



152nd DELAWARE GENERAL ASSEMBLY

**LEGISLATIVE SUMMARY
BILL CHART**

Bill Title	Bill Number	Description	Sponsor	Status	MSD position
Primary Care Coverage	SB 31	Addresses technical issues in SB 120 that will align requirements across insurance plans. The act reintroduces a deleted segment of SB 120 that addresses chronic care management and requires it in group and blanket plans.	Senator Townsend	Signed by Governor	Support
End of Life Options	HB140	This act permits terminally ill adult individuals to request and self-administer medication to end the individual's life in a humane and dignified manner. The individual's attending or consulting physician or APRN agree on the individual's diagnosis and prognosis and believe the individual has capacity to make decisions as well as is acting voluntarily. The Act itemizes safeguards.	Representative Baumbach	Out of Committee 5/16/23	Engaged Neutrality
Medical Debt	SS 1 for SB 8	The Senate Substitute 1 protects patients from potentially unfair debt collections practices. The concept of medical debt and its impact on patients can be partially attributed to the increasingly unsustainable high cost of medical care, including labor and materials, in	Senator Mantzavinos	Out of Committee 5/17/23	Opposed as Written. Working with Bill Sponsor.

		Delaware. Although MSD recognizes the work the Senate has done to incorporate their concerns, there are still possible negative consequences which may occur with the way the legislation is currently written. If passed, the act creates a minimum threshold for patient payment plans. The act also adds numerous protections for the patient from medical creditors, medical debt buyers, and medical debt collectors.			
Educational Transparency	Draft	Draft legislation to strengthen Delaware law on educational transparency in medical setting so that patients understand the credentials of the practitioner they are seeing. MSD-driven legislation.			Support. Working with supporters and other health care professionals.
Prior-Authorization	Draft	Comprehensive legislation to reform prior authorization in DE. MSD drafted with the Health Care Association. Look for introduction soon.			Support. Expected to be introduced soon.
PA Compact	SB 116	The act adopts the PA Licensure Compact, therefor strengthening access to medical services and improving the portability of a physician assistant's license to practice. It also protects the safety of patients the existing authority of state licensing boards to license and discipline PA's. PA's using a Compact privilege must adhere to the laws and regulations in the state in which they are practicing.	Senator McBride	Out of Committee 5/17/23	No position.
Seizure Safe Act	SB 24	All schools with a student diagnosed with a seizure disorder would need at least 2 employees trained in the rescue medication or treatment of a person with a seizure disorder.	Senator Hoffner	Introduced and Assigned to Education Committee in Senate 1/20/23	Bill will not be worked.

Maternal Mental Health	SB 106	Expands maternal mental health by including perinatal mood and anxiety disorder in the definition of maternal depression.	Senator Gay	Out of Committee 5/10/23	No position; Defer to ACOG
Insurance Coverage for Termination of Pregnancy	HS 1 for HB 110	Requires all health benefit plans delivered or issued for Medicaid to cover services for pregnancy termination, including deductibles, coinsurance, copayments and other cost sharing. Additionally, it updates individual, group and state employee health plans with similar requirements. The act also defines religious employer and how they may obtain and exclusion.	Representative Minor-Brown	Out of Committee 5/11/23	No position; Defer to ACOG
Legalization of the Recreational Use of Marijuana	HB 1	Removes all penalties for the possession or personal use of marijuana and marijuana accessories. Legalizes activities for the personal use of marijuana for adults 21 and over and defines “personal use quantity”. MSD testified against this bill.	Representative Osienski	Enacted without Governor’s Signature	Opposed
Creation of the Delaware Marijuana Control Act	HB 2	This act regulates and taxes marijuana for recreational use, similar to alcohol. Regulations include licensing, carding, and taxing requirements.	Representative Osienski	Enacted without Governor’s Signature	Opposed
Insurance Coverage of Epinephrine Autoinjectors	HB 54	Expands the requirement of all health insurance plans to include at least 1 formulation of epinephrine autoinjectors on the lowest tier of the drug formulary for members 18 years and younger to all covered members by January 1, 2024.	Representative Williams	Signed 5/25/23	Neutral
Prompt Payment on Clean Claims by Insurance Companies	SB 143	The act makes several changes to enhance the health insurance claims payment process.	Senator Mantzavinos	Awaiting consideration in Committee	Pending in GAC

Board of Speech/ Language Pathologists, Audiologists and Hearing Aid Dispensers	SB 141	Curtails standards for hearing aid dispensers to ensure they are not working outside their permissible scope of practice.	Senator Huxtable	Awaiting consideration in Committee	Pending in GAC
Medical Coverage for All Delaware Children	HB 150	This bill would provide healthcare coverage to undocumented children. The Act directs the Department of health and Social Services to develop and operate a limited medical assistance program for children who are not covered, including the undocumented. It would not include in-patient care at hospital or other healthcare facility.	Representative Griffith	Committee hearing takes place shortly	Pending in GAC
Income Tax Credit for Nurse Preceptors	HB 136	The nursing shortage in DE remains unsustainable. Due to a lack of nursing school faculty, this bill provides a nonrefundable tax credit of up to \$1,000 and up to \$5,000 for individual qualifying preceptors and clinical preceptors. The act would be effective for tax years beginning on or after January 1, 2024.	Representative Minor-Brown	Committee hearing takes place shortly	Pending in GAC
Health Records for Non-physician Practices	SB 74	This act establishes requirements for a list of non-physician health care providers for the handling of medical records upon the when the practitioner closes a practice, dies, terminates the patient relationship, or is incapacitated. The requirements are modelled after the bill that cites physician requirements and processes when doctor-patient relationships are ended.	Senator Hansen	Committee hearing takes place shortly	Neutral
Oral Health Screening in Children	HS 1 for HB 83	Every public school and charter school would provide students in kindergarten with an oral health screening by the end of the other school year. MSD has expressed some capacity concerns.	Representative Williams	Out of Committee 5/17/23	Neutral

Criminal Liability Related to Patient Abuse: Facility Managers	SB 127	Adds criminal liability for directors or managers of facilities that fail to take corrective action to protect patients or residents from criminal activity.	Senator Mantzavinos	Awaiting consideration in Committee	Pending in GAC
Reporting of Patient Abuse	SB 123	Adult day care facilities would be subject to reporting requirements related to patient abuse.	Senator Mantzavinos	Awaiting consideration in Committee	Pending in GAC
Professional Licensing for Undocumented Individuals	SB 80 and SS 1 for SB 80	Codifies the current practice of not requiring proof of citizenship or immigration status on an application for a professional license.	Senator McBride	Committee hearing takes place shortly	Neutral
Medical Practices Act – Practice Closure	HB 105	Requires physicians who are discontinuing business, leaving the state, or terminating the physician-patient relationship for any reason to notify the patients at least thirty days prior to the discontinuation of services via first class mail and an electronic message if possible. Information about how to obtain medical records must be included.	Representative Williams	Awaiting consideration in Committee	No position, but providing comments to improve the bill
Reimbursement of School Based Behavioral Health Services	HB 5	State Medicaid Plan limits Medicaid covered, school based behavioral health services provided under an Individuated Educational program (IEP). This bill would direct funds from DHSS to apply to CMS allow for reimbursement of medically necessary behavioral health services. The fiscal note is pending.	Representative Longhurst	Committee hearing takes place shortly	Monitor
Pediatric Inpatient Behavioral Health Enhancement	HB 7	Requires Delaware Medicaid to enhance the acute care per diem rate for psychiatric facilities for hard to place pediatric behavioral health inpatients. The enhancement would be based on admission criteria and would be limited to 14 days. The fiscal note is pending.	Representative Longhurst	Committee hearing takes place shortly	Monitor

Lyme Disease Education Oversight Board	HB 71	Addresses that the goal of the Lyme Disease Education Oversight Board includes Lyme Disease and other tick-related diseases.	Representative Schwartzkopf	Signed 4/12/23	No Position
Medical Conditions Related to Driver's Licenses	HB 108	Allows for all licensed independent practitioners that are treating a driver to report findings and sign Division paperwork. Makes other technical and logistical changes to regarding reporting and compliance.	Representative Matthews	Committee hearing takes place shortly	Working with DMV to amend the bill
Medical Debt	HB 90	Would require health care facilities to provide uninsured patients information on medical assistance.	Representative Williams	Incorporated into SS 1 for SB 8	Will not be worked
Rare Disease Council	SB 55	Establishes the DE Rare Disease Advisory Council with the primary goals of education, prevention, and funding for treatments. There are over 7000 rare diseases, which cause a challenge to public health.	Senator Poore	Out of Committee 3/8/23	No Position

As of June 5, 2023