



**153<sup>rd</sup> DELAWARE GENERAL ASSEMBLY**  
**May 8, 2025**

Bill Title	Bill Number	Description	Sponsor	Status	MSD position
<b>MSD PRIORITIES</b>					
Prior authorization (Pre-Authorization)	<a href="#">SB 12 w/ SA 1</a>	Collaborate with stakeholders to reform and improve the prior authorization process in Delaware.  Note that this bill was formerly filed as SB 6.	Senator Townsend	<b>Passed by Senate</b>	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
<b>HOUSE LEGISLATION</b>					
Breastfeeding/ Dept of Corrections	<a href="#">HB 3</a>	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	<a href="#">Representative Neal</a>	<b>Reported out of Corrections Committee</b>	Defer to ACOG
Licensing Fees and Dept of Insurance Funding	<a href="#">HB 18</a>	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	<a href="#">Representative Williams</a>	<b>Signed by the Governor on May 7, 2025</b>	Monitor

		Commissioner shall maintain in the Insurance Commissioner 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	<a href="#">HB 21</a>	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.	<a href="#">Representative Williams</a>	<b>Reported out of Senate Health</b>	Supports MSD testimony: House Health 1/28 Senate Health 3/26
Parental Consent for Minors Seeking an Abortion	HS 1 for <a href="#">HB 46</a>	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.	<a href="#">Representative Shupe</a>	<b>Motion to Release Failed</b>	Monitor
Telecommunications Service and Devices for Persons -	<a href="#">HA 1 to HB 53</a>	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	<a href="#">Representative Morrison</a>	<b>Reported out of Senate Committee</b>	

Deafness, Hearing Loss, or Speech Disabilities		residents of Delaware with deafness, hearing loss, or speech disabilities.			
Office of Suicide Prevention	<a href="#">HA 1 to HB 54</a>	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.	<a href="#">Representative Morrison</a>	<b>Reported out of House Health Committee</b>	
Coverage for Removal of Excess Skin & Subcutaneous Tissue	<a href="#">HB 56</a>	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.	<a href="#">Representative Morrison</a>	<b>Passed by House</b>	
Suicide Prevention Coalition	<a href="#">HB 87</a>	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.	<a href="#">Representative Shupe</a>	<b>Reported out of Senate Health</b>	
Pay Range Transparency	<a href="#">HS 1 for HB 105</a>	. This Act requires employers include salary or wage range information and a general description of benefits in all postings for job opportunities and ensures that applicants have access to that information prior to any offer or discussion of compensation. Employers are required to maintain records relating to job descriptions and wage rates for current employees and for 3 years after the departure of an employee. The Department of Labor may bring an administrative action to enforce the pay transparency provision. This Act does not apply to employers with 25 or fewer employees. The Act takes effect 2 years after its enactment.	<a href="#">Representative Ross Levin</a>	<b>Reported out of Committee</b>	MSD has concerns with the bill as written.
Dry Needling - OT	<a href="#">HB 106</a>	This Act expands the "practice of occupational therapy" to include dry needling and sets forth requirements and limitations for licensed occupational therapists and	<a href="#">Representative Harris</a>	<b>Reported out of Committee</b>	MSD Opposes OT assistants being able to dry needle.

		occupational therapy assistants pertaining to the practice of dry needling. Dry needling may not be performed without a physician referral, and occupational therapists and occupational therapy assistants may not hold themselves out as acupuncturists unless they are licensed acupuncturists.			
Single Use Eating Utensil, Condiment Packets, and Other Items	<a href="#">HB 111</a>	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.	<a href="#">Representative Phillips</a>	<b>Introduction 4/8/2025</b>	
Discrimination Based on Body Size	<a href="#">HB 115</a>	This Act prohibits discrimination based on weight, height, or body size in transportation, public accommodation, housing, commerce and trade, employment, jury selection, education, and public administration. This Act also makes technical corrections to conform existing law to the standards of the Delaware Legislative Drafting Manual.	<a href="#">Representative Phillips</a>		Monitoring
Nursing Facility Quality Assessments	<a href="#">HB 118</a>	This Act would allow for Exceptional Care for Children (ECC) to continue receiving an exemption from the nursing facility quality assessment.	<a href="#">Representative Romer</a>	<b>Reported Out of Committee</b>	
End of Life Options	<a href="#">HB 140</a>	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 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.	<a href="#">Representative Morrisson</a>	<b>Passed by House and Senate</b>	Engaged Neutrality

Mental Health at School-Based Health Centers	<a href="#">HB 149</a>	This Act gives DPH the authority to approve supervised clinical training rotations for mental health providers at school-based health centers.	<a href="#">Representative K. Smith</a>		
DE Diabetes Wellness Pilot Program	<a href="#">HB 163</a>	This Act provides a roadmap via an observational study on a small but representative group of diabetic or prediabetic patients to change standard healthcare from current reactive “sick care” to proactive “well care.” This will be accomplished by using a Delaware health system combined with a technology partner to regularly test, measure, manage, and incentivize diabetic or prediabetic providers to improve the health outcomes for Delawareans and drive down health care costs. The length of the observational study will be 3 years. During that time, data analysis will track results to determine if this Pilot Program shall be renewed and expanded.	<a href="#">Representative Hilovsky</a>		
Dry Needling	<a href="#">HB 165</a>	This Act authorizes physician assistants, occupational therapists, and nurse practitioners to practice dry needling. This Act sets forth requirements and limitations pertaining to the practice of dry needling. Dry needling may not be performed without a physician referral, and physician assistants, nurse practitioners, and occupational therapists may not hold themselves out as acupuncturists unless they are licensed acupuncturists.	<a href="#">Representative Harris</a>		
Behavioral Health Consortium	<a href="#">HB 169</a>	This Act makes the following updates to the Behavioral Health Consortium: <ul style="list-style-type: none"> <li>- Expands the charge of the Consortium to include all aspects of behavioral health care, in addition to substance use disorder.</li> <li>- Adds term limits for appointed members.</li> <li>- Modifies the membership to remove nonoperational organizations and include representation from the Maternal and Child Death Review Board and Delaware’s Veteran community.</li> <li>- Removes the Behavioral Health Commission’s approval authority over the Prescription Opioid Settlement Distribution Commission’s granting and contracting processes.</li> </ul>	<a href="#">Representative Minor-Brown</a>		

## SENATE LEGISLATION

Right to Reproductive Freedom	<a href="#"><u>SS 1 for SB 5</u></a>	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."		<b>Passed by Senate</b>	Defer to ACOG
Red Dyes	<a href="#"><u>SS2 For SB 41</u></a>	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.	<a href="#"><u>Senator Buckson</u></a>	<b>Assigned to Committee</b>	Support MSD Testimony: Senate Health 1/29
Gender Transition Procedures	<a href="#"><u>SB 55</u></a>	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.	<a href="#"><u>Senator Richardson</u></a>	<b>Assigned to Committee</b>	Monitor

Ban of Red Dye 40 in Schools	<a href="#">SB 69</a>	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	<a href="#">Senator Buckson</a>	<b>Passed by Senate and House</b>	Supports MSD Testimony: Senate Health 3/19
Genetic Counseling	<a href="#">SA 1 for SB 70</a>	This Act allows licensed genetic counselors to order genetic tests. The amendment makes technical corrections.	<a href="#">Senator Poore</a>	<b>Passed by Senate and House</b>	Supports MSD Testimony: Senate Health 3/26
Electronic Smoking Devices and Vapor Products	<a href="#">SB 77</a>	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.	<a href="#">Senator Sturgeon</a>		
Third Party Decision Making	<a href="#">SB 93</a>	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-Care Decisions Act of 2023 (DUHCDA 2023) takes effect.	<a href="#">Senator Poore</a>	<b>Introduction on April 8, 2025</b>	
Respiratory Care Practitioners	<a href="#">SB 94</a>	This Act updates the Respiratory Care Advisory Council to the Board of Medical Licensure and Discipline's enabling act to allow qualified licensed respiratory therapists to perform all duties associated with extracorporeal life support	<a href="#">Senator Poore</a>	<b>Passed by Senate</b>	

Definition of the Patient - Practitioner Relationship	<a href="#">SS 1 for SB 101</a>	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. SS 1 makes no major changes other than substituting the synopsis language from the prior bill for the new synopsis.	<a href="#">Senator Poore</a>	<b>Passed by Senate</b>	
Trauma Kits	<a href="#">SB 104</a>	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.	<a href="#">Senator Pinkney</a>	<b>Introduction on April 9, 2025</b>	
911 Emergency Reporting	<a href="#">SB 105</a>	This Act provides that the Secretary of the Department of Safety and Homeland Security (“Secretary”), or the Secretary’s designee, is a member of the Enhanced 911 Emergency Reporting System Service Board (“Board”) by virtue of the Secretary’s position. This Act also makes the Secretary, or the Secretary’s designee, the Board Chair.	<a href="#">Senator Sokola</a>	<b>Passed the Senate</b>	Monitor
Social Work Licensure Compact	<a href="#">SB 109</a>	This Act enters Delaware into the Social Work Licensure Compact. This will allow social workers to obtain a multistate	<a href="#">Senator Pinkney</a>	Out of Committee	

		license among the member states. Delaware will join the Compact Commission that is comprised of membership of all states that have enacted the Compact.			
Physical Therapy Bill	<a href="#">SB 110</a>	The purpose of this Act is to expand patient access to physical therapy services. Currently, a physical therapist may treat an individual without a referral up to 30 days after which time a physician must be consulted. The amendment extends that deadline to 90 days with the objective of ensuring continuity of care. Physical therapists will still be required to practice within their scope of training and expertise.	<a href="#">Senator Poore</a>	Passed by Senate	Opposes
Health Care Workforce Planning	<a href="#">SB 122</a>	This Act supports critical health care workforce research and planning efforts by giving the Division of Public Health and the Delaware Health Care Commission the ability to obtain comprehensive workforce-related data from the Division of Professional Regulation. It requires the Division of Public Health's Office of Healthcare Provider Resources to collaborate with the Delaware Health Care Commission and the Division of Professional Regulation to determine what data should be collected from health care providers during the licensing and renewal process to assist the Division of Public Health with workforce research and planning.	<a href="#">Senator Huxtable</a>	Passed by Senate	Supports
PTs and Athletic Trainers	<a href="#">SB 110</a>	The purpose of this Act is to expand patient access to physical therapy services. Currently, a physical therapist may treat an individual without a referral up to 30 days after which time a physician must be consulted. The amendment extends that deadline to 90 days	<a href="#">Senator Poore</a>	Passed by Senate	

		with the objective of ensuring continuity of care. Physical therapists will still be required to practice within their scope of training and expertise. This Act also clarifies the requirements for renewal and reactivation of licenses.			
Delaware Health Information Network (DHIN)	<a href="#">SB 138</a>	This Act makes changes the composition of DHIN's Board of Directors ("Board") to reflect recent practice with respect to Governor-appointed boards. It removes the concept of positions held for certain groups or industries and replaces it with a general obligation to appoint members broadly representative of DHIN's stakeholder groups and the general public, with an emphasis on individuals with particular expertise that will benefit DHIN and its public mission. It also reduces the size of the board from 19 to 13 members to align with the historical size of DHIN's Board and to implement current best practices with respect to Board size,	Senator Mantzavinos		

#### SELECTED CONCURRENT RESOLUTIONS

Community Health Workers/ Medicaid	<a href="#">SJR 2</a>	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.	<a href="#">Senator Pinkney</a>	Passed the Senate and House	
Minority Health Month	HCR 26	This Concurrent Resolution promotes minority health awareness and supporting the 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.	<a href="#">Representative K Smith</a>		

CHIP Initiatives	<a href="#"><u>SJR 6</u></a>	This Senate Joint Resolution directs the Division of Medicaid & Medical Assistance (DMMA) to explore amending our Delaware Medicaid State Plan to allow for the adoption of the Children's Health Insurance Program (CHIP) From-Conception-to-End-of-Pregnancy (FCEP) option and the creation of a Health Services Initiative (HSI) that will allow our State to use federal funding to partially cover prenatal and postpartum care for individuals otherwise ineligible for free or low-cost health-care coverage due to immigration status	<a href="#"><u>Senator Pinkney</u></a>		
Recognizing HIV Infection Rates, Federal Funding Cuts	<a href="#"><u>HCR 47</u></a>	Recognizes the escalating HIV crisis in Delaware and the drastic reduction in federal HIV prevention funding. The Resolution encourages healthcare providers, advocacy organizations, and community leaders to collaborate in exploring avenues to reduce HIV infections and ensuring equitable access to preventative care statewide.	<a href="#"><u>Representative Morrison</u></a>	Passed by House and Senate	