



**SENATE BILL 979**

By Gardenhire

AN ACT to amend Tennessee Code Annotated, Title 36,  
Chapter 3, Part 6 and Title 71, relative to abuse.

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

SECTION 1. Tennessee Code Annotated, Section 36-3-616(c), is amended by deleting "training and" and substituting "training, advertising, and".

SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it.

Amendment No. 1 to SB0979

Gardenhire  
Signature of Sponsor

**AMEND Senate Bill No. 979**

**House Bill No. 944\***

by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Section 36-3-601, is amended by deleting subdivision (1) and substituting:

(1) "Abuse" means:

(A) Inflicting, or attempting to inflict, physical injury on an adult or minor by other than accidental means;

(B) Placing an adult or minor in fear of, or in, physical harm or physical restraint;

(C) Causing malicious damage to the personal property of the abused party; or

(D) Intentionally engaging in behavior that amounts to financial abuse;

SECTION 2. Tennessee Code Annotated, Section 36-3-601, is amended by adding the following as a new subdivision:

( ) "Financial abuse" means behavior that is coercive, that is deceptive, or that unreasonably controls or restrains a person's ability to acquire, use, or maintain economic resources to which the person is entitled, including using coercion, fraud, or manipulation to:

(A) Restrict a person's access to money, assets, credit, or financial information;

(B) Unfairly use a person's economic resources, including money, assets, and credit, to gain an advantage; or

(C) Exert undue influence over a person's financial behavior or decisions, including forcing default on joint or other financial obligations; exploiting powers of attorney, guardianship, or conservatorship; or failing or neglecting to act in the best interest of the person to whom a fiduciary duty is owed;

SECTION 3. Tennessee Code Annotated, Section 71-6-102, is amended by deleting subdivision (1)(A) and substituting:

(A) "Abuse or neglect" means an unreasonable expression of authority in which a caretaker:

- (i) Inflicts physical pain, injury, or mental anguish;
- (ii) Deprives the adult of services that are necessary to maintain the health and welfare of the adult; or
- (iii) Creates a situation in which the adult is unable to provide or obtain the services that are necessary to maintain the adult's personal health or welfare, including financial abuse as defined in § 36-3-601; and

SECTION 4. Tennessee Code Annotated, Title 71, Chapter 6, Part 1, is amended by adding the following as a new section:

(a) For purposes of this part, a person is not abused or neglected or in need of protective services if the person subject to care intentionally and willfully chooses or consents to engage in a religious method of healing in accordance with a recognized religious belief in lieu of medical treatment.

(b) This part does not require or authorize the provision of medical care to a terminally ill person if the person has executed an unrevoked living will in accordance with the Tennessee Right to Natural Death Act, compiled in title 32, chapter 11, and the provision of medical care would conflict with the terms of the living will.

SECTION 5. This act takes effect upon becoming a law, the public welfare requiring it.