthopedic physician assistant's practice is required by the program pursuant to military orders; and

(2) The services provided by the orthopedic physician assistant are within the orthopedic physician assistant's licensed scope of practice.

(c) Nothing in this section permits an orthopedic physician assistant exempt by this section to engage in the practice of medicine or osteopathic medicine except as part of federal Innovative Readiness Training as described in this section.

(d) The board of medical examiners may promulgate rules to effectuate this section. The rules must be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

SECTION 14. Tennessee Code Annotated, Title 63, Chapter 22, Part 1, is amended by adding the following as a new section:

(a) A professional counselor who has a current license to engage in the practice of counseling, the practice of counseling as a mental health service provider, or the practice of marital and family therapy from another state, commonwealth, territory, or the District of Columbia is exempt from the licensure requirements of this part, if:

(1) The professional counselor is an active or reserve member of the armed forces of the United States, a member of the national guard, a civilian employee of the United States department of defense, an authorized personal services contractor under 10 U.S.C. § 1091, or a healthcare professional otherwise authorized by the department of defense; and

(2) The professional counselor is engaged in the practice of counseling, the practice of counseling as a mental health service provider, or the practice of marital and family therapy through a program in partnership with the federal Innovative Readiness Training.

(b) The exemption provided by this section only applies while:

(1) The professional counselor's practice is required by the program pursuant to military orders; and

(2) The services provided by the professional counselor are within the professional counselor's licensed scope of practice.

(c) Nothing in this section permits a professional counselor exempt by this section to engage in the practice of counseling, the practice of counseling as a mental health service provider, or the practice of marital and family therapy except as part of federal Innovative Readiness Training as described in this section.

(d) The board for professional counselors, marital and family therapists and clinical pastoral therapists may promulgate rules to effectuate this section. The rules

must be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

SECTION 15. Tennessee Code Annotated, Title 63, Chapter 22, Part 2, is amended by adding the following as a new section:

(a) A clinical pastoral therapist who has a current license or certificate to engage in the practice of clinical pastoral therapy from another state, commonwealth, territory, or the District of Columbia is exempt from the licensure requirements of this part, if:

(1) The clinical pastoral therapist is an active or reserve member of the armed forces of the United States, a member of the national guard, a civilian employee of the United States department of defense, an authorized personal services contractor under 10 U.S.C. § 1091, or a healthcare professional otherwise authorized by the department of defense; and

(2) The clinical pastoral therapist is engaged in the practice of clinical pastoral therapy through a program in partnership with the federal Innovative Readiness Training.

(b) The exemption provided by this section only applies while:

(1) The clinical pastoral therapist's practice is required by the program pursuant to military orders; and

(2) The services provided by the clinical pastoral therapist are within the clinical pastoral therapist's licensed or certified scope of practice.

(c) Nothing in this section permits a clinical pastoral therapist exempt by this section to engage in the practice of clinical pastoral therapy except as part of federal Innovative Readiness Training as described in this section.

(d) The board for professional counselors, marital and family therapists and clinical pastoral therapists may promulgate rules to effectuate this section. The rules



must be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

SECTION 16. For the purpose of promulgating rules, this act shall take effect upon becoming a law, the public welfare requiring it. For all other purposes, this act shall take effect July 1, 2019, the public welfare requiring it.