



153rd DELAWARE GENERAL ASSEMBLY
April 11, 2025

Bill Title	Bill Number	Description	Sponsor	Status	MSD position
MSD PRIORITIES					
Prior authorization (Pre-Authorization)	SB 6	Collaborate with stakeholders to reform and improve the prior authorization process in Delaware.	Senator Townsend	Introduction on April 10, 2025	Supports
Primary Care Reform	N/A (refer to SB 120)	Work to improve the intent of SB 120.	Senator Townsend	Will introduce after Prior Auth is introduced	Supports
Educational Transparency/Title Misappropriation	N/A	Ensure that those healthcare professionals that received a doctoral degree are transparent in the use of their title and credentials.	MSD will be seeking a sponsor	Holding on redrafting legislation	Supports
HOUSE LEGISLATION					
Breastfeeding/Dept of Corrections	HB 3	This Act creates a breastfeeding and lactation program within the DOC to provide lactation support to women in DOC custody. Among other things, it permits women to collect breast milk for later retrieval and delivery to an infant or toddler by an approved person	Representative Neal	Reported out of Corrections Committee	Defer to ACOG
Licensing Fees and Dept of Insurance Funding	HB 18	Section 1 of this Act allows the Department of Insurance to retain a portion of the licensing fees for insurance professionals in the Regulatory Revolving Fund. Section 1 of this bill also increases the maximum unencumbered balance that the Commissioner shall maintain in the Insurance Commissioner	Representative Williams	Passed by House	Monitor

		Regulatory Revolving Fund to \$5,000,000. The previous balance was set by the General Assembly in 2005. Finally, Section 1 of this Act requires that any unencumbered balance in the Regulatory Revolving Fund in excess of \$5,000,000 at the end of each fiscal year be transferred to the General Fund. Section 2 of this Act increases the licensing fees for insurance professionals by \$25 and makes certain technical corrections. Sections 3 and 4 of this Act centralize licensing fees within one statutory provision (§ 701). These changes are necessary to reflect the growth of the Department operating budget and to cover further operating expenses realized as a result of additional statutory duties executed by the Insurance Department.			
Tianeptine	HB 21	Tianeptine is known as “gas station heroine.” This bill would ban the sale of the drug and list it as a Schedule 1 controlled substance.	Representative Williams	Reported out of Senate Health	Supports MSD testimony: House Health 1/28 Senate Health 3/26
Parental Consent for Minors Seeking an Abortion	HS 1 for HB 46	This Act requires minors under the age of 16 obtain parental consent before undergoing an abortion, except in cases of medical emergency or if the Family Court adjudicates that the minor is mature and well-informed enough to make the decision independently, or obtaining parental consent is not in the best interest of the minor, such as in cases of abuse, neglect, or coercion.	Representative Shupe		Monitor
Telecommunications Service and Devices for Persons - Deafness, Hearing	HA 1 to HB 53	This Amendment clarifies that non-analog as well as analog devices may be provided by the Office of the Deaf and Hard of Hearing to provide access to telecommunications service by residents of Delaware with deafness, hearing loss, or speech disabilities.	Representative Morrison	Passed by House	

Loss, or Speech Disabilities					
Office of Suicide Prevention	HA 1 to HB 54	This Act establishes the Office of Suicide Prevention to address suicide prevention. The Amendment names this Act "DJ's Act" after the advocate and their children who inspired it.	Representative Morrison	Reported out of House Health Committee	
Coverage for Removal of Excess Skin & Subcutaneous Tissue	HB 56	Removal of excess skin and subcutaneous tissue can improve a patient's health and quality of life. This Act requires individual health insurance plans delivered under Chapter 33 of Title 18 and group and blanket health insurance plans delivered under Chapter 35 of Title 18 to cover medically necessary removal of excess skin and subcutaneous tissue, including panniculectomies. This Act also requires the State employee health insurance plan and State Medicaid plans to cover medically necessary removal of excess skin and subcutaneous tissue, including panniculectomies.	Representative Morrison	Reported out of Economic Development/Banking/Insurance & Commerce Committee	
Suicide Prevention Coalition	HB 87	This Act adds 2 members, appointed by the Governor, to the Delaware Suicide Prevention Coalition. The 2 new members shall be: 1 member who has experienced suicide ideation or survived a suicide attempt, and 1 member who has lost a loved one to suicide. This change is requested by the Coalition.	Representative Shupe	Reported out of Senate Health	
Single Use Eating Utensil, Condiment Packets, and Other Items	HB 111	This Act prohibits food establishments from providing any single-use food service items, whether plastic or not, unless specifically requested by a customer. This Act also requires a written notice to be provided to a food establishment or third-party delivery service that violates the Skip the Stuff Act allowing the entity to correct the violation within 30 days. This Act is effective on January 1, 2026.	Representative Phillips	Introduction 4/8/2025	
End of Life Options	HB 140	This Act permits a terminally ill individual who is an adult resident of Delaware to request and self-administer medication to end the individual's life in a humane and dignified manner if both the individual's attending physician or attending advanced practice registered nurse (APRN) and a consulting physician or consulting APRN agree on the individual's	Representative Morrisson	Passed by House	Engaged Neutrality

		diagnosis and prognosis and believe the individual has decision-making capacity, is making an informed decision, and is acting voluntarily. This Act is the same as House Bill No. 140 (152nd) with 1 technical revision to include a definition of "physician" for consistency and to clarify that a physician must be licensed in Delaware.			
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SENATE LEGISLATION

Right to Reproductive Freedom	<u>SS 1 for SB 5</u>	This Act is the first leg of an amendment to the Delaware Constitution to ensure that every Delawarean is afforded reproductive freedom. SS1 makes the following clarifications: (1) That an individual has a fundamental right to reproductive freedom relating to that individual's pregnancy. (2) That the standard of medical judgment is a "good-faith medical judgment" rather than a "professional judgment." (3) That the health care professional making the good-faith medical judgment is the "treating attending health care professional" rather than the "attending health care professional."		Passed by Senate	Defer to ACOG
Red Dyes	<u>SS2 For SB 41</u>	SS 2 removes the ban on the manufacture, sales, delivery, distribution of products with Red dye 40. Like SB 41 and SS 1 for SB 41, this Act bans the manufacture, sale, delivery, distribution, holding with the intent to sell, and offering for sale in Delaware of food that contains Red dye 3.	<u>Senator Buckson</u>	Assigned to Committee	Support MSD Testimony: Senate Health 1/29

Gender Transition Procedures	SB 55	This Act prohibits gender transition surgery for children due to the potential for an irrevocable procedure occurring when there is a significant probability that children will come to identify with their biological gender. This Act prohibits the use of public funds and insurance coverage for gender transition surgery for children.	Senator Richardson	Assigned to Committee	Monitor
Ban of Red Dye 40 in Schools	SB 69	This Act prohibits a school district or charter school from selling or serving breakfast, lunch, or competitive food on campus during the school day that contains the color additive Red dye 40	Senator Buckson		Supports MSD Testimony: Senate Health 3/19
Genetic Counseling	SA 1 for SB 70	This Act allows licensed genetic counselors to order genetic tests. The amendment makes technical corrections.	Senator Poore	Passed by Senate on April 9, 2025	Supports MSD Testimony: Senate Health 3/26
Electronic Smoking Devices and Vapor Products	SB 77	This Act prohibits the sale of electronic smoking devices and nicotine vapor products that are not included in a directory of manufacturers and products eligible to be sold in the state. To be added to the directory, manufacturers of electronic smoking devices and nicotine vapor products must certify that they have complied with federal tobacco product premarket application requirements and pay annual fees.	Senator Sturgeon		
Third Party Decision Making	SB 93	This Act updates the terminology used to describe or citations used to reference those who make financial or health-care decisions on behalf of a principal or individual, including when that principal or individual lacks capacity. This Act takes effect on September 30, 2025, to coincide with when the Delaware Uniform Health-	Senator Poore	Introduction on April 8, 2025	

		Care Decisions Act of 2023 (DUHCDA 2023) takes effect.			
Definition of the Patient - Practitioner Relationship	SB 101	This Act expands the definition of “patient-practitioner relationship” to include practitioners and patients, that provide and seek treatment for, opioid use disorder as defined in § 6003 of Title 24. This Act also makes technical corrections to conform existing law to the standards of the Delaware Legislative Drafting Manual.	Senator Poore	Introduction on April 9, 2025	
Trauma Kits	SB 104	This Act defines what a trauma kit is and requires the managing entities of certain buildings acquire and place at least 6 trauma kits in a clearly visible, centrally located, and accessible area. The Act further requires the property managing entity or person to ensure the kits are appropriately placed and replaced if needed. The property managing entity or person must also send notification to tenants of the building regarding the locations of the trauma kits and instructions on how to use them. This Act does not apply to private homes, residences, or vehicles.	Senator Pinkney	Introduction on April 9, 2025	

SELECTED CONCURRENT RESOLUTIONS

Community Health Workers/ Medicaid	SJR 2	This resolution requires the Division of Medicaid and Medical Assistance to present a report to the Delaware General Assembly, by January 1, 2026, for the provision of insurance coverage for Community Health Worker services by Medicaid providers.	Senator Pinkney	Passed the Senate	
Minority Health Month	HCR 26	This Concurrent Resolution promotes minority health awareness and supporting the	Representative K Smith		

		goals and ideals of National Minority Health Month in April 2025, which include bringing attention to the health disparities faced by minority populations in the State of Delaware.			