



**STATE OF TENNESSEE
HEALTH FACILITIES COMMISSION**

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April 29, 2025

STAFF DETERMINATION ON PUBLIC CHAPTER 858 (2024)

This staff determination is being issued due to confusion and misunderstanding related to the Health Facilities Commission's interpretation of Public Chapter 858 (2024), as it relates to Home Care Organizations.

LICENSURE REQUIREMENT:

Tennessee law requires home care organization licensure for providing home health, home medical equipment services, professional support services, or hospice in a patient's regular or temporary home. Public Chapter 858 (2024) clarified that providing in home care for even a single patient requires a home care organization license.

ENERGY EMPLOYEES OCCUPATIONAL ILLNESS COMPENSATION PROGRAM ACT (EEOICPA):

The home care organization licensure requirement has no effect on the ability of a provider to submit billing to the Federal Department of Labor (DOL) for payment under the EEOICPA. However, authorization to bill under EEOICPA is not equivalent to state licensure. An individual, entity, or organization that is authorized to bill through DOL is still required to have a Tennessee Home Care Organization license.

For questions, please contact Nathaniel Flinchbaugh, Deputy General Counsel, at Nathaniel.R.Flinchbaugh@tn.gov, or via telephone at (615)948-3974.

Licensure Information can be found here: [HFC-BLHCF-Home_Health_Initial_App.pdf](#)

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