

149th General Assembly
January 2017 to June 2018
Health Care Industry Related Legislation

To view the bill and the current status, click on the **Bill#**.

Delaware Senate Bills:

Bill #	SB 3 Introduced on: 6/6/2017
Description	An act to amend Title 16 of the Delaware Code relating to Vital Statistics . This Act replaces the stillbirth certificate with a certificate of birth resulting in stillbirth, clarifies what documentation is required upon the occurrence of a stillbirth, and makes technical corrections to the Vital Statistics laws to accurately reflect current practices. This Act does not change the current reporting requirements regarding births or deaths. This Act shall be known as "Lorenzo's Law" in memory of Lorenzo Joseph DiSalvo who was born on July 3, 2016. Lorenzo is the son of Kimberly Ann DiSalvo and Chad William DiSalvo. His maternal grandparents are Thomas and Cheryl Favoroso and paternal grandparents are Joseph (deceased) and Marla DiSalvo.
Status:	Signed into Law 8/9/2017
DHA Position:	No Position

Bill #	SB 5 Introduced on: 4/27/2017
Description	An act to amend Title 24 of the Delaware Code Codifying U.S. Supreme Court Precedent relating to the Termination of Pregnancy . The United States Supreme Court's decisions in Roe v. Wade and subsequent cases established that access to abortion is a constitutional right and that states may not prohibit abortion prior to viability. As a result of these decisions, and the exercise of prosecutorial discretion by the Attorney General, see Del. Op. Att'y Gen. No. 73-030, § III (Apr. 12, 1973), the Delaware Code's prohibitions against abortion are unconstitutional, and thus unenforceable. This Act modernizes Delaware's laws on abortion to be consistent with the scope of the right protected by the United States Constitution and the practice in Delaware for the past 43 years. In doing so, this Act permits the termination of a pregnancy prior to viability, to protect the life or health of the mother, or in the event of serious fetal anomaly.
Status:	Substituted in Senate by SS 1 for SB 5
DHA Position:	No Position

Bill #	SS1 for SB 5 Introduced on: 5/4/2017
Description	An act to amend Title 24 of the Delaware Code Codifying U.S. Supreme Court Precedent relating to the Termination of Pregnancy . The United States Supreme Court's decisions in Roe v. Wade and subsequent cases established that access to abortion is a constitutional right and that states may not prohibit abortion prior to viability. As a result of these decisions, and the exercise of prosecutorial discretion by the Attorney General, see Del. Op. Att'y Gen. No. 73-030, § III (Apr. 12, 1973), the Delaware Code's prohibitions against abortion are unconstitutional, and thus unenforceable. This Substitute makes Delaware's laws on abortion consistent with the scope of the right protected by the United States Constitution and the practice in Delaware for the past 43 years. In doing so, this Act permits the termination of a pregnancy prior to viability, to protect the life or health of the mother, or in the event of serious fetal anomaly. This Substitute differs from Senate Bill No. 5 as follows: (1) It clarifies lines 31 through 34 related to fetal anomalies. (2) It notes, on lines 79 through 81, that informed consent for a procedure under this

	subchapter is required by § 4408-1.0 through 10.0, Title 16 of the Delaware Administrative Code. (3) It makes clear that nothing in this Substitute is to be construed to affect the continued effectiveness of the Parental Notice of Abortion Act, Subchapter VIII of Chapter 17 of Title 24 of the Delaware Code.
Status:	Signed into Law 6/8/2017
DHA Position:	No Position

Bill #	<u>SB 10 with SA 3</u> Introduced on: 1/12/2017
Description	An act to amend Title 19 of the Delaware Code relating to Minimum Wage . This Act increases the minimum wage required to be paid in this State by 50 cents a year beginning in 2017 and ending in 2020. After 2020, the minimum wage required to be paid in this State increases based on cost-of-living adjustments under the federal Social Security Act. This Act also makes technical corrections to conform to existing law related to the State's deferral to the federal minimum wage to the guidelines of the Delaware Legislative Drafting Manual. In addition, this Act requires that employers pay an increased minimum wage based on cost-of-living adjustments under the federal Social Security Act in any year in which the federal minimum wage does not increase. SA 3 deletes the proposed minimum wage increases in Senate Bill No. 10, including the cost of living adjustments. Instead, the amendment creates a two-step increase in the minimum wage from \$8.25 per hour to \$8.75 per hour effective October 1, 2018, and to \$9.25 per hour effective October 1, 2019.
Status:	Defeated in Senate
DHA Position:	No Position

Bill #	<u>SB 15</u> Introduced on: 1/12/2017
Description	A Bond and Capital Improvements Act of the State of Delaware and certain of its authorities for the Fiscal Year ending June 30, 2018 ; authorizing the issuance of general obligation bonds of the State; appropriating funds from the transportation trust fund; authorizing the issuance of revenue bonds of the Delaware Transport Authority; appropriating special funds of the Delaware Transportation Authority; appropriating general funds of the State; reprogramming certain funds of the State; directing the deposit of certain funds of the general fund; specifying certain procedures, conditions and limitations for the expenditure of such funds; and amending certain statutory provisions. This Bill is the Fiscal Year 2018 Bond and Capital Improvements Act.
Status:	Introduced and Assigned to Capital Improvement Committee in Senate
DHA Position:	No Position

Bill #	<u>SB 16</u> Introduced on: 1/18/2017
Description	An Act to amend the Laws of Delaware relating to the Bond and Capital Improvements Act of the State of Delaware and certain of its Authorities for the Fiscal Year ending June 30, 2017 . This Act amends the Fiscal Year 2017 Bond and Capital Improvements Act to 1) authorize the expenditure of prior year Community Redevelopment Funds for public safety purposes in the City of Wilmington; 2) clarify the applicability of prevailing wage provisions on Community Transportation Fund and Municipal Street Aid projects; 3) authorize the Department of Transportation to use Community Transportation Funds for one-time reimbursements for various projects 4) allow for the use of certain operating funds of local school districts as a match for school construction; 5) allow Cape Henlopen to transfer certain unobligated major capital improvement funds for the Sussex Consortium Building project; and 6) to authorize the Office of Management and Budget to execute loan collateral-related documents related to the New Castle County Courthouse

	parking facility.
Status:	Signed into Law 2/2/2017
DHA Position:	No Position

Bill #	<u>SB 17</u> Introduced on: 1/19/2017
Description	An Act to amend Title 16 of the Delaware Code relating to Anatomical Gifts . This bill provides for research or transplantation of organs and other anatomical gifts as authorized under federal law among donors who have tested positive for exposure to HIV and intended recipients who have also tested positive for exposure to HIV. Delaware is currently the only state that has laws prohibiting the use of HIV positive organs for HIV positive recipients entirely, including the use of organs as part of a research protocol.
Status:	Signed into Law 4/25/2017
DHA Position:	No Position

Bill #	<u>SB 24 with SA 1</u> Introduced on: 3/16/2017
Description	An Act to amend Title 16 of the Delaware Code relating to Medical Marijuana . This Act removes the requirement that a psychiatrist be the physician who signs the written certification in support of an applicant's application for medical marijuana and adds anxiety to the list of debilitating conditions which a person can have to be eligible for medical marijuana. This Act also makes technical corrections to the statute. SA 1 removes the provision adding anxiety to the list of debilitating conditions for which a person can be eligible for medical marijuana.
Status:	Signed into Law 7/12/2017
DHA Position:	Opposed

Bill #	<u>SB 26</u> Introduced on: 3/16/2017
Description	An Act to amend Title 30 of the Delaware Code relating to Business Tax Credits and Deductions . This Act creates a one-time \$100 tax credit per unit for any business purchasing and placing an automatic external defibrillator in service in the State. HA 1 which clarifies that nonprofit entities are encouraged to apply for a free automatic external defibrillator through the program established under Chapter 30C of Title 16 was placed with the Bill.
Status:	Signed into Law 5/9/2018
DHA Position:	Support

Bill #	<u>SB 30</u> Introduced on: 3/21/2017
Description	An Act to amend Title 15 of the Delaware Code relating to Campaign Finance, Reporting and Disclosure . This Act requires political committees to report a contributor's occupation and employment information. This is already a requirement in federal campaign finance law. If only a contributor's name and address are disclosed (without occupation and employer), it is difficult to determine which industry, company, or group is funding a candidate. This will assist in furthering transparency and disclosure in the electoral process. It also addresses the obligation of the reporting candidate and treasurer.
Status:	Out of Committee in Senate
DHA Position:	No position

Bill #	<u>SB 35 with SA 1</u>	Introduced on: 3/21/2017
Description	<p>An Act to amend Title 16 of the Delaware Code relating to the Adoption of the Recognition of Emergency Medical Services Personnel Licensure Interstate Compact Act. With REPLICA, EMS personnel will be able to respond across state borders within the provision of their duties on a short term, intermittent basis on a privilege to practice under approved circumstances. REPLICA promotes compliance with the laws governing EMS personnel practice in each member state, home and remote, and gives states the ability to hold providers accountable from both. EMS personnel covered by REPLICA include those responding to calls for assistance across state lines as part of their duty, covering large scale planned events such as staffing concerts, sporting events, or large scale unplanned events where federal agencies are dispatched to support details, for example, wild land firefighting teams. REPLICA comes into effect on the date on which the compact statute is enacted into law in the 10th member state. Seven states have enacted REPLICA, including Virginia. Benefits of REPLICA include: REPLICA extends the privilege to practice under authorized circumstances and on a limited basis to EMS Providers; REPLICA enables the ready exchange of information between states through a Coordinated Database regarding EMS personnel licensure, adverse actions, and significant investigatory information; REPLICA promotes the highest level of public protection to patients and to EMS personnel in our state's EMS System. State EMS Offices will now know who is coming into their state; and REPLICA provides a unique opportunity to support members of the military and their spouses with a clear and timely pathway by which to become licensed. SA 1 corrects an incorrect reference; clarifies that the Compact is effective immediately because 10 states have adopted it; and provides a mechanism for coordinating the implementation of REPLICA in Delaware.</p>	
Status:	Signed into Law 9/15/2017	
DHA Position:	Support	

Bill #	<u>SB 39</u>	Introduced on: 3/22/2017
Description	<p>An Act to amend Title 16 of the Delaware Code relating to the Board of Medical Licensure and Discipline. This Act is the result of the recommendation made by the Joint Legislative Oversight and Sunset Committee in its review of the Board of Medical Licensure and Discipline ("the Board") that the Division of Professional Regulation amend applicable statutes that are outdated and unnecessary, to provide for consistency with § 8735, Title 29 of the Delaware Code, relating to administrative procedures. Specifically, this Act permits the Board to utilize non-board member medical licensees as coinvestigators when specialties are required to opine on the disciplinary cases, as long as the co-investigator is licensed in the specialty at issue; creates administrative licensure for medical professionals who do not wish to practice medicine but serve as administrators in the state to applicants who meet all qualifications for licensure except active practice hours; removes antiquated language from Title 17 regarding hearing procedures and instead reiterates hearings are conducted pursuant to the Administrative Procedures Act; and deletes references to the removed language. Finally, this Act makes minor modifications to each of the sub-councils organized under the Board, to standardize procedures across each of the five councils.</p>	
Status:	Signed into Law 7/12/2017	
DHA Position:	Support	

Bill #	<u>SB 40 with SA 1</u>	Introduced on: 3/23/2017
Description	<p>An Act to amend Title 18 of the Delaware Code relating to Insurance Company Disclosure Requirements. This legislation adopts the NAIC's Corporate Governance Annual Disclosure Model Act, and requires Delaware-domiciled insurers to provide to the Commissioner on an annual basis a summary of the insurer's or insurance group's</p>	

	corporate governance structures, policies and practices to permit the Commissioner to gain and maintain an understanding of the insurer's corporate governance framework. SA 1 removes references to the International Association of Insurance Supervisors.
Status:	Signed into Law 8/2/2017
DHA Position:	No position

Bill #	<u>SB 41 with SA 1</u>	Introduced on: 3/23/2017
Description	An Act to amend Title 18 of the Delaware Code relating to the Coverage for Serious Mental Illness and Drug Alcohol Dependency . In an effort to reduce overdose deaths relating to the growing epidemic of opioid addiction, this Act requires carriers to provide coverage for medically necessary inpatient treatment of alcohol and drug dependencies and prohibits carriers from imposing precertification, prior authorization, pre-admission screening, or referral requirements for the diagnosis and treatment, including in-patient treatment, of drug and alcohol dependencies. This Act also makes technical corrections to conform existing law to the standards of the Delaware Legislative Drafting Manual. SA 1 requires access to a 5 day emergency supply of prescribed medications covered under the health benefit plan for the treatment of serious mental illnesses.	
Status:	Signed into Law 5/30/2017	
DHA Position:	Support	

Bill #	<u>SB 43</u>	Introduced on: 3/23/2017
Description	An Act to amend Title 24 of the Delaware Code relating to the Licensure of Art Therapists . This Act regulates the practice of art therapy, amending 24 Del. C. §30 by adding Subchapter 'V. Professional Art Therapists,' administered under the Delaware Board of Mental Health and Chemical Dependency Professionals. The Art Therapy Practice Act will serve and protect the public by defining the scope of practice of art therapy; setting minimum standards of qualification, education, training, and experience for art therapists; and maintaining certain standards in the delivery of art therapy services. This bill also provides to assist the Delaware Board of Mental Health and Chemical Dependency Board in licensing art therapists by the appointment of a voluntary Art Therapy Advisory Board, amending 24 Del. C. §3006(a).	
Status:	Substituted in Senate by SS 1 for SB 43	
DHA Position:	No Position	

Bill #	<u>SS 1 for SB 43 with SA 1</u>	Introduced on: 6/13/2017
Description	An Act to amend Title 24 of the Delaware Code relating to the Licensure of Art Therapists . This Act regulates the practice of art therapy placing control of the profession under the Board of Mental health and Chemical Dependency Professionals and amending Chapter 30 of Title 24 by adding Subchapter V. Professional Art Therapists. The Art Therapy Practice Act will serve and protect the public by defining the scope of practice of art therapy; setting minimum standards of qualification, education, training, and experience for art therapists; and maintaining certain standards in the delivery of art therapy services. This Act also requires the Board of Mental Health and Chemical Dependency to appoint one or more credentialed volunteer art therapists to advise and assist the Board in matters pertaining to art therapists. SA 1 clarifies that an Associate Art Therapist does not have to take the national certification exam prior to licensure. In addition, the Amendment inserts a grandfathering clause requiring those who had graduated with a master's degree prior to January 2013, to have a minimum of 48 graduate semester credit hours or 72 quarter-hour credits to qualify for licensure. The Amendment also adds an effective date of 180 days after its enactment in law.	

Status:	Signed into Law 9/8/2017
DHA Position:	No Position

Bill #	<u>SB 44 with SA 1</u>	Introduced on: 3/30/2017
Description	An Act to amend Title 16 of the Delaware Code relating to the Uniform Controlled Substances Act . This Bill clarifies that every prescriber holding a controlled substance registration must be registered with the Prescription Monitoring Program. Further, prescribers who receive a CSR (controlled substances registration) for the first time must register with the Prescription Monitoring Program within 90 days. SA 1 enhances the capabilities of the Prescription Monitoring Program, and the addition of the NPI numbers for dispensers and prescribers will eliminate the need for PMP staff to manually match and aggregate prescribers for analysis.	
Status:	Signed into Law 7/21/2017	
DHA Position:	Support	

Bill #	<u>SB 45</u>	Introduced on: 3/30/2017
Description	An Act to amend Title 16 of the Delaware Code relating to the Uniform Controlled Substances Act . This Bill adds 3,4-dichloro-N-[2-(dimethylamino)cyclohexyl]-N-methylbenzamide (U-47700) to Schedule I of the Uniform Controlled Substances Act. U-47700, also known as “Pink,” is a synthetic opioid recently encountered by law enforcement and public health officials and is being abused for its opioid properties. It is available over the Internet and is marketed as a “research chemical.” The safety risks to users are significant and the public health risks include large numbers of drug treatment admissions, emergency room visits and fatal overdoses. On November 14, 2016, the Federal Drug Enforcement Agency temporarily placed U-47700 in Schedule I for a two-year period, finding that this synthetic opioid has a high potential for abuse, no currently accepted medical use in treatment in the United States and lacks accepted safety for use under medical supervision. By Emergency Order dated December 15, 2016, the Secretary of State temporarily placed U-47700 in Schedule I. This Order is effective for 120 days. The permanent addition of U-47700 to Schedule I is required in the interest of public protection.	
Status:	Signed into Law 7/17/2017	
DHA Position:	Support	

Bill #	<u>SB 48 with HA 1</u>	Introduced on: 3/30/2017
Description	An Act to amend Title 16 of the Delaware Code relating to Naloxone . Under this Act, a pharmacist who dispenses naloxone under an established set of circumstances is not subject to disciplinary or other adverse action under any professional licensing statute or criminal liability, or liable for damages related to injuries or death sustained in connection with administering the drug, unless it is established that the pharmacist caused the injuries or death willfully, wantonly, or by gross negligence. HA 1 which permits pharmacists to dispense naloxone without being subject to disciplinary or other adverse action under any professional licensing law, criminal liability, or liability related to injuries or death sustained in connection with dispensing the naloxone, unless it is established that the pharmacist caused injuries or death due to unreasonable care, willfully, wantonly, or by gross negligence was placed with the Bill.	
Status:	Signed into Law 7/20/2017	
DHA Position:	Support	

Bill #	<u>SB 49</u> Introduced on: 3/28/2017
Description	An Act to amend Title 6 of the Delaware Code relating to Homeless Persons . An individual's housing status should not be a basis for discrimination. This bill establishes a "Homeless Individual's Bill of Rights" that provides rights to protections for individuals experiencing homelessness, including protections from discrimination while in public and while seeking access to housing, employment, and temporary shelter. This bill vests important investigatory and enforcement authority with the State's Division of Human Relations and the State Human Relations Commission, similar to their roles with Delaware's Equal Accommodations Law and Delaware's Fair Housing Act.
Status:	Introduced and Assigned to Judicial & Community Affairs Committee in Senate
DHA Position:	No Position

Bill #	<u>SB 54</u> Introduced on: 3/30/2017
Description	An Act to amend Title 10 of the Delaware Code relating to Juvenile Expungements . The continued existence and dissemination of juvenile criminal histories hampers an individual's ability to become a successful and a productive member of society. These criminal histories are a hindrance to employment, education, housing and credit. It is often difficult for indigent children, especially children in foster care, to overcome the hurdles required to obtain an expungement. The act modifies the discretionary expungement provisions to allow more children the ability to petition the Court for an expungement. These changes allow the Court to consider an expungement where the child has demonstrated rehabilitation. These provisions will enable a greater number of deserving youth the ability to move beyond their past and recognizes that most youth mature out of offending behavior. This legislation builds on a bill passed by a bipartisan group of lawmakers during the 148th General Assembly. Senate Bill 198 streamlined the process for an individual to expunge their juvenile record. This proposed expansion would create a fair catch-all provision for those seeking an expungement to their juvenile record in cases where they were found delinquent in multiple cases as juveniles, but had not been adjudicated or convicted of another crime since.
Status:	Signed into Law 6/20/2017
DHA Position:	No Position

Bill #	<u>SB 55</u> Introduced on: 4/4/2017
Description	An Act to amend Title 24 of the Delaware Code relating to private investigative, private security and armored car agencies . This Act provides greater clarity of language, condenses duplicative statutes and deletes statues that are irrelevant to daily operations of the Professional Licensing Section's regulation of private security, private investigative and armored car agencies.
Status:	Signed into Law 7/21/2017
DHA Position:	No Position

Bill #	<u>SB 59 with SA 1</u> Introduced on: 4/5/2017
Description	An Act to amend Title 24 of the Delaware Code relating to A Multistate Nurse Licensure Compact . This Act replaces the current multistate nurse licensure compact with an enhanced version. The enhanced Nurse Licensure Compact allows for registered nurses and licensed practical nurses to have one multistate license, with the privilege to practice in their home state and other compact states. Under the enhanced version, all nurses practicing under a multistate license must meet a minimum set of licensure requirements, including a fingerprint federal criminal background check. Nurses who fail to meet these requirements will not be eligible for a multistate license, and multistate privileges will be removed from nurses when disciplinary actions are taken against a home

	state multistate license. If Delaware fails to enact the enhanced nurse multistate licensure compact, Delaware nurses with current multistate licenses will no longer be permitted to practice in states that have enacted the enhanced version. Currently, 13 states have adopted this enhanced Compact and legislation to adopt it is pending in 15 other states. SA 1 repeats the Compact's effective date (lines 445 through 448 of Senate Bill No. 59) to clarify that the current Chapter 19A of Title 24 remains in effect until the new Multistate Nurse Licensure Compact becomes effective. It also requires the Director of the Division of Professional Regulation to notify the Registrar of Regulations if the Compact becomes effective before December 31, 2018, because 26 states have adopted it.
Status:	Signed into Law 6/30/2017
DHA Position:	Support

Bill #	<u>SB 63 with SA 1</u>	Introduced on: 4/27/2017
Description	<p>An Act to amend Title 24 of the Delaware Code relating to the Board of Nursing. Section 1 updates the Delaware Code relating to the Board of Nursing (“Board”) by eliminating conflicting definitions of an “advanced practice registered nurse” in the Code, correcting inaccurate cross-references, and eliminating references to the Joint Practice Committee, a now defunct body, and replacing such references with the newly enacted Advanced Practice Registered Nurse Committee. Section 2 corrects the Delaware Code to use the correct defined term, “advanced practice registered nurse” rather than “advanced practice nurse,” which is deleted by Section 1 of this Act. Section 3 adds passage of the national examination to the qualifications for licensure as a registered nurse currently listed in § 1910, Title 24. Section 4 eliminates reference to the national examination for registered nurses in § 1911, Title 24. Section 5 makes a technical correction to make it clear that “state” and “territory” as referenced in § 1912, Title 24 means a state or territory of the United States. Additional changes of this type are made in Sections 8 and 12. Section 6 adds passage of the national examination to the qualifications for licensure as a licensed practical nurse currently listed in § 1914, Title 24. Section 7 eliminates reference to the national examination for licensed practical nurses in § 1915, Title 24. Each Section of this Act makes technical corrections to conform existing law to the standards of the Delaware Legislative Drafting Manual. SA 1 (1) Clarifies the definition of an advanced practice registered nurse and eliminates redundant provisions in the current definition. (2) Adds a provision to the nursing statute mandating that all licensees self-report when they are arrested or convicted of a crime substantially related to the practice of nursing. (3) Further clarifies the endorsement provision for APRNs allowing the Board to grant licensure to highly qualified and experienced out of state nurses. Finally, while this Amendment cannot amend the synopsis of Senate Bill No. 63, it is noted that Section 13 of Senate Bill No. 63 does not alter the substantive meaning of § 1936(c) of Title 24, but rather corrects grammatical errors and awkward language.</p>	
Status:	Signed into Law 7/17/2017	
DHA Position:	No Position	

Bill #	<u>SB 65</u>	Introduced on: 4/26/2017
Description	<p>An Act to amend Titles 24 and 29 of the Delaware Code relating to Conversion Therapy. Conversion therapy is a practice or treatment that seeks to change an individual’s sexual orientation or gender identity, including any effort to change behaviors or gender expressions or to eliminate or reduce sexual or romantic attractions or feelings toward individuals of the same gender. Conversion therapy has been rejected by all mainstream medical and mental health organizations, and there is no credible evidence that it is effective. Moreover, this practice poses enormous health risks to LGBTQ youth, including an increased sense of shame, guilt, hopelessness, stress, and anger, thus increasing the risk of anxiety, depression, and self-harm. The harm done by conversion therapy can last well into adulthood. Therefore, this Act makes it unprofessional conduct or a ground for</p>	

	discipline for individuals granted a certificate to practice medicine under Chapter 17 of Title 24 or licensed under Chapter 19 of Title 24 (regarding nurses), Chapter 30 of Title 24 (regarding mental health and chemical dependency professionals), Chapter 35 of Title 24 (regarding psychologists), and Chapter 39 of Title 24 (regarding clinical social work examiners) to engage in conversion therapy with a child or to refer a child to a practitioner in another jurisdiction to receive conversion therapy. This Act also prevents the Department of Services for Children, Youth and Their Families from engaging in conversion therapy with a child or recommending that a child receive conversion therapy. Additionally, this Act makes technical corrections to conform existing law to the standards of the Delaware Legislative Drafting Manual.
Status:	Signed into Law 7/23/2018
DHA Position:	Support

Bill #	SB 67 Introduced on: 4/27/2017
Description	An Act to amend Titles 11 and 30 of the Delaware Code relating to Tobacco Products . Tobacco traffickers move black market contraband cigarettes or other tobacco products purchased from low tax states to be sold in higher tax states, facilitated by individuals or through organized groups. The potential financial gain of tobacco smuggling is immediately apparent. Legal entities pay significant taxes on their product, including \$1.01 per pack in federal excise tax; \$1.60 per pack of 20 cigarettes and a 15% tax rate of the wholesale purchase price of other tobacco products in Delaware state tax; and typically \$0.60 per pack to a settlement fund for health care costs incurred by the states because of tobacco use by their citizens. Manufacturers and distributors of contraband tobacco products reap substantial profits by avoiding federal and state excise taxes. Because of the tremendous profits often associated with cigarette trafficking, organized criminal groups use the proceeds to launder or conceal the proceeds of other criminal offenses. Delaware law currently allows up to 9 packs of cigarettes to be brought into the state without requiring them to be taxed by Delaware; all cigarettes over 9 packs must be taxed. The current penalty for selling, acquiring, holding, owning, or possessing cigarettes is a fine of up to \$1,000, imprisonment of up to 90 days in jail, or both. This Act establishes that offenses related to cigarette trafficking are class G felonies, and increases the penalties for cigarette trafficking as follows (“the updated penalties”): (1) For the first offense, by a fine of not less than \$250 per package but not more than \$10,000 total, imprisonment of up to 2 years, or both. (2) For a subsequent offense, by a fine of not less than \$350 per package but not more than \$30,000 total, imprisonment of up to 2 years, or both. (3) Mandatory seizure of a vehicle used in the first or subsequent offenses. This Act also increases from 10 to 20 the number of packs of cigarettes a person may possess on which the Delaware tax has not been paid or tax stamp has not been affixed. This Act takes effect 60 days after the date of enactment.
Status:	Out of Committee in House
DHA Position:	No Position

Bill #	SB 68 Introduced on: 4/27/2017
Description	An Act to amend Title 16 of the Delaware Code relating to the Emergency Planning & Community Right to Know Act . The primary purpose of this bill is to provide for an increase in fees collected with annual hazardous chemical inventory reports submitted by facilities. The bill also makes certain technical corrections. Sections 1 and 2 of the bill add the term “safety data sheets,” where applicable, so that the terminology in Chapter 63, Section 3 of this bill would increase the current fee per hazardous chemical from \$40 to \$60, and per extremely hazardous substance from \$80 to \$100, starting in 2018. Existing fee amounts are maintained for reports submitted late for back years. The fees were originally established in 1991, and have remained unchanged for 26 years. Section 4 of this bill removes an unneeded provision that conflicts with the purpose of the fees as

	stated within Chapter 63. Section 5 inserts an exemption provision omitted when Chapter 63 was originally established, and provides alignment with related federal reporting requirements.
Status:	Signed into Law 8/30/2017
DHA Position:	No Position

Bill #	<u>SB 75 with HA 1</u> Introduced on: 5/2/2017
Description	An Act to amend Title 11 of the Delaware Code relating to Trafficking of an Individual, Forced Labor, and Sexual Servitude . This Act updates Delaware's human trafficking crime to prohibit the same acts that are included in the federal Justice for Victims of Trafficking Act of 2015. HA 1 which removes patronizes from the acts being added to Delaware's human trafficking crime to avoid confusion because the crime of patronizing a victim of sexual servitude already exists in this statute, in paragraph (b)(4) was placed with the Bill.
Status:	Signed into Law 8/1/2017
DHA Position:	No Position

Bill #	<u>SB 100</u> Introduced on: 6/1/2017
Description	An Act to amend Title 18 of the Delaware Code relating to Coverage for Serious Mental Illness and Drug and Alcohol Dependency . Individuals who receive health care via Medicaid deserve the same dedication to treatment of substance abuse disorders as individuals who receive health care via private insurance. This Act extends the same access to treatment of a substance use disorder within the Medicaid framework that Senate Bill 41 of the 149th General Assembly afforded to individuals covered by private health insurance. This Act also clarifies that Medicaid health plans must use the full set of American Society of Addiction Medicine criteria when determining whether “medical necessity” exists for the placement, continued stay, and transfer/discharge of patients with a substance use disorder in treatment programs. Additionally, this Act aligns protections relating to services, specifically 5 days of treatment in detox centers and 30 days of treatment in Intensive Outpatient Programs, with the residential treatment option that is protected pursuant to Senate Bill 41 of the 149th General Assembly.
Status:	Stricken in Senate
DHA Position:	No Position

Bill #	<u>SB 101 with SA 2, HA 1</u> Introduced on: 6/6/2017
Description	An Act to amend Title 16 of the Delaware Code relating to Retired Research Animals . Every year, over 100 million animals are used as subjects of scientific and medical research, as well as for educational purposes. This Act requires research facilities that receive public funding to offer their cats and dogs for adoption instead of euthanizing them when they are no longer needed. Permitting private placement adoptions allows students or staff members of the institution to adopt these animals directly without waiting for a formal adoption process through the rescue organization or shelter. For dogs and cats not adopted by students or staff, this Act creates a clear path to transition cats and dogs from the laboratory or testing facility to an adoption center by requiring the research institution to enter into a contract with an animal rescue group or shelter that can offer these animals the possibility of living out the rest of their lives in a loving home. SA 2 allows research facilities the option of contracting with another organization to comply with this Act and also allows a research facilities to operate their own adoption program. HA 1 removes the change made by Senate Amendment No. 2 to retain the original language of Senate Bill No. 101, which requires a research facility to contract with another organization to comply with this Act instead of allowing a research facility to

	operate its own adoption program. This Amendment also removes the immunity provision from Senate Bill No. 101.
Status:	Signed into Law 6/20/2018
DHA Position:	No Position

Bill #	SB 105 with SA 1 Introduced on: 6/6/2017
Description	An Act to amend Title 21 of the Delaware Code relating to Child Helmet Requirements . Persons under age 18 must wear a helmet when operating or riding as a passenger on a bicycle, motorized skateboard or scooter, all terrain vehicle (ATV), off-highway vehicle (OHV), or electric personal assistive mobility device (EPAMD). See Title 21 Del. C. §§ 4198K, 4198N, 6823, and 4098O respectively. This bill would achieve consistency by requiring moped and triped operators and passengers to wear a helmet if under age 18. This legislation is an initiative of the State Council for Persons with Disabilities Brain Injury Committee to reduce the incidence of brain injuries among minors. SA 1 is a technical amendment to make the bill consistent with the drafting manual.
Status:	Signed into Law 9/14/2017
DHA Position:	No Position

Bill #	SB 109 Introduced on: 6/6/2017
Description	An Act to amend Title 18 and Title 31 of the Delaware Code relating to Coverage for Serious Mental Illness and Drug and Alcohol Dependency . Individuals who receive health care via Medicaid deserve the same dedication to treatment of substance abuse disorders as individuals who receive health care via private insurance. This Act extends the same access to treatment of a substance use disorder within the Medicaid framework that Senate Bill 41 of the 149th General Assembly afforded to individuals covered by private health insurance, except that a 72 hour supply instead of 5 day supply of emergency medication is required. This Act also clarifies that Medicaid health plans must use the full set of American Society of Addiction Medicine criteria when determining whether “medical necessity” exists for the placement, continued stay, and transfer/discharge of patients with a substance use disorder in treatment programs. Additionally, this Act aligns protections relating to services, specifically 5 days of treatment in detox centers and 30 days of treatment in Intensive Outpatient Programs, with the residential treatment option that is protected pursuant to Senate Bill 41 of the 149th General Assembly.
Status:	Signed into Law 9/29/2017
DHA Position:	No Position

Bill #	SB 111 with SA 1 Introduced on: 6/14/2017
Description	An Act to amend Title 16 of the Delaware Code relating to the Establishment of the Behavioral Health Consortium . This bill establishes the Behavioral Health Consortium that will provide oversight and coordination of the State’s private and public bodies to address behavioral health issues in Delaware. SA 1 makes changes based on stakeholder feedback and offers clarification of the legislative intent pertaining to the education community. Specifically, it identifies the DOE as an agency that the Consortium will engage with to gather specific expertise and it clarifies that the representative of the education community must be someone who works directly to improve behavioral health in a Delaware school district.
Status:	Signed into Law 8/16/2017
DHA Position:	No Position

Bill #	<u>SB 120</u> Introduced on: 6/13/2017
Description	An Act to amend Title 16 of the Delaware Code relating to Nursing Facilities and Similar Facilities . This bill would prevent an employer operating a nursing facility or similar facility from employing or continuing to employ a person with an adjudication of delinquency deemed disqualifying by DHSS's regulations.
Status:	Introduced and Assigned to Health Children & Social Services Committee in Senate

Bill #	<u>SB 125</u> Introduced on: 7/3/2017
Description	A BOND AND CAPITAL IMPROVEMENTS ACT OF THE STATE OF DELAWARE AND CERTAIN OF ITS AUTHORITIES FOR THE FISCAL YEAR ENDING JUNE 30, 2018; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE STATE; APPROPRIATING FUNDS FROM THE TRANSPORTATION TRUST FUND; AUTHORIZING THE ISSUANCE OF REVENUE BONDS OF THE DELAWARE TRANSPORTATION AUTHORITY; APPROPRIATING SPECIAL FUNDS OF THE DELAWARE TRANSPORTATION AUTHORITY; APPROPRIATING GENERAL FUNDS AND SPECIAL FUNDS OF THE STATE; REVERTING AND REPROGRAMMING CERTAIN FUNDS OF THE STATE; DIRECTING THE DEPOSIT OF CERTAIN FUNDS TO THE GENERAL FUND; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AND AMENDING CERTAIN STATUTORY PROVISIONS. This Bill is the Fiscal Year 2018 Bond and Capital Improvements Act.
Status:	Signed into Law 7/3/2017
DHA Position:	No Position

Bill #	<u>SB 132</u> Introduced on: 7/12/2017
Description	An Act to amend Title 18 of the Delaware Code relating to Insurance Coverage for Fertility Services . This Act requires that health insurance offered in this State provide coverage for fertility care services, including in vitro fertilization ("IVF") procedures for persons, who along with their partner, suffer from a disease or condition that results in the inability to procreate or to carry a pregnancy to viability. Like all other diseases, infertility should be covered by insurance.
Status:	Introduced and Assigned to Banking, Business & Insurance Committee in Senate
DHA Position:	No Position

Bill #	<u>SB 136</u> Introduced on: 7/12/2017
Description	An Act making appropriations for certain Grants-in-Aid for the Fiscal Year ending June 30, 2018 ; specifying certain procedures, conditions and limitations for the expenditure of such funds.
Status:	Introduced and Assigned to Finance Committee in Senate
DHA Position:	No Position

Bill #	<u>SB 137</u> Introduced on: 7/1/2017
Description	AN ACT RELATING TO THE CONTINUANCE AND MAKING OF APPROPRIATIONS FOR THE EXPENSE OF THE STATE GOVERNMENT AFTER JUNE 30, 2017, ON A TEMPORARY BASIS AND CONTINUING IN EFFECT THE PROVISIONS OF THE APPROPRIATION ACT FOR THE FISCAL YEAR ENDING JUNE 30, 2017, CHAPTER 298, VOLUME 80 OF THE LAWS OF DELAWARE, AND FOR GRANTING AUTHORITY TO CONTINUE APPROPRIATION LINES IN THE

	APPROPRIATION ACT FOR THE FISCAL YEAR ENDING JUNE 30, 2017, THE BOND AND CAPITAL IMPROVEMENTS ACT FOR THE FISCAL YEAR ENDING JUNE 30, 2017, CHAPTER 299, VOLUME 80 OF THE LAWS OF DELAWARE, AND THE GRANTS-IN-AID ACT FOR THE FISCAL YEAR ENDING JUNE 30, 2017, CHAPTER 300, VOLUME 80 OF THE LAWS OF DELAWARE. This Act provides for the expense of State government after June 30, 2017, on a temporary basis as appropriated under the Fiscal Year 2017 Budget and for granting authority to continue appropriation lines in the Fiscal Year 2017 Budget, the Fiscal Year 2017 Bond and Capital Improvements Act, and the Fiscal Year 2017 Grants-in-Aid Act.
Status:	Signed into Law 7/1/2017
DHA Position:	No Position

Bill #	SB 139 with SA 1	Introduced on: 1/10/2018
Description	An Act to amend Title 18 of the Delaware Code relating to Insurance Coverage for Obstetrical & Gynecological Services . This Act requires that health insurance offered in this State provide coverage for fertility care services, including in vitro fertilization ("IVF") procedures, for individuals who suffer from a disease or condition that results in the inability to procreate or to carry a pregnancy to a live birth. SA 1 corrects the following technical errors in Senate Bill No. 139: 1. It adds "by any health insurer, health service corporation, or health maintenance organization" to §§ 3342 and 3356 to clarify that health insurance provided by these entities are under these requirements. 2. It replaces "individual" with "group and blanket" in § 3556. Chapter 35 of Title 18 of the Delaware Code governs group and blanket health insurance and Chapter 33 of Title 18 governs individual health insurance. Thus, § 3556 should refer to group and blanket health insurance, not individual health insurance. Senate Bill No. 139 addresses individual health insurance policies in Section 1.	
Status:	Signed into Law 6/30/2018	
DHA Position:	No Position	

Bill #	SB 143	Introduced on: 1/17/2018
Description	An Act to amend Title 16 of the Delaware Code relating to the Establishment of the Behavioral Health Consortium . This Bill amends the membership of the Behavioral Health Consortium to include two members of both the House and Senate and clarifies the name of the Delaware Mental Health Association.	
Status:	Substituted in Senate	
DHA Position:	No Position	

Bill #	SS 1 for SB 143	Introduced on: 1/24/2018
Description	An Act to amend Title 16 of the Delaware Code relating to the Establishment of the Behavioral Health Consortium . This Bill amends the membership of the Behavioral Health Consortium to include two members of both the House and Senate, a member from the Ability Network of Delaware, and the Mental Health Association in Delaware. The Bill also extends the date the first report is due from March 1, 2018 to April 16, 2018.	
Status:	Signed into Law 4/5/2018	
DHA Position:	No position	

Bill #	SB 147 with SA 1	Introduced on: 1/23/2018
Description	An Act to amend Title 16 of the Delaware Code relating to Exemptions from Liability for Individuals rendering Emergency Care . This Act amends § 3001G of Title 16 to	

	include all public safety personnel and to reference the general immunity statute for public safety personnel, which provides the exact same level of immunity, to avoid potential conflicts between the immunity statutes and provide consistent immunity protection public safety personnel. Section 3001G of Title 16 does not need to specifically provide immunity to lay individuals who administer naloxone under the Community-Based Naloxone Access Program because lay individuals have immunity for administering naloxone under the general Good Samaritan statute, § 6801 of Title 16. SA 1 retains the current immunity language in § 3001G(b) to make clear that the immunity standard is not being changed, and updates the current language in § 3001G(b) to be consistent with the terminology changes in Senate Bill No. 147, specifically by adding "recklessly" and changing "peace officer" to "public safety personnel."
Status:	Signed into Law 6/12/2018
DHA Position:	No position

Bill #	SB 151 with SA 1	Introduced on: 3/29/2018
Description	An Act to amend Titles 18 and 29 of the Delaware Code relating to Insurance Coverage of Contraceptives . This Act codifies the current federal requirement that health insurance plans include coverage for contraceptives and applies this requirement to individual, group, State employee, and public assistance plans. This Act retains the current ability for religious employers to exclude coverage for the insertion and removal and medically necessary examination associated with the use of FDA-approved drugs or devices. SA 1 requires insurance coverage of immediate postpartum insertion of Long-Acting Reversible Contraception. The immediate postpartum insertion of Long-Acting Reversible Contraception is recognized as a best practice by the American College of Obstetricians and Gynecologists.	
Status:	Signed into Law 7/11/2018	
DHA Position:	No Position	

Bill #	SB 156	Introduced on: 3/9/2018
Description	An Act to amend Title 29 of the Delaware Code relating to Conversion Transactions for Not-For-Profit Healthcare Entities . This Act amends § 2532 of Title 29, in the Not-for-Profit Healthcare Conversion Act, to ensure that the Attorney General has sufficient time to review a proposed not-for-profit healthcare conversion and, if appropriate, take action to protect the charitable assets being held for public benefit. Due to an apparent drafting error, the Not-for-Profit Healthcare Conversion Act currently permits a not-for-profit healthcare entity to provide notice to the Attorney General of a proposed not-for-profit healthcare conversion as late as the day of the proposed transaction, which would prevent the Attorney General from performing the functions intended by the General Assembly when it enacted the Not-for-Profit Healthcare Conversion Act.	
Status:	Signed into Law 9/4/2018	
DHA Position:	No Position.	

Bill #	SB 157 with SA 1	Introduced on: 3/16/2018
Description	An Act to amend Title 16 of the Delaware Code relating to Expedited Partner Therapy . Expedited partner therapy (EPT) is the clinical practice of treating the sex partners of patients diagnosed with a sexually transmitted disease without clinical assessment of the partners. In August 2006, the Centers for Disease Control and Prevention (CDC) recommended EPT as an evidence-based option to manage chlamydial infection and gonorrhea by treating index patient's sex partners to prevent reinfection and curtail further transmission. As of July 2017, EPT is permissible in 41 states. This Act makes EPT clearly permissible in Delaware and requires that health care professionals provide	

	information developed by the Department of Health & Social Services when providing EPT. This Act provides immunity to health care practitioners and pharmacists acting in compliance with the statute and also provides immunity to health care practitioners who do not provide EPT and pharmacists who do not fill a prescription written under this statute if doing so would violate any of the laws that govern pharmacies and pharmacists. This Act also makes technical corrections to the definitions section to correct a reference and to conform existing law to the standards of the Delaware Legislative Drafting Manual. SA 1 permits a pharmacist to recognize a prescription written under this Act.
Status:	Signed into Law 8/29/2018
DHA Position:	Support

Bill #	<u>SB 161</u> Introduced on: 3/20/2018
Description	An Act to amend Title 16 of the Delaware Code relating to Personal Injury Protection Payments . Under this Act, a provider of services under § 2118(a)(2)a.1. and 3. of Title 21 may not exceed the charges permissible under the fee schedule established by the Workers' Compensation Oversight Panel for work-related injuries. And, this Act prohibits these providers of services from demanding or requesting any payments in addition to the charges authorized by this Act. It also requires these providers of services to adhere to health care practice guidelines and be subject to utilization review. In addition, this Act requires insurers to report any pattern of overcharging, excessive treatment, or other improper actions by a healthcare provider to the Division of Professional Regulation. Finally, this Act provides that if an insurer has a contractual arrangement with a medical provider governing the fees for medical services, the contract fees would apply. The fee schedule would apply only in the absence of any such contractual arrangement.
Status:	Introduced and Assigned to Banking, Business and Insurance Committee in Senate
DHA Position:	Oppose

Bill #	<u>SB 165</u> Introduced on: 3/22/2018
Description	An Act to amend Title 16 of the Delaware Code relating to Union Security agreements . This Act permits private sector labor organizations and employers to enter into union security agreements to the full extent allowed under federal law.
Status:	Signed into Law 6/30/2018
DHA Position:	No Position

Bill #	<u>SB 170 with SA 2</u> Introduced on: 3/28/2018
Description	An Act to amend Title 16 of the Delaware Code relating to Minimum Wage . This bill increases the minimum wage to be paid in this State beginning in 2018 and ending in 2021. SA 2 reduces the steps involved in increasing the minimum wage. SA 2 reduces the steps involved in increasing the minimum wage.
Status:	Signed into Law 7/1/2018
DHA Position:	No Position

Bill #	<u>SS1 for SB 176</u> Introduced on: 6/20/2018
Description	An Act to amend Title 16 of the Delaware Code Creating a Prescription Opioid Impact Fund . This Act creates a Prescription Opioid Impact Fund ("Fund") through a prescription opioid impact fee ("Fee") that is assessed on manufacturers of prescription opioids as follows: 1. The fee is based on the total of the Morphine Milligram Equivalent ("MME") in each manufacturer's products dispensed in Delaware, based upon data already reported to the Prescription Monitoring Program ("PMP"). The PMP data contains

	requirements of Section 1909(b) of the Social Security Act. OIG-HHS has granted Delaware a two-year grace period, ending December 31, 2018, to address these deficiencies. This bill amends the False Claims and Reporting Act to bring it into compliance with the requirements of Section 1909(b).
Status:	Signed into Law 9/13/2018
DHA Position:	No Position

Bill #	<u>SB 199</u> Introduced on: 5/3/2018
Description	An Act to amend Titles 18, 29 & 31 of the Delaware Code relating to Primary Care Services . Despite the demonstrated value of primary care, access to primary care for Delawareans has become increasingly difficult as reimbursement dollars have failed to support an adequate infrastructure. The national average for primary care investment for a plan is between 6 and 8% of the total medical spend. Delaware's average is between 3 and 4%. Some states such as Rhode Island and Oregon have recognized that market forces have prohibited any one plan in a competitive market to reallocate its spend and have stepped in legislatively to move the market to a 12% spend across insurance products. This legislation ensures adequate spending in primary care. First, by setting Medicare rates as a baseline for primary care reimbursement. This is a short term fix to stem additional primary care failure and consolidation in Delaware. It also requires that over a period of years that the overall spend of plans into primary care increase gradually to reach the 12% investment mark, but without increasing the total spend so that premiums rise as a result of this reallocation. This legislation extends to individual, group, State employee, and public assistance plans.
Status:	Out of Committee in Senate
DHA Position:	Support

Bill #	<u>SB 206</u> Introduced on: 5/8/2018
Description	An Act to amend Titles 16 of the Delaware Code relating to Prescription Monitoring Program . This Act links specific patient care data related to overdose collected by the Office of Emergency Medical Services or the Office of the State Epidemiologist with data in the Delaware Prescription Monitoring Program ("PMP"). This Act will foster best practices in the use of health information, to ensure that consistent, humane, evidence-based treatment and care is available and provided to those suffering from substance use disorder or non-fatal overdose. Linking this data may assist prescribers and pharmacists in the identification of substance use disorder and promote safer prescribing. This Act also provides prescriber and dispenser identified data to the PMP Advisory Committee and the Addiction Action Committee, which will enable these committees to do the following: 1. Appropriately identify prescribing and dispensing patterns of concern. 2. Make recommendations to the PMP administrator. 3. Provide targeted education to those individuals whose prescribing or dispensing practices are outliers from the Delaware average. This Act also makes technical corrections to conform existing law to the standards of the Delaware Legislative Drafting Manual.
Status:	Signed into Law 9/10/2018
DHA Position:	No position

Bill #	<u>SB 218</u> Introduced on: 6/1/2018
Description	An Act to amend Titles 24 of the Delaware Code relating to the Licensure of Art Therapists . This bill amends Title 24 of the Delaware Code by changing the qualifications for a Professional Art Therapists. For those graduating with a master's degree prior to January 2013, a master's degree from an accredited educational institution in an art therapy program that was either approved by the American Art Therapy

	Association or accredited by the Commission on Accreditation of Allied Health Education Programs at the time the degree was conferred is required.
Status:	Signed into Law 9/4/2018
DHA Position:	No Position

Bill #	<u>SB 225 with SA 1, SA 2</u> Introduced on: 6/1/2018
Description	An Act to amend Titles 16, 24, 29 and 31 of the Delaware Code relating to Insurance Coverage for the Treatment of Back Pain . This Act encourages prescribers and patients to use proven non-opioid methods of treating back pain by doing the following: 1. Prohibits numerical limits on physical therapy and chiropractic care, which might deter prescribers or patients from using those treatments rather than opioids. 2. Adds continuing education requirements for prescribers relating to risks of opioids and alternatives to opioids. 3. Creates a pilot program within the state employee health care plan that allows the use of massage therapy, acupuncture, and yoga for the treatment of back pain. SA 1 removes the pilot program from this Act, and SA 2 makes Section 4 and Section 5 of this Act, which cover the state employee plan and Medicaid, effective when funds are appropriated to implement it.
Status:	Signed into Law 9/10/2018
DHA Position:	No Position

Bill #	<u>SB 227 w/ SA 1 + HA 1, HA 1 to HA 1</u> Introduced on: 6/5/2018
Description	An Act to amend Titles 16 and 18 of the Delaware Code relating to Primary Care Services . This Act promotes the use of primary care by doing the following: 1. Creating a Primary Care Reform Collaborative under the Delaware Health Care Commission. 2. Requiring all health insurance providers to participate in the Delaware Health Care Claims Database. 3. Requiring individual, group, and State employee insurance plans to reimburse primary care physicians, certified nurse practitioners, physician assistants, and other front-line practitioners for chronic care management and primary care at no less than the physician Medicare rate for the next 3 years. Despite the demonstrated value of primary care, access to primary care for Delawareans has become increasingly difficult because insurance reimbursement rates fail to support an adequate infrastructure. The national average for primary care spending for an insurance plan is between 6% and 8% of the insurer's total medical expenditures. Studies recommend, and some states are actively implementing, a 12% to 15% spending rate to have an effective system. Delaware's average insurance spending on chronic care management and primary care is between 3% and 4%. Nationally, insurance reimbursement for primary care averages between 120% and 140% of Medicare rates. In Delaware the commercial market reimburses independent primary care at rates as low as between 65% and 85% of Medicare rates. Reliable data regarding insurance spending is difficult to obtain due to a combination of contractual restrictions and an absence of mandatory health care price transparency requirements applicable to commercial plans in Delaware This Act simultaneously enacts short-term and long-term solutions to strengthen the primary care system in this State. While the Primary Care Reform Collaborative and the Delaware Health Care Commission study and development long-term recommendations, requiring insurers to reimburse for chronic care management and primary care at the Medicare rates will stabilize existing resources and provide immediate benefits. The Primary Care Reform Collaborative and the Delaware Health Care Commission have reliable data and information from the Delaware Health Care Claims Database to use in this analysis and to make recommendations that will strengthen the primary care system in Delaware. SA 1 permits members of the Primary Care Collaborative to appoint a designee; clarifies that information may be provided to the Commission only to the extent permitted under federal law; clarifies that this Act does not apply to Medicaid; requires that chronic care management and primary care be reimbursed at a rate that is not less than the Medicare reimbursement for comparable

	services for policies, plans, or contracts entered or renewed on or after the effective date of this Act; limits the requirement to promulgate regulations to only the requirement that disputes under this Act be arbitrated by the Department of Insurance; and clarifies the extent of the application of Medicare rate structures. HA 1 extends the effective date for insurers to comply with this Act until January 1, 2019. HA 1 to HA 1 adds a requirement that the written recommendations required under this Act include how primary care supports the State's efforts regarding a cost spending benchmark.
Status:	Signed into Law 8/29/2018
DHA Position:	Support

Bill #	SB 228	Introduced on: 6/5/2018
Description	An Act to amend Titles 16 and 29 of the Delaware Code relating to the Restoration of the Delaware Prescription Drug Payment Assistance Program . This Act restores the Delaware Prescription Drug Payment Assistance Program ("Program"), which was eliminated in the Fiscal Year 2018 Annual Appropriations Act. This Act replaces Senate Bill 148 and makes the following additional changes: (1) Delays implementation of the Act until January 1, 2019, to coordinate with the Medicare Part D benefit year to enable the Department of Health and Social Services ("Department") to make necessary system changes. (2) Makes changes to the defined term "prescription drugs." (3) Removes provisions required to be included in rules and regulations promulgated by the Department. (4) Adds provisions that may be included in rules and regulations promulgated by the Department. (5) Makes technical corrections to conform the provisions of the restored Program to the standards of the Delaware Legislative Drafting Manual.	
Status:	Signed into Law 7/17/2018	
DHA Position:	No Position	

Bill #	SB 230 with SA 1	Introduced on: 6/5/2018
Description	An Act to amend Titles 18 of the Delaware Code relating to Insurance Coverage for Serious Mental Illness and Drug and Alcohol Dependency . This bill amends Title 18 of the Delaware Code, § 3343, by setting annual reporting requirements for insurance carriers with regard to coverage for serious mental illness and drug and alcohol dependencies. This bill also amends Chapter 35, Title 18 of the Delaware Code by adding a new § 3571T to set annual reporting requirements for insurance carriers providing mental illness and drug and alcohol dependencies benefits, and the carriers' compliance with the Mental Health Parity and Addiction Equity Act of 2008. This bill also amends Title 31 of the Delaware Code, § 525, by setting annual reporting requirements for insurance carriers regarding coverage for serious mental illness and drug and alcohol dependencies for recipients of public assistance. SA 1 confirms the section of the statute to require an initial report to be submitted by July 1st 2019 for both private carriers and the Division of Medicaid & Medical Assistance. Furthermore, the Amendment adds language that ensures that all proprietary information is not public and any finding of said reports cannot result in a private action.	
Status:	Signed into Law 8/29/2018	
DHA Position:	No Position	

Bill #	SB 240	Introduced on: 6/9/2018
Description	An Act to amend Titles 24 of the Delaware Code relating to the Offer of an Ultrasound Before Terminating Pregnancy . This Act requires a physician to offer a patient ultrasound imaging and auscultation of fetal heart tone services before terminating a pregnancy and provides civil and criminal penalties for the failure of a physician to	

	comply with this requirement. The patient is free to choose not to view the ultrasound or listen to the heartbeat. This Act is known as "The Woman's Ultrasound Right to Know Act."
Status:	Introduced and Assigned to Sunset Committee in Senate
DHA Position:	No Position

Bill #	<u>SB 242 with SA 1</u>	Introduced on: 6/12/2018
Description	An Act to amend Title 29 of the Delaware Code relating to Pay for Success Contracts . This Act creates Pay for Success contracts. A Pay for Success contract is an agreement between a State agency and either a program intermediary or an investor under which an investor will provide upfront capital to fund a service, program, or economic development initiative. The State agency agrees to repay the program intermediary or investor if the service, program, or economic development initiative meets the performance measures and outcomes agreed to in the contract. An independent evaluator will determine if the performance measures and outcomes are met. If the State agency contracts with a program intermediary, the program intermediary will manage all aspects of the project, including identifying the investor and the entity or entities that will provide the service, program, or economic development initiative. In other situations, a State agency will contract directly with the investor, who will contract directly with the entity or entities that will provide the service, program, or economic development initiative. SA 1 requires that specific procedures be established for Pay for Success contracts that involve early childhood education or public education. This Amendment also creates a working group that will make recommendations to the Office of Management and Budget regarding these procedures.	
Status:	Signed into Law 8/8/2018	
DHA Position:	No Position	

Bill #	<u>SB 249</u>	Introduced on: 6/13/2018
Description	An Act to amend Title 16 of the Delaware Code relating to the Provision of Information about Lyme Disease . This Act, modeled on similar laws in Virginia and Maryland, requires a health care provider to provide notice to a patient at the time blood is drawn to perform a laboratory test for Lyme disease that explains the limitations of the test and instructs the patient to see their health care provider if the patient continues to experience unexplained symptoms.	
Status:	Introduced and Assigned to Health, Children & Social Services Committee in Senate	
DHA Position:	No Position	

Bill #	<u>SB 254 with SA 1</u>	Introduced on: 6/19/2018
Description	An Act to amend Title 19 of the Delaware Code relating to Workplace Fraud . This bill raises the civil penalty for a violation of section 3503 of the Workplace Fraud Act ("Act") from a range of \$1,000 to \$5,000 to \$5,000 to \$20,000. The bill also raises the civil penalty for wrongful discharge or discrimination under the Act from a range of \$5,000 to \$10,000 to \$20,000 to \$50,000. Finally, this bill provides that civil penalties and other revenue collected will be retained by the Department of Labor for enforcement purposes. SA 1 provides that the civil penalties and other revenue collected will be retained by the General Fund of the State. SA 1 provides that the civil penalties and other revenue collected will be retained by the General Fund of the State. SA 3 which imposes a record-keeping requirement on general contractors and construction managers. The amendment also allows the Department of Labor to retain the civil penalties and other revenue collected pursuant to Title 19, Chapter 33 was placed with the Bill	
Status:	Lifted from the Table in Senate	

DHA Position:	No Position
---------------	-------------

Bill #	<u>SS 1 for SB 255</u> Introduced on: 6/19/2018
Description	An Act to amend Title 6 of the Delaware Code relating to Scanning Information from Driver's License or Identification Card . This Act prohibits the use and dissemination of information obtained from the machine readable zone of a driver's license or identification card issued by the Division of Motor Vehicles, with limited exceptions. This Act seeks to protect members of the public at large from having their personal information used for purposes other than those enumerated in this act. Various states have taken similar action to protect the personal information of citizens. This Act is modeled after legislation that was passed in Virginia. The Act is substituted for Senate Bill No. 255 and differs from Senate Bill No. 255 by (1) moving the legislation to Subchapter I (General Provisions) of Chapter 25 (Prohibited Trade Practices) of Title 6 of the Delaware Code; (2) providing a definition for the term "merchant"; (3) correcting the name of the Division of Motor Vehicles; (4) clarifying the existence of both a private cause of action and enforcement authority by the Department of Justice's Consumer Protection Unit; (5) changing the term "criminal activity" to "unlawful activity" wherever it appears; (6) clarifying the Act's language relating to check services companies; and (7) making technical corrections to conform the Act to the standards of the Delaware Legislative Drafting Manual.
Status:	Out of Committee in House
DHA Position:	Oppose

Bill #	<u>SB 258</u> Introduced on: 6/20/2018
Description	An Act to amend Title 19 of the Delaware Code relating to Workers' Compensation Data Collection . This Act revises the data collection procedures and authority of the Workers' Compensation Oversight Panel ("Panel") to ensure that the Panel is able to obtain the data necessary to perform its statutory duties, without infringing upon the authority of the Department of Insurance to regulate the insurance industry. This Act also protects the confidentiality of data acquired by the Panel from the Department of Insurance or the Department of Labor. This Act also makes technical corrections to conform existing law to the standards of the Delaware Legislative Drafting Manual.
Status:	Out of Committee in Senate
DHA Position:	No Position

Bill #	<u>SB 262</u> Introduced on: 6/19/2018
Description	An Act to amend Title 24 of the Delaware Code relating to Nursing . This Act, named the Share the Care Act, permits a responsible caregiver to give permission to an individual employed by a home care agency selected by the responsible caregiver to administer medications to an adult individual who lacks decision-making capacity in the individual's residence. Under this Act, the responsible caregiver must prepackage the medication by date and time and provide written instructions regarding the administration procedure. And, the responsible caregiver and the person employing the unlicensed assistive personnel must sign an agreement governing the administration or medication.
Status:	Sunset Committee in Senate
DHA Position:	Oppose

Bill #	<u>SB 263</u> Introduced on: 6/19/2018
Description	An Act to amend Title 29 of the Delaware Code relating to the Delaware Governmental

	Accountability Act. This Act amends the Delaware Governmental Accountability Act to make the annual budget process part of a performance management system of strategic planning, performance metrics and performance budgeting, dedicated to continuous process improvement that makes government more efficient, reduces costs and eliminates waste in the process and operations that deliver goods and services to taxpayers, customers and employees of State government.
Status:	Out of Committee in House
DHA Position:	No Position

Bill #	SCR 9 Introduced on: 3/23/2017
Description	This Concurrent Resolution designates March 2017 as “Colorectal Cancer Awareness Month” in the State of Delaware.
Status:	Senate & House Passed
DHA Position:	No Position

Bill #	SCR 14 Introduced on: 3/28/2017
Description	This Resolution honors Dr. Vincent G. Lobo of Harrington and Bethany Beach for his long and distinguished career as a doctor of optometry , doctor of osteopathic medicine, and public-spirited citizen, and congratulates him upon his receipt of a prestigious award from his alma mater, the Philadelphia College of Osteopathic Medicine.
Status:	Senate & House Passed
DHA Position:	No Position

Bill #	SCR 23 Introduced on: 5/10/2017
Description	This Resolution proclaims May 2017, Cystic Fibrosis Awareness Month in Delaware.
Status:	Senate & House Passed
DHA Position:	No Position

Bill #	SCR 24 Introduced on: 5/2/2017
Description	This concurrent resolution recognizes the month of May 2017 as “Healthy Vision Month” in the State of Delaware.
Status:	Passed in Senate & House
DHA Position:	No Position

Bill #	SCR 25 Introduced on: 5/9/2017
Description	This resolution continues to raise awareness that the month of May is Melanoma and Skin Cancer Detection and Prevention Month in Delaware and celebrates new research predicting lower melanoma rates.
Status:	Passed in Senate & House
DHA Position:	No Position

Bill #	SCR 36 Introduced on: 6/28/2017
Description	This Senate Concurrent Resolution creates a Health Care Spending Task Force be created to produce comprehensive solutions for reducing the cost growth trend in the State’s health care spending while promoting and preserving access to high quality,

	affordable healthcare for all Delawareans.
Status:	Passed in Senate
DHA Position:	No Position

Bill #	<u>SCR 37</u> Introduced on: 6/28/2017
Description	This Concurrent Resolution signifies the Delaware Center for Health Innovation and the Department of Health and Social Services' submission of the joint report pertaining to Community Health Workers.
Status:	Passed in Senate & House
DHA Position:	No Position

Bill #	<u>SCR 45</u> Introduced on: 3/8/2018
Description	This Senate Resolution designates March as “ Eating Disorders Awareness and Prevention Month ” in Delaware and encourages the Department of Health and Social Services to research methods to prevent and raise awareness of eating disorders.
Status:	Passed in Senate & House
DHA Position:	No Position

Bill #	<u>SCR 49</u> Introduced on: 3/28/2018
Description	This Senate Concurrent Resolution recognizes April 2018 as “Autism Awareness Month” and Autism Delaware's 20 years of service to the people of Delaware.
Status:	Passed in Senate & House
DHA Position:	No Position

Bill #	<u>SCR 50</u> Introduced on: 3/28/2018
Description	This Resolution recognizes April 2018 as Child Abuse Prevention Month in Delaware.
Status:	Passed in Senate & House
DHA Position:	No Position

Bill #	<u>SCR 59</u> Introduced on: 5/3/2018
Description	This resolution proclaims May 2018 Cystic Fibrosis Awareness Month in Delaware.
Status:	Passed in Senate & House
DHA Position:	No Position

Bill #	<u>SCR 63</u> Introduced on: 5/9/2018
Description	This resolution designates the week of May 6-12 as "National Nurses Week" in Delaware.
Status:	Passed in Senate & House
DHA Position:	No Position

Bill #	<u>SCR 64</u> Introduced on: 5/10/2018
Description	This concurrent resolution recognizes the month of May 2018 as "Healthy Vision Month" in the State of Delaware.

Status:	Passed in Senate & House
DHA Position:	No Position

Bill #	SCR 65 Introduced on: 5/10/2018
Description	This Concurrent Resolution recognizes the champions of the ALS cause and establishes May 2018 as "ALS Awareness Month" in Delaware.
Status:	Passed in Senate & House
DHA Position:	No Position

Bill #	SCR 70 Introduced on: 6/20/2018
Description	This Senate Concurrent Resolution creates a Medicaid Buy-In Study Group to study the adoption of an expanded Medicaid Buy-In program that would allow Delawareans with incomes above 138% of the Federal Poverty Level to purchase insurance coverage through the Medicaid program.
Status:	Passed in Senate & House
DHA Position:	No Position

Bill #	SCR 75 Introduced on: 6/13/2018
Description	This Concurrent Resolution recognizes June 13, 2018, as "National Time Out Day" in Delaware.
Status:	Passed in Senate & House
DHA Position:	No Position

Bill #	SR 21 Introduced on: 6/20/2018
Description	This Senate Resolution promotes awareness of the Rare Disease Hypophosphatemic Rickets.
Status:	Passed in Senate
DHA Position:	No Position

Delaware House Bills:

Bill #	HB 1 Introduced on: 4/4/2017
Description	An Act to amend Title 19 of the Delaware Code relating to Unlawful Employment Practices . This Act builds on some of the legislation passed by the 148th General Assembly that addressed the wage gap between men and women. When employers ask prospective employees for their wage or salary history, it perpetuates disparities in pay based on gender from one job into another. This Act prohibits employers from inquiring into a prospective employee's compensation history. A prospective employee may voluntarily disclose the information if he or she wishes to do so, and the bill explicitly permits discussion and negation of compensation expectations between an employer and prospective employee, so long as the employer does not affirmatively seek compensation history in the course of discussion and negotiation. An employer is permitted to seek and confirm such information after an offer, including compensation, has been negotiated, made, and accepted if the prospective employee authorizes disclosure of that information in writing. The effective date of the bill is delayed by 6 months to allow employers to update their policies.

Status:	Substituted in House by HS 1 for HB 1
DHA Position:	No Position

Bill #	<u>HS 1 for HB 1 with SA 1</u>	Introduced on: 4/25/2017
Description	<p>An Act to amend Title 19 of the Delaware Code relating to Unlawful Employment Practices. This Act builds on some of the legislation passed by the 148th General Assembly that addressed the wage gap between men and women. When employers ask prospective employees for their wage or salary history, it perpetuates disparities in pay based on gender from one job into another. This Act prohibits employers from inquiring into an applicant's compensation history. An applicant may voluntarily disclose the information if he or she wishes to do so, and the bill explicitly permits discussion and negation of compensation expectations between an employer and applicants, so long as the employer does not affirmatively seek compensation history in the course of discussion and negotiation. An employer is permitted to seek and confirm such information after an offer, including compensation, has been negotiated, made, and accepted. The effective date of the bill is delayed by 6 months to allow employers to update their policies. SA 1 (1) Makes clear that an employer is not liable under § 709B of Title 19, as set forth in the Act, if the employer can demonstrate that its agent, who is not an employee, was informed of the requirements of the section and instructed to comply. (2) Requires the Department of Labor to post the requirements of § 709B on its website and make necessary efforts to educate employers. (3) Makes clear that the penalties in § 709B apply to an employer and an employer's agent.</p>	
Status:	Signed into Law 6/14/2017	
DHA Position:	No Position	

Bill #	<u>HB 2</u>	Introduced on: 5/9/2017
Description	<p>An Act proposing an amendment to Article I of the Delaware Constitution relating to Equal Protection. This Act is the first leg of an amendment to the Delaware Constitution to provide for equal protection. This amendment would advance human dignity and equality for all under the Delaware Constitution, and would correct a constitutional shortcoming. It subjects unequal treatment based on discrimination to strict scrutiny, and enables courts in Delaware to establish jurisprudence concerning equal rights violations under State law reflecting Delaware values. Currently, while the federal and many state constitutions afford equal protection, Delaware's constitution fails to do so.</p>	
Status:	Stricken in House	
DHA Position:	No Position	

Bill #	<u>HB 3 with HA 4</u>	Introduced on: 4/5/2017
Description	<p>An Act to amend Title 21 of the Delaware Code relating to Family Leave. This legislation requires that all full-time employees of the State, including employees of school districts, continuously in the employ of the state for at least one year, shall be eligible for 12 weeks of paid leave upon the birth or adoption of a child 6 years of age or younger. Both parents would be eligible for such leave. Employees shall continue to have the right, as they do under current law, to use accrued sick leave for maternity and paternity purposes. This legislation leaves intact the rights of persons adopting a child over 6 years of age to take unpaid leave. Due to lack of adequate paid family leave policies, many parents must return to work sooner than is optimal for the health of mothers (in the case of biological birth) and children. Granting paid leave will contribute to the establishment of parent-child bonds, breastfeeding establishment, and allow infants to receive vaccines and develop stronger immune systems prior to entering daycare. Further, a more generous leave policy will increase the productivity of workers and reduce</p>	

	employee turnover. This Act takes effect January 1, 2019. The Office of Management and Budget is directed to establish guidelines for the implementation of this Act. HA 4 delays the enactment of the bill until April, 2019 to provide the Department of Human Resources and the school districts time to establish guidelines and procedures regarding parental leave. This amendment clarifies that the employees of all school districts employees, charter schools and vocational school districts are included in the bill. This amendment also clarifies that parental leave, FMLA and short-term disability are to run concurrently. This amendment establishes reporting requirements, which will enable the number of people using parental leave and the impact the program is having on retention and recruitment of employees to be evaluated. This Amendment change requires the Department of Human Resources to establish guidelines for other state agencies to follow in granting leave under this Act and to distribute the guidelines to these state agencies. Finally, this amendment makes technical changes to the bill.
Status:	Signed into Law 6/30/2018
DHA Position:	No Position

Bill #	<u>HB 5</u> Introduced on: 5/16/2017
Description	An Act to amend Article 1 of the Delaware Constitution relating to Equal Rights . This Act is the first leg of an amendment to the Delaware Constitution to provide for equal rights. This amendment would advance human dignity and equality for all under the Delaware Constitution, and would correct a constitutional shortcoming. It subjects unequal treatment arising from historical bias to strict scrutiny, and enables courts in Delaware to establish jurisprudence concerning equal rights violations under State law reflecting Delaware values.
Status:	Defeated by House
DHA Position:	No Position

Bill #	<u>HB 14</u> Introduced on: 12/15/2017
Description	An Act to amend Title 21 of the Delaware Code relating to the Rules of the Road . Under current Delaware law, every adult operating or riding a motorcycle is required to have a helmet in his or her possession while operating or riding a motorcycle and every person up to 19 years of age must wear a helmet. This Act requires that every person, regardless of age, who operates or rides a motorcycle wear a helmet while doing so. Nineteen states and the District of Columbia currently require all motorcyclists to wear a helmet. Of the 49 motorcycle fatalities in Delaware since 2014, just over half of the motorcyclists, 28, were wearing helmets at the time of the crash.
Status:	House Public Safety & Homeland Security Committee (Tabled in Committee)
DHA Position:	No Position

Bill #	<u>HB 21 with HA 2</u> Introduced on: 1/5/17
Description	An Act to amend Title 16 of the Delaware Code relating to Nondiscrimination in Access to Organ Transplantation . This Act takes steps to ensure that individuals with disabilities are not denied access to organ transplant procedures based solely on their disability. Historically, individuals with disabilities have sometimes been denied access to life-saving organ transplants based on assumptions that people with disabilities are less worthy of care, or assumptions that the lack support services and/or the ability to follow post-transplant treatment plans. This bill prohibits denying a person with a disability a referral, evaluation and recommendation for transplantation solely on the basis of a non-medically significant disability and notes that persons who have the necessary support system to comply with post-transplant medical requirements should not have the inability

	to independently comply with those requirements held against them. The Act does not require referrals, recommendations or performance of medically inappropriate organ transplants. It affirms the state's commitment to the elimination of discrimination on the basis of disability. HA 2 rewords a portion of the declaration of intent to clarify that this Act is intended to prevent future discrimination rather than rectify any known past discrimination in this State, and provides a mechanism for addressing discrimination in violation of this section in a state court, possibly expediting the resolution of such claims and making a life-saving difference in the organ transplant process. This amendment also makes a technical clarification.
Status:	Signed into Law 9/13/2017
DHA Position:	No Position

Bill #	HB 25 Introduced on: 1/12/2017
Description	An Act making Appropriations for the Expense of the State Government for the Fiscal Year Ending June 30, 2018 ; specifying certain procedures, conditions and limitations for the expenditure of such funds; and amending certain pertinent statutory provisions. This Bill is the Fiscal Year 2018 Appropriation Act.
Status:	Appropriations Committee in House
DHA Position:	No Position

Bill #	HB 28 Introduced on: 1/5/17
Description	An Act to amend Title 24 of the Delaware Code relating to the Practice of Dental Hygiene . According to the American Dental Association, approximately 1/3 of Americans face challenges accessing dental care, where access challenges include difficulty getting to a dental office and overcoming financial barriers. In order to increase access to basic dental services, this bill will allow for dental hygienists to travel to certain facilities and provide dental hygiene services. Under existing law, a dental hygienist may only act under the general supervision of a dentist in the dental office, state institutions, or schools. Prior to offering these services, the facility owner/operator and the patient/legal guardian must approve of the dental services to be provided, and adequate safeguards must be provided, including the referral to a licensed dentist for consultation. This bill also updates the definition of the practice of dental hygiene services.
Status:	Administration Committee in House
DHA Position:	No Position

Bill #	HB 29 Introduced on: 1/5/17
Description	An Act to amend Title 10 of the Delaware Code relating to Judgements . This bill establishes a writ of attachment of tax refunds and lottery winnings. This bill provides a procedure for interception of tax refunds and lottery winnings by the Department of Finance for judgments resulting from a breach of a residential or commercial rental agreement. This bill provides for the opportunity to contest the amount owed in regards to funds seized pursuant to a writ of attachment of tax refunds or lottery winnings. The bill directs the Department of Finance to work with the Courts to develop an electronic system relating to the collection of judgments through tax refunds and lottery winnings. The bill also directs the Courts and Department of Finance to work together and make a recommendation as to the amount of a special fee that is meant to offset the development, implementation and administration of the collection of judgments through tax refunds and lottery winnings. The Department and Finance are directed to provide a report to the General Assembly by January 10, 2018 regarding the costs of administrating this provision and an appropriate off-setting fee to be charged for issuance of the writ

	bodywork therapist or certified massage technician be on the premises at all time the establishment is open, allowing receptionists and other office staff to continue working any time the establishment is open.
Status:	Signed into Law 7/26/2017
DHA Position:	No Position

Bill #	<u>HB 36</u> Introduced on: 1/17/2017
Description	An Act to amend Title 11 of the Delaware Code relating to Offenses Related to Children . Although minors are prohibited from purchasing tobacco, it is not technically illegal for a minor to possess or consume tobacco. This bill will make the possession, use, or consumption of tobacco by a minor unlawful and subject to the same penalties as a person under 18 who purchases a tobacco product.
Status:	Substituted in House by HS 1 for HB 36
DHA Position:	No Position

Bill #	<u>HS 1 for HB 36</u> Introduced on: 3/9/2017
Description	An Act to amend Title 11 of the Delaware Code relating to Offenses Related to Children . Although minors are prohibited from purchasing tobacco, it is not technically wrong for a minor to possess or consume tobacco. This bill will make the possession, use, or consumption of tobacco by a minor subject to penalties relating to education and community service.
Status:	Assigned to Judiciary Committee in House
DHA Position:	No Position.

Bill #	<u>HB 39 with HA 2</u> Introduced on: 1/18/2017
Description	An Act to amend Title 10 of the Delaware Code relating to Concurrent Jurisdiction . This Act extends Family Court's jurisdiction under Chapter 50, Title 16, over a youth who has a mental condition and requires services or treatment but is not amenable to or compliant with such services. This Act applies only to youths who are under the custody of the Department of Children, Youth and Their Families when they turn 18 years old and, prior to turning 18 years old, were identified as having or diagnosed with a mental condition as defined in § 5001 of Title 16. Jurisdiction under this Act does not require DSCYF to provide foster care board extension payments or stipends to a youth. This Act has no effect on a youth reaching the age of majority at 18 years or on DSCYF's custody over a youth terminating by operation of law when the youth turns 18 years old. HA 2 clarifies that a youth subject to concurrent jurisdiction under § 930 of Title 10 must be identified or diagnosed with a mental condition at the time the youth turns 18 years of age. This Amendment also provides that the Superior Court has the discretion, rather than an obligation, to transfer a case to the Family Court under § 930.
Status:	Signed into Law 9/8/2017
DHA Position:	No Position

Bill #	<u>HB 40</u> Introduced on: 1/18/2017
Description	An Act to amend Title 13 of the Delaware Code relating to Mental and Behavioral Health Transition Plans . This Act authorizes the Family Court to order the Department of Health and Social Services ("DHSS") to determine whether a child who is 17 years old or older and in the custody of the Department of Services for Children, Youth and Their Families ("DSCYF") qualifies for adult mental or behavioral health services. If the child does qualify for adult mental or behavioral health services, this Act authorizes the Family

	Court to order that DHSS coordinate with DSCYF to develop and implement a transition plan for mental or behavioral health services for the child.
Status:	Signed into Law 9/8/2017
DHA Position:	No Position

Bill #	HB 45 with HA 1	Introduced on: 1/19/2017
Description	An Act to amend Title 29 of the Delaware Code relating to Consumer Protection . This Act clarifies (i) how personal jurisdiction shall be obtained over nonresident respondents in administrative proceedings brought by the Director of Consumer Protection pursuant to Section 2523, Title 29 of the Code, and (ii) the manner in which service of process may be made upon respondents in those proceedings. This Act also empowers administrative hearing officers appointed under Section 2523(b), Title 29 to issue subpoenas upon request of the parties to the administrative proceeding, in order to enable the parties to present evidence not otherwise available to them. HA 1 clarifies that if a non-party is not subject to subpoena, the administrative hearing officer is permitted to issue a commission so that evidence can be obtained from a jurisdiction where the non-party is subject to subpoena or other process. This amendment also provides that the administrative hearing officer shall, prior to issuing a subpoena or commission, ensure that the subpoena or commission does not impose an undue burden or expense on the person subject to the subpoena or commission.	
Status:	Signed into Law 9/14/2017	
DHA Position:	No Position	

Bill #	HB 46	Introduced on: 1/19/2017
Description	An Act to amend Title 29 of the Delaware Code relating to DNA Analysis and Data Bank . Currently the law requires that any person convicted of a crime identified under the section identifying sexual offenses, or offenses relating to children and incompetents must submit to DNA testing. The DNA testing is compiled and stored in the state DNA database. As many of these individuals are prone to repeat offenses, this database has proven to be a useful crime solving tool. This bill will provide that any person arrested [vs convicted] for any of these specific crimes will now be subject to DNA testing. This bill will also require testing of any individual who is currently incarcerated and convicted of a violent felony under Title 11. Additional safeguards and protections have been included in the law to balance the state's interest in solving crimes against the rights of the arrested individuals, as discussed and approved by the U.S. Supreme Court in Maryland v. King, 133 S. Ct. 1958 (U.S. 2013). This act shall become effective upon the receipt of a federal grant to the State pursuant to the Katie Sepich Enhanced DNA Collection Act of 2012, or upon a specific annual appropriation in the Annual Appropriations Act.	
Status:	Public Safety & Homeland Security Committee in House	
DHA Position:	No Position	

Bill #	HB 50	Introduced on: 1/24/2017
Description	An Act to amend Title 14 of the Delaware Code relating to School Nurses . This Act seeks to ensure that every public school in the State has a school nurse. This Act provides a mechanism to allow a district or a charter school that currently does not have a school nurse to receive state funds. This Act also permits a district to levy a tax under § 1902(b), Title 14, known as a "match tax", to assist those districts that hire a school nurse as a result of this Act to pay for the local share of that school nurse.	
Status:	Appropriations Committee in House	
DHA	No Position	

Position:	
-----------	--

Bill #	<u>HB 57</u> Introduced on: 1/26/2017
Description	An Act to amend Title 6 of the Delaware Code relating to Limited Liability Companies . To obtain obedience to federal laws protecting national security, with the help of registered agents, this Bill will prevent the use of our Limited Liability Act by persons and nations identified by federal agencies as a threat to this country. The bill also seeks to prevent existing limited liability company owners who are on the lists of prohibited persons or governments, but may have formed a Delaware LLC already, from getting involved in industries in which the federal government has placed restrictions on certain investments. Requiring clearance from the Committee on Foreign Investments in the U.S. for their plans will enable the Secretary to waive this provision when it is received. Registered agents must be the parties to screen for identified threats because those with a contract with the Department of State enter applications on its computers on a regular basis. CFIUS seldom prevents investments, (two since 1989 to be precise) but it may ask for mitigation in some way to reduce the potential threat involved. This Act will not impact the ability of almost any applicant to easily form an LLC nor does it require any companies to disclose more information to the Secretary of State in its application for certification than is now required.
Status:	Substituted
DHA Position:	No Position

Bill #	<u>HS 1 for HB 57</u> Introduced on: 3/15/2018
Description	An Act to amend Title 6 of the Delaware Code relating to Limited Liability Companies . In an attempt to obey federal law, to coordinate with the federal law enforcement agencies, and to assist Delaware registered agents who form LLCs to avoid severe federal fines, this bill attempts to prevent the use of our Limited Liability Act by persons, businesses, groups and nations identified by federal agencies as a threat to this country. Listed entities on OFAC sanctions lists are narcotics traffickers, terrorists, or criminal enterprises with whom federal law forbids Americans from doing business. The means of meeting these objectives is by requiring screening of potential clients (applicants) by companies who are registered agents approved by this State to represent clients who form LLCs. No sanctions will be employed to obtain cooperation, unless the Secretary of State, who already has the authority to deal with registered agents, finds that they are not cooperating.
Status:	Assigned to Judiciary Committee in House
DHA Position:	No Position.

Bill #	<u>HB 61</u> Introduced on: 1/26/2017
Description	An Act to amend Title 30 of the Delaware Code relating to Personal Income Tax . This bill will add 4 new check-off donation boxes on the Delaware personal income tax return whereby individuals may choose to donate a portion of their tax refund, or designate an amount in addition to the tax they owe that will be transferred by the Division of Revenue to one of the following organizations: Food Bank of Delaware, Sussex County Habitat for Humanity, Central Delaware Habitat for Humanity, or Habitat for Humanity of New Castle County.
Status:	Signed into Law 9/14/2017
DHA Position:	No Position

Bill #	<u>HB 64 with SA 2</u> Introduced on: 3/9/2017
Description	An Act to amend Title 29 of the Delaware Code relating to Family Leave . Mothers who give birth to monoamniotic twins are often hospitalized as early as 26 weeks into the pregnancy due to the risk of complications of having twins share a single amniotic sack. Mothers who give birth to multiples of 3 or more often have the same issue of requiring extensive medical pre-natal care. As a result, the benefits provided under the federal Family and Medical Leave Act (FMLA) are often exhausted by the time the mother and children are discharged from the hospital. This bill provides that mothers who are full time state employees may have up to six weeks of unpaid leave following the newborn(s) discharge from the hospital even if their FMLA benefits have been exhausted. SA 2 ensures that mothers who have pregnancy complications that warrant prolonged or extended hospitalization of the mother or the infant in the antepartum or immediate postpartum period are protected under the statute.
Status:	Signed into Law 9/8/2017
DHA Position:	No Position

Bill #	<u>HB 65</u> Introduced on: 3/9/2017
Description	An Act to amend Title 13 of the Delaware Code relating to Child Support . In many circumstances persons who owe child support have received monetary awards in the form of a court settlement, verdict, judgment, or under a worker's compensation award. This Bill requires a prevailing litigant to advise his attorney or insurance carrier of any outstanding child support arrears owed and directs the attorney, insurance carrier or other paying agent to pay the proceeds up to the arrears owed to DCSS to satisfy any outstanding arrearages owed to the custodian. If child support arrears or retroactive support is owed, the lien, up to the amount of child support arrears or retroactive support owed, must first be paid before any funds (excluding the first \$1,000 of net proceeds) may be released to the prevailing party. HA 1 adds an effective date of 60 days after enactment.
Status:	Introduced and Assigned to Health & Human Development Committee in House
DHA Position:	No Position.

Bill #	<u>HB 74</u> Introduced on: 3/15/2017
Description	An Act to amend Title 16 of the Delaware Code relating to Designated caregivers for a minor qualifying patient under the Medical Marijuana Act . A minor child that is a qualifying patient may need, in addition to their parents, a designated caregiver who is not their parent when the parents work and cannot regularly get to school to administer medicine. This bill expands the class of persons who can be designated caregivers to a minor qualifying patient. This bill would allow grandparents, aunts, uncles, and siblings, all over age 21, as persons who may be designated caregivers for a minor patient.
Status:	Introduced and Assigned to Health & Human Development Committee in House
DHA Position:	No Position.

Bill #	<u>HB 82 with HA 1</u> Introduced on: 3/16/2017
Description	An Act to amend Title 16 of the Delaware Code relating to The Board of Mental Health and Chemical Dependency Professionals . Sections 1-4 clarify the type of supervised experience applicants are required to obtain in order to be qualified for licensure and eliminates the requirement that reciprocal applicants be certified by a national organization prior to being qualified for licensure. Additionally, section 2 eliminates a pending criminal charge as a basis to deny licensure. Section 5 changes the law governing chemical dependency professionals to eliminate a pending criminal charge as a basis to

	deny licensure. Sections 6-9 clarify the type of supervised experience applicants are required to obtain in order to be qualified for licensure and eliminates the requirement that reciprocal applicants be certified by a national organization prior to being qualified for licensure. Additionally, section 7 eliminates a pending criminal charge as a basis to deny licensure. HA 1 restores the Board's ability to consider pending criminal charges as a basis to deny licensure.
Status:	Signed into Law 5/2/2017
DHA Position:	Support.

Bill #	HB 91 with HA 1, HA 2 Introduced on: 3/28/2017
Description	An Act to amend Title 16 of the Delaware Code relating to Controlled Substances . This Act would enhance the ability of the prescription monitoring program to make informed determinations as to prescribers who may be making extraordinary prescriptions of opiates or other controlled substances, and to refer such cases to law enforcement or professional licensing organizations for further review. The Act would also provide a more usable standard for provision of specified information to law enforcement agencies upon a showing of need. HA 1 ensures that expertise on the PMP Advisory Committee regarding patient privacy laws and regulations is provided by the Department of Justice. HA 2 clarifies that there must be an affirmative showing of need for law enforcement to obtain identifying information.
Status:	Signed into Law 5/30/2017
DHA Position:	Support.

Bill #	HB 100 Introduced on: 3/23/2017
Description	An Act to amend Title 6, 16, 18 and 31 of the Delaware Code relating to Treatment for Substance Abuse . The denial by private and public health benefit administrators of adequate coverage for substance abuse treatment has been identified as a major source of failed treatment efforts by persons addicted to controlled substances. These denials have also been identified as a cause of the shortage of adequate treatment facilities in Delaware. This Act seeks to ensure that persons with private and public insurance coverage have the ability to insist that they receive the substance abuse coverage to which they are entitled by law and by their insurance plans. It does so by (1) allowing the Department of Justice to provide legal assistance where appropriate to persons seeking benefits from the state's Medicaid program, traditional health plans, or from employer-funded health benefit plans (which are exempt from state regulation), (2) requiring the state's Medicaid program and private insurance carriers to provide notice to persons who are denied substance abuse treatment of the possibility of legal assistance in challenging those claim denials, and (3) permitting the Department of Justice to use funds in its Consumer Protection Fund to offset the cost of providing medical and legal expertise to DOJ and the Department of Insurance for the purpose of assisting persons with controlled substance addictions who are seeking treatment. This Act contains a sunset provision so that the General Assembly can assess the impact of its provisions on private and public health care costs and effective treatment of substance abuse before making its provisions permanent.
Status:	Signed into Law 5/30/2017
DHA Position:	Support.

Bill #	HB 104 Introduced on: 3/30/2017
Description	An Act to amend Title 29 of the Delaware Code relating to Services for Adults with Intellectual and Developmental Disabilities . The state is currently funding providers at 75% of the market rate established in a 2014 study that was done by DHSS. This bill

	would mandate an increase in the rates paid to providers according to the recommendations of the market study, so that by fiscal year 2020 the state would fund providers at 100% of the benchmarked rate. These rate increases are necessary to increase the hourly wages of Direct Support Professionals (DSPs), which along with the corresponding costs of program oversight, direct supervision of DSPs, and training, are essential to keep people with I/DD safe and integrated to the maximum extent possible in their local communities.
Status:	Substituted in House
DHA Position:	No Position.

Bill #	<u>HS 1 for HB 104 with HA 1</u> Introduced on: 5/10/2018
Description	An Act to amend Title 29 of the Delaware Code relating to Services for Adults with Intellectual and Developmental Disabilities . The state is currently funding service providers at 75% of the market rate established in a 2014 study that was done by DHSS. This bill would mandate an increase in the rates paid to service providers according to the recommendations of the market study, so that by fiscal year 2021 the state would fund service providers at 100% of the benchmarked rate. These rate increases are necessary to increase the hourly wages of Direct Support Professionals (DSPs), to improve recruitment and retention of these positions, to decrease staff turnover, and to decrease position vacancies. Along with the corresponding costs for program oversight, direct supervision of DSPs, and training, stabilizing the DSP workforce with increased pay is essential to keep people with I/DD safe and integrated to the maximum extent possible in their local communities. The bill also requires that the adequacy of the rate system be evaluated against performance measures that are commonly used to assess program quality. HA 1 states the intent of the General Assembly to phase in increases to the rate system for services to adults with intellectual and developmental disabilities subject to available funding.
Status:	Signed into Law 9/4/2018
DHA Position:	No Position.

Bill #	<u>HB 110 w/ HA 3, HA 1, HA 2 to HA 1</u> Introduced on: 3/30/2017
Description	An Act to amend Title 16 and 30 of the Delaware Code creating the Delaware Marijuana Control Act . The Delaware Marijuana Control Act regulates and taxes marijuana in the same manner as alcohol. It allows adults over the age of 21 to legally possess and consume under 1 ounce of marijuana for personal use. It does not permit people to grow their own marijuana. HA 1 which revises House Bill No. 110 to incorporate the recommendations from the HCR 52 Adult Use Cannabis Task Force was placed with the Bill. HA 2 to HA 1 makes a technical correction. HA 3 requires the retail marijuana store application fee to be \$15,000 and allows all application fees and the upper limits be adjusted for inflation annually, gives the Commission authority to exercise their discretion in determining whether or not to grant a registered compassion center application for a retail marijuana store license (changes "shall" to "may"), removes a requirement for the Commissioner to issue 40 retail marijuana store licenses within a set time period, cuts the marijuana excise taxes in half, and removes the requirement that 20% of the Marijuana Regulation Fund be allocated to the Department of Education. Additionally there is no process for a referendum on a general election ballot so that requirement is being removed.
Status:	Defeated in House
DHA Position:	Oppose.

Bill #	<u>HB 114 with HA 1</u>	Introduced on: 4/4/2017
Description	An Act to amend Title 21 of the Delaware Code relating to Bodily Injury and Property Damage Coverage on Motor Vehicles . The purpose of this amendment is to better protect the motorists of the State of Delaware by raising the minimum automobile bodily injury and property damage limits to reflect the current economic conditions. The minimum automobile liability limits have not been raised in the State of Delaware since July 19, 1983. Most motor vehicle policies sold in Delaware provide \$10,000 for property damage coverage. Bodily injury insurance proceeds are frequently used to cover the cost of not only pain and suffering, but an injured person's medical expenses and lost wages, which have increased since 1983. For example, \$15,000 in 1983 is equivalent to \$35,960.54 in 2016, based on the federal Consumer Price Index – Urban statistics for 1983 and 2016. In addition, \$30,000 in 1983 is equivalent to \$71,921.08 in 2016. HA 1 better protects the motorists of the State of Delaware by raising the minimum automobile bodily injury and property damage limits to reflect the current economic conditions, since the they have not been raised in the State of Delaware since July 19, 1983.	
Status:	Signed into Law 6/13/2017	
DHA Position:	No Position.	

Bill #	<u>HB 120 with HA 1</u>	Introduced on: 3/30/2017
Description	An Act to amend Title 18 of the Delaware Code relating to Insurance Coverage for Certain Cancer Treatments . This Act requires health insurance policies to cover any medically appropriate drug approved by the FDA for the treatment of stage 4 metastatic cancer without requiring a patient to first prove that the patient failed to respond to a different drug or drugs. This Act is based on a similar bill in Georgia that was inspired by President Jimmy Carter's recent battle with cancer. HA 1 adds the treatment of cancers other than stage 4 advanced, metastatic cancers and requires that the use of the drug is supported by national clinical guidelines, national standards of care, and peer reviewed medical literature for the treatment of the cancer or targeted therapy. This Amendment also prohibits the use of this Act as a basis for limiting or excluding coverage for a drug approved by the FDA for treatment of a medical condition not covered under this Act.	
Status:	Signed into Law 9/20/2017	
DHA Position:	No Position.	

Bill #	<u>HB 140</u>	Introduced on: 4/13/2017
Description	An Act to amend Title 16 of the Delaware Code relating to Infants with Prenatal Substance Exposure . This non-punitive, public-health oriented bill seeks to codify certain sections of the federal law known as the Child Abuse Prevention and Treatment Act (CAPTA), as amended by the Comprehensive Addiction and Recovery Act (CARA), that requires states to have policies and procedures in place to address the needs of infants born with and identified as being affected by substance abuse, withdrawal symptoms, or Fetal Alcohol Spectrum Disorder, including a requirement that healthcare providers involved in the delivery or care of such infant notify the child protection services system. This bill formalizes a uniform, collaborative response protocol for the development of a Plan of Safe Care for infants with prenatal substance exposure and their affected family or caregivers.	
Status:	Signed into Law 6/7/2018	
DHA Position:	Support	

Bill #	<u>HB 151</u> Introduced on: 4/27/2017
Description	An Act to amend Title 11 of the Delaware Code relating to Hate Crimes . This Act revises Delaware's hate crime statute to make law enforcement, firefighters and emergency personnel protected classes. Nationwide we have seen unprecedented number of unprovoked attacks upon our first responders. This Act provides additional protection for those who serve to protect our communities.
Status:	Out of Committee in House
DHA Position:	No Position

Bill #	<u>HB 160</u> Introduced on: 5/2/2017
Description	An Act to amend Title 16 of the Delaware Code relating to End of Life Options . The Delaware End of Life Options Act provides an additional option which terminally ill adults nearing their death can decide to select, to lessen their pain and suffering. The bill clarifies the procedures necessary for making the request, including 1) the presentation of all end of life options which include comfort care, hospice care, and pain control, 2) a physician's evaluation, 3) medical confirmation by a second physician, 4) psychiatric/psychological counseling when indicated, 5) the passage of two waiting periods, and 6) the completion of a formally witnessed request for prescribed medication. The bill provides many safeguards to ensure the patient is making an informed decision, the right to rescind any request for medication, and immunity for persons participating in good faith compliance with the procedures. When the process is followed with its safeguards, the terminally ill patient is provided the right to receive medication to peacefully end the patient's life in a humane and dignified manner. HA 1 clarifies the definition of "counseling" to include mental capacity evaluations; clarifies the restrictions on who may serve as a witness and HA 2 requires the attending physician to inform the patient about treatment that is available. PWB
Status:	Out of Committee in House
DHA Position:	Oppose

Bill #	<u>HB 164 with HA 1, HA 2</u> Introduced on: 5/9/2017
Description	An Act to amend Title 11 of the Delaware Code relating to Human Trafficking . This bill dissolves the Human Trafficking Coordinating Council and reestablishes it as the Human Trafficking Interagency Coordinating Council. The bill establishes the members of the Council and the chair and vice-chair. The bill also requires that a public awareness sign must be displayed at locations designated by the Council. HA 1 replaces one representative of the Administrative Office of the Courts to be appointed by the State Court Administrator with two representatives of the Judicial Branch, as appointed by the Chief Justice. This amendment also changes the number of at-large members from 5 to 4. HA 2 clarifies that 4 members of the Council who are advocates or persons who work with victims of human trafficking shall be appointed by the Governor, and adds that the Chair and Vice Chair of the Council shall be elected from among the members of the Council, rather than appointed.
Status:	Signed into Law 9/14/2017
DHA Position:	No Position

Bill #	<u>HB 171</u> Introduced on: 5/11/2017
Description	An Act to amend Title 11 of the Delaware Code relating to Speech/language Pathologists, Audiologists and Hearing Aid Dispensers . This Bill amends the Board composition to provide that a slot may be filled by an audiologist or by a hearing aid dispenser, which shall address the challenge in locating a hearing aid dispenser to serve on

	the Board. Further, this Bill adds a definition for the “practice of hearing aid dispensing” to set forth the appropriate scope of practice for hearing aid dispensers, based on their training and qualifications, in the interest of public protection. This Bill also strikes references to audiology and speech pathology aides because the Board does not license or regulate these professions. The requirements for licensure and license renewal, for speech/language pathologists and audiologists, have been amended in the interests of clarity. Upon application, a speech/language pathologist must submit proof of current certification from the American Speech and Hearing Association (“ASHA”) and audiologists must submit proof of either current ASHA certification or board certification from the American Board of Audiology.
Status:	Stricken in House
DHA Position:	Oppose unless amended.

Bill #	<u>HB 172 with HA 2</u>	Introduced on: 5/11/2017
Description	An Act to amend Title 11 of the Delaware Code relating to Health Insurance . This Bill limits a health insurer’s right to overpayment recovery to two years from the date of the original payment. The time limit does not apply where there is fraud or other intentional misconduct, when overpayment recovery is initiated by a self-insured plan, or where required by a federal or state plan. The bill also requires 30 days’ notice to healthcare providers regarding an attempt to recover overpayment as well as requiring insurers to have policies and procedures allowing challenge to the alleged overpayment. This bill affects all lines of health insurance including both individual and group policies. HA 2 revises subsection (a) to modify the notification that a health insurer or a health plan must provide in connection with overpayment recovery efforts, and adds “abuse” to subsection (c). This amendment also clarifies that the provisions of §2730 of Title 18 cannot be waived and that any contract that is in conflict with the section is null and void.	
Status:	Signed into Law 3/16/2018	
DHA Position:	Support	

Bill #	<u>HB 180</u>	Introduced on: 5/16/2017
Description	An Act to amend Title 6 of the Delaware Code relating to Breaches of Security Involving Personal Information . This Act amends Chapter 12B of Title 6 to update Delaware's law regarding computer security breaches by doing the following: 1. Creating a requirement that any person who conducts business in Delaware and maintains personal information must safeguard that information. 2. Updating the definition of breach of security by including the unauthorized access, use, modification, or disclosure of personal information and the information that is included in the definition of personal information. 3. Adding definitions for encryption. 4. Creating a "safe harbor" if the data included in an breach is encrypted or protected by an encryption key that prevents the data from being read or used. 5. Strengthening the consumer protections when a security breach is discovered including requiring that the entity that experienced the breach provide identity theft protection services if Social Security Numbers were included in the information breached. This Act also makes technical corrections to conform to the standards of the Delaware Legislative Drafting Manual, including the use of the term "person" to mean both an individual and an artificial entity.	
Status:	Substituted in House	
DHA Position:	No Position	

Bill #	<u>HS 1 for HB 180 with HA 3, SA 1</u>	Introduced on: 6/20/2017
Description	<p>An Act to amend Title 6 of the Delaware Code relating to Breaches of Security Involving Personal Information. This Act revises HB 180 to reflect input from a wide group of stakeholders. This Substitute Act differs from HB 180 as follows: Terminology has been revised to be more accurate and consistent. A definition of "person" is added and includes government, consistent with current law. A definition of "determination of breach of security" is added. Marriage certificates, full birth dates and birth certificates, shared secrets and security tokens, and digital or electronic signatures are removed from the definition of "personal information." An application for health insurance is removed from the definition of personal information because all of the information in an application that is of concern is separately listed in the definition of personal information. Removes the requirement that the Department of Justice develop regulations and a model form of notice. Clarifies how to provide notice if a breach involves login credentials of an email account that is the basis of the breach. Clarifies that notice of a breach can be provided after 60 days from discovery when it is determined at a later time that the breach includes additional residents. Provides examples of federal laws that can be complied with to constitute compliance with this chapter. Removes the private right of action for the failure of a person to provide notice under this chapter. The Common Law cause of action for actual damages as a result of a breach is unaffected by this change. HA 3 combines House Amendment No. 2 and House Amendment No. 1 to House Amendment No. 2 into a single Amendment to House Substitute No. 1 to House Bill No. 180, and makes technical corrections to conform to the standards of the Delaware Legislative Drafting Manual. SA 1 changes the requirement of providing identity theft prevention or, as applicable, mitigation services in the event of a breach involving a social security number to a requirement to provide credit monitoring services in the event of such a breach, and the effective date of the legislation from 120 to 240 days to allow additional time for businesses to comply with the notification requirements.</p>	
Status:	Signed into Law 8/17/2017	
DHA Position:	No Position	

Bill #	<u>HB 181</u>	Introduced on: 5/16/2017
Description	<p>An Act to amend Title 6 of the Delaware Code relating to Child Abuse and Neglect. This Act makes updates to how reports of child abuse and neglect are handled by the various members of the multidisciplinary team; codifies the multidisciplinary team and case. The Act adds additional duties to the Investigation Coordinator, law enforcement, the Department of Justice and the Division of Family Services that are current best practices but not required by law; reorganizes the section pertaining to the Division of Family Services to reflect current best practices; allows nurse practitioners to take emergency protective custody; and makes technical corrections to conform existing law to standards of the Delaware Legislative Drafting Manual.</p>	
Status:	Signed into Law 8/30/2017	
DHA Position:	Support	

Bill #	<u>HB 195 with HA 1, HA 2</u>	Introduced on: 6/21/2017
Description	<p>An Act to amend Title 16 of the Delaware Code relating to Nursing Facilities, Long Term Care Facilities, and Services. House Bill No. 195 updates the terms and definitions used in Chapter 11 of Title 16 regarding long term care. This Act updates the terminology used to identify long term care facilities so that it is consistent throughout the Code. It also provides that this Act is effective upon the enactment of House Bill No. 195 to ensure that the terms are not changed until the underlying changes have been made to Chapter 11 of Title 16. HA 1 corrects a technical drafting error, and HA 2 adds a 3/5 vote requirement because one of the \$50 fees in the Act is new.</p>	

Status:	Signed into Law 2/14/2018
DHA Position:	No Position

Bill #	<u>HB 196</u> Introduced on: 6/21/2017
Description	An Act to amend Title 2, 11, 16, 18, 19, 24, and 30 of the Delaware Code relating to Long Term Care Facilities . This Bill provides that this Act is effective upon the enactment of House Bill No. 195 to ensure that the terms are not changed until the underlying changes have been made to Chapter 11 of Title 16.
Status:	Signed into Law 2/14/2018
DHA Position:	No Position

Bill #	<u>HB 200 with HA 2</u> Introduced on: 6/1/2017
Description	An Act to amend Title 29 of the Delaware Code relating to Medicaid and Home Health Care . This bill sets a minimum reimbursement rate for home health care nursing services paid for by Medicaid-contracted organizations. The rate shall be at least equal to the rate set by the Division of Medicaid for equivalent services. Home care nurses and aides give Delawareans with disabilities the option to remain at home with their families and prevents unnecessary use of higher-cost hospitals, nursing homes and rehabilitation facilities. HA 2 allows for some flexibility and innovation in the arrangement of Medicaid-contracted services, while preserving a floor for home health care nursing services that is equal to or greater than the rate set by the Division of Medicaid and Medical Assistance.
Status:	Signed into Law 8/30/2017
DHA Position:	No Position

Bill #	<u>HB 201</u> Introduced on: 6/1/2017
Description	An Act to amend Title 24 of the Delaware Code relating to Telemedicine . This Act clarifies that after a physician-patient relationship has been properly established in accordance with this section, subsequent communications and treatment may be conducted as the doctor and patient deem appropriate. As with all practice of medicine, such subsequent interactions must still meet the standard of care for the given field of medicine. The Act also clarifies that this statute is not intended to limit the practice of radiology or pathology – fields in which it has long been standard for an off-site specialist to examine records created by a treating physician or technician.
Status:	Signed into Law 7/12/2017
DHA Position:	Support

Bill #	<u>HB 203</u> Introduced on: 6/1/2017
Description	An Act to amend Title 24 of the Delaware Code relating to Diabetes . This Act directs the Division of Medicaid and Medical Assistance, Division of Public Health, and Office of Management and Budget – Human Resources Management (“the Agencies”) to report to the General Assembly every 2 years the impacts and costs associated with diabetes. The first report is due by June 30, 2019. The report shall include: (1) Data reflecting the prevalence and burden of diabetes in Delaware. (2) Activities related to diabetes programs and initiatives throughout the State. (3) An estimate of the financial impact of diabetes on each of the Agencies. (4) The number of people impacted or served by each of the Agencies with regard to diabetes, including programs and initiatives designed to reach individuals with diabetes and prediabetes. (5) A description of each of the Agencies’ implemented programs and activities aimed at improving diabetes care and preventing the

	disease, and an assessment of the expected benefits and outcomes for each program and activity. (6) Current funding levels for each of the Agencies to implement programs and activities aimed at reaching individuals with diabetes and prediabetes. (7) Each of the Agencies' individual plans, including recommendations to address the prevention and control of diabetes, the intended outcomes of the recommendations, and estimates of the funding and time required to implement the recommendations.
Status:	Signed into Law 9/14/2017
DHA Position:	No Position

Bill #	<u>HB 208</u>	Introduced on: 6/1/2017
Description	An Act to amend Title 24 of the Delaware Code relating to the Division of Long Term Care Residents Protection . This Act renames the Division of Long Term Care Residents Protection to the Division of Health Care Quality and strengthens the Division's ability to protect Delawareans receiving long term, acute, or outpatient health care. The new name better describes the Division which now includes not only long term care, but also acute and outpatient care facilities and agencies. The Division monitors the quality of care delivered by health care facilities and agencies throughout the state. Definitions are added to include the acute and outpatient care descriptions. Flexibility is added to the report the Division is required to prepare. This Act adds the ability of the Division to request and receive EMS records when performing an investigation that involves a transfer of a consumer, resident, or patient from one care setting to another. An interagency transfer form format is required to ensure better transitions of care for persons as they move from one health care setting to another. This Act gives the Division Director subpoena power so that appropriate records may be obtained during an investigation and so that witnesses may be compelled to appear for a hearing. Finally, this Act adds the requirement for Prescribed Pediatric Care Centers to complete the background checks on employees. This Act also makes technical corrections to conform existing law to the standards of the Delaware Legislative Drafting Manual.	
Status:	Signed into Law 2/14/2018	
DHA Position:	No Position	

Bill #	<u>HB 210</u>	Introduced on: 6/6/2017
Description	An Act to amend Title 16 of the Delaware Code relating to the Delaware Medical Marijuana Act . This bill allows minors subject to debilitating medical conditions not specifically listed in § 4906A(b) the same petition process to have their condition considered as that allowed for adults.	
Status:	Signed into Law 7/21/2017	
DHA Position:	No Position	

Bill #	<u>HB 211</u>	Introduced on: 6/6/2017
Description	An Act to amend Title 16 of the Delaware Code relating to Enlargement of the Composition and Scope of Health Information available to the Drug Overdose Fatality Review Commission . Section one of this Act would grant access to data from the prescription monitoring program to the Drug Overdose Fatality Review Commission, which would significantly enhance the Commission's ability to meet its statutory duties. In addition, this section of the amendment broadens the pool of individuals from the Division of Forensic Science who may be designated as members to the Commission. This section of the amendment also clarifies the scope of records that may be compelled for production by the Commission. Sections two and three of this Act allows the Drug Overdose Fatality Review Commission to obtain and review medical records, including	

	mental health and substance abuse records, in furtherance of its statutory duties and in compliance with Delaware's privacy and confidentiality laws.
Status:	Signed into Law 7/21/2017
DHA Position:	No Position

Bill #	<u>HB 219 with HA 1</u> Introduced on: 6/8/2017
Description	An Act to amend Title 16 of the Delaware Code relating to Invasive Medical Procedures . The 146th General Assembly gave the Department of Health and Social Services the authority to promulgate regulations and require accreditation for facilities that perform invasive medical procedures. The current terminology and definition of an "invasive medical procedure" has been frequently misinterpreted and caused a great deal of confusion in the medical community. This Act revises the current language to be consistent with terminology used by accreditation organizations and other states, replacing the term "invasive medical procedure" with the term "office-based surgery". In addition, this Act clarifies the definition to ensure that all facilities that perform such procedures do so in a safe and sanitary environment. Finally, this Act adds a requirement that the approved accreditation organizations shall report, at a minimum, findings of surveys and complaint and incident investigations, and data for all office-based surgical facilities to the Department. This Act also updates Title 24 where the term "invasive medical procedure" is used and § 122(3) of Title 16 is referenced. HA 1 clarifies that accreditation documents provided under this paragraph are not subject to the Freedom of Information Act. This protects the proprietary information contained in these documents while allowing the Department access to the documents to ensure public safety.
Status:	Signed into Law 9/4/2018
DHA Position:	No Position

Bill #	<u>HB 220</u> Introduced on: 6/13/2017
Description	An Act to amend Title 16 of the Delaware Code relating to Drug Abuse . This act establishes the Addiction Action Committee as a means to establish a comprehensive, coordinated strategy to address addiction in Delaware. The committee is authorized to make recommendations on a comprehensive approach to address and monitor the addiction crisis.
Status:	Signed into Law 8/16/2017
DHA Position:	No Position

Bill #	<u>HB 225 with HA 1, SA 1</u> Introduced on: 6/13/2017
Description	An Act to amend Title 16 of the Delaware Code relating to the Division of Long Term Care Residents Protection . House Bill No. 208 of the 149th General Assembly changes the name of the Division of Long Term Care Residents Protection to the Division of Health Care Quality. This Act updates the name of the Division where it appears in the Delaware Code and takes effect upon the enactment of House Bill No. 208. House Bill No. 195 revises Chapter 11 of Title 16, removing references to a specific Division in 2 sections. This Act clarifies that the name change in those sections sunset upon the enactment of House Bill No. 195. HA 1 updates the Code by removing that paragraph instead of updating the reference in it to the Division's new name. SA 1 requires that the Secretary of the Department of Health and Social Services appoint qualified persons to be special investigators for the Division of Health Care Quality.
Status:	Signed into Law 2/14/2018
DHA Position:	No Position

Bill #	HB 240 with HA 5	Introduced on: 6/15/2017
Description	<p>An Act to amend Title 30 of the Delaware Code relating to Taxes on Personal Income. Sections 1 and 7 of this Act update from \$400 to \$800 the threshold which triggers the penalty for insufficient payment of estimated tax. The current threshold has been in place since 2000. Because it has not been modified in almost 20-years, the penalties generated as a result of this low threshold are often trivial amounts, which frustrate taxpayers. However, despite the penalties' low dollar amounts, they still require significant resources to administer and resolve. Sections 1 and 7 also provide for an inflation adjustment for the threshold ensuring that it will automatically keep pace with future economic trends. Section 2 of this Act increases tax rates in all existing brackets by 0.15 to 0.4 percentage points and creates a new bracket of 6.95% at \$150,000. Section 3 of this Act raises the eligibility age from 60 to 65 in one-year increments over a five-year period for the \$12,500 exclusion from income of pensions and other retirement income. Section 4 of this Act eliminates itemized deductions and increases the standard deduction amount from \$3,250 to \$5,000 for single and married taxpayers filing separately and from \$6,500 to \$10,000 for taxpayers filing joint returns. In addition, Section 4 reduces from \$110 to \$85 the amount of the personal credit. Lastly, Section 4 raises the eligibility age from 60 to 65 in one-year increments over a five-year period for the extra, age-based personal credit. Sections 5 and 6 of this Act update cross references. HA 5 eliminates the tax rate increases for all existing brackets below \$60,000, while allowing taxpayers to elect to deduct the greater of the current standard deduction or 50% of their itemized deductions. Additionally, this amendment increases the tax rate to 7.1% in the bracket over \$150,000.</p>	
Status:	Defeated in House	
DHA Position:	No Position	

Bill #	HB 241 with HA 1	Introduced on: 6/15/2017
Description	<p>An Act to amend Chapter 5, Title 4 of the Delaware Code relating to Taxes on Alcoholic Beverages. This Act increases the State's alcoholic beverage tax rates. The rate for beer increases by 2¢ per 12 ounce can. The rate for wine increases by approximately 3¢ per 5 ounce serving. The rate for spirits containing more than 25% ethyl alcohol by volume increases by 15¢ per 750 ml bottle. HA 1, which changes the tax rates for beer, cider, wine and ethyl alcohol was placed with the Bill.</p>	
Status:	Signed into Law 7/3/2017	
DHA Position:	No Position	No Position.

Bill #	HB 242	Introduced on: 6/15/2017
Description	<p>An Act to amend Title 30 of the Delaware Code relating to Tobacco Product, including Vapor Product, Taxation and Licensing. This Act adds a definition of vapor products to Chapter 53, Title 30 (regarding Tobacco Product Tax), includes vapor products as a type of tobacco product, and makes other amendments to the Chapter to require those who deal in vapor products to obtain licenses just like those who deal in traditional tobacco products and to impose a tax on vapor products. This Act also increases the tax on tobacco products. Specifically, this Act does the following related to tobacco product and vapor product taxes: (1) Increases the tax on cigarettes from \$1.60 to \$2.10 per 20 cigarette pack. (2) Increases the tax on all tobacco products other than vapor products, moist snuff, and cigarettes from 15% of the wholesale price to 30% of the wholesale price. (3) Imposes a tax of 5 cents per fluid millimeter of vapor product. (4) Increases the tax on moist snuff from 54 cents per ounce to 92 cents per ounce. This Act also increases the fees charged for retail tobacco product licenses and tobacco product vending machine licenses.</p>	
Status:	Signed into Law 7/3/2017	
DHA Position:	No Position	No Position.

Position:		
-----------	--	--

Bill #	<u>HB 245</u>	Introduced on: 6/20/2017
Description	An Act to amend Title 29 of the Delaware Code relating to Grant-in-aid Committee . This bill is intended to provide the General Assembly with the ability to review and evaluate the performance and achievements of the grant-in-aid recipients.	
Status:	Introduced and Assigned to House Administration Committee in House	
DHA Position:	No Position	No Position.

Bill #	<u>HB 247 with SA 2</u>	Introduced on: 6/20/2017
Description	An Act to amend Title 29 of the Delaware Code relating to the Council on Services for Aging Adults with Physical Disabilities . This bill sets forth revisions to the composition of the Council on Services for Aging and Adults with Physical Disabilities. SA 2 establishes that a quorum of the Council is a majority of the Council members and requires that decisions be made by a majority of the members of the Council present instead of by the full Council.	
Status:	Signed into Law 2/14/2018	
DHA Position:	No Position	No Position.

Bill #	<u>HB 248</u>	Introduced on: 6/20/2017
Description	An Act to amend Title 29 of the Delaware Code relating to Urgent Care Facilities . This Act removes from the definition of “free standing emergency departments” those emergency departments that are owned by an existing, licensed hospital in this State that has already been authorized and licensed to provide emergency services. This Act also makes technical changes.	
Status:	Signed into Law 7/11/2018	
DHA Position:	No Position	No Position.

Bill #	<u>HB 250</u>	Introduced on: 6/20/2017
Description	An Act to amend Title 30 of the Delaware Code relating to Opioid Tax . This Act imposes a tax on the first sale of opioids in the State at a rate of 10% of the purchase price. Prescription drugs used exclusively for the treatment of opioid addiction are excluded from the tax.	
Status:	Introduced and Assigned to Revenue & Finance Committee in House	
DHA Position:	No Position	No Position.

Bill #	<u>HB 260 with HA 2, HA 3</u>	Introduced on: 6/23/2017
Description	An Act to amend Title 29 of the Delaware Code relating to Grant-in-aid . This bill creates the Grant-In-Aid Committee. The Committee is a joint committee of the Senate and House of Representatives. The purpose of the Committee is to review requests for grant-in-aid and to develop the grant-in-aid appropriations bill. HA 2 clarifies the parameters of the rules the committee shall develop. HA 3 changes the effective date of the Act from January 1, 2018 to January 1, 2019.	
Status:	Finance Committee in Senate	
DHA Position:	No Position	No Position.

Bill #	<u>HB 280</u>	Introduced on: 6/29/2017
Description	An Act making appropriations for certain Grants-in-aid for the Fiscal Year ending June 30, 2018 ; specifying certain procedures, conditions and limitations for the expenditure of such funds and amending Title 30 of the Delaware Code relating to taxes in personal income . This Act provides supplementary appropriations to certain Grants-in-Aid for Fiscal Year 2018. Section 1 – Government Units and Senior Center \$18,582,949 Section 2 – One-Times and Community Agencies \$12,886,495 Section 3 – Fire Companies \$4,711,925 Section 4 – Veterans Organizations \$244,230 GRAND TOTAL \$36,425,599 This Act also amends Title 30 of the Delaware Code relating to taxes on personal income.	
Status:	Defeated in House	
DHA Position:	No Position	No Position.

Bill #	<u>HB 281</u>	Introduced on: 7/2/2017
Description	An Act making appropriations for certain Grants-In-Aid for the Fiscal Year ending June 30, 2018 ; specifying certain procedures, conditions and limitations or the expenditure of such funds.	
Status:	Signed into Law 7/3/2017	
DHA Position:	No Position	No Position.

Bill #	<u>HB 290</u>	Introduced on: 6/29/2017
Description	An Act relating to the continuance and making of appropriations for the expense of the State Government after June 30, 2017 , on a temporary basis and continuing in effect the provisions of the appropriation act for the fiscal year ending June 30, 2017, chapter 298, volume 80 of the laws of Delaware, and for granting authority to continue appropriation lines in the appropriation act for the fiscal year June 30, 2017, the bond and capital improvements act for the fiscal year ending June 30, 2017, chapter 299, volume 80 of the laws of Delaware, and the grants-in-aid act for the fiscal year ending June 30, 2017, chapter 300, volume 80 of the laws of Delaware. This Act provides for the expense of State government after June 30, 2017, on a temporary basis as appropriated under the Fiscal Year 2017 Budget and for granting authority to continue appropriation lines in the Fiscal Year 2017 Budget, the Fiscal Year 2017 Bond and Capital Improvements Act, and the Fiscal Year 2017 Grants-in-Aid Act.	
Status:	Introduced and Assigned to House Administration Committee in House	
DHA Position:	No Position	No Position.

Bill #	<u>HB 299</u>	Introduced on: 1/16/2018
Description	An Act proposing an amendment to Article 1 of the Delaware Constitution relating to equal protection . This is the first leg of an amendment to the Delaware Constitution to provide equal rights on the basis of sex. There is no Equal Rights Amendment to the United States Constitution. While Congress passed the Amendment in 1972, it was not ratified by the requisite number of states by the 1982 deadline. Delaware, however, was one of the first states to ratify the Amendment. About half of the states across the country have passed Equal Rights Amendments to their state constitutions in order to provide protection against discrimination based on sex. Without an Equal Rights Amendment, women's rights and protections are limited. This Amendment is necessary to correct a constitutional shortcoming, reduce sex-based disparities and to codify our State's value of equality.	
Status:	Stricken Committee in House	
DHA	No Position	

Position:	
-----------	--

Bill #	<u>HB 302</u> Introduced on: 1/16/2018
Description	An Act to amend Title 11 and 16 of the Delaware Code relating to Individuals with Mental Illness . This Act is designed to create procedures in Delaware for making sure firearms are not in the hands of dangerous individuals while protecting due process and not creating a barrier to care for those suffering from mental illness. Instead of labeling all individuals with a mental health diagnosis as dangerous, this Act refocuses attention on individuals who have indicated they are dangerous to others or themselves. Statistically, mental illness has little to do with homicide perpetration but rather increases the chance of being a victim of violence. This Act looks instead for propensities of violence, a much more reliable and evidence-based metric. This metric will also ensure that Delaware can provide care to those more likely to commit violent acts and help de-stigmatize mental illness here in Delaware.
Status:	Substituted
DHA Position:	No Position

Bill #	<u>HS 1 for HB 302 with HA 2, HA 1 to HA 2, HA 3, HA 4</u> Introduced on: 3/6/2018
Description	An Act to amend Title 11 and 16 of the Delaware Code relating to Individuals with Mental Illness . This Substitute Act incorporates House Bill No. 302, and also makes the following changes to House Bill No. 302: (1) Creates a new § 5403 of Title 16, which permits a mental health service provider, institution, agency, or hospital to disclose confidential communications to a law enforcement if the mental health service provider, institution, agency, or hospital concludes that the patient is dangerous to self or dangerous to others. (2) Adds definitions for “dangerous to others” and “dangerous to self” that are based on the definition in § 5001 of Title 16, but expand the temporal imminence of the individual’s actions. (3) Permits a law-enforcement officer to obtain an order of relinquishment from the Justice of the Peace Court if the officer has probable cause to believe that an individual who is the subject of a report from a mental health provider under § 5402 or § 5403 of Title 16 is dangerous to others or self and in possession of firearms or ammunition. This process is an expedited process, akin to obtaining a search or arrest warrant. Under this process, if the Justice of the Peace Court finds probable cause, it must order the relinquishment of firearms to law enforcement and may prohibit the individual from residing with others who possess firearms and grant permission for law enforcement to search for and seize firearms. An order from the Justice of the Peace Court is good for 60 days. If the Department of Justice does not file a petition in Superior Court within 60 days, the Justice of the Peace Court’s order is void and law enforcement must return the firearms. (4) Makes clear that if the Department of Justice files a petition in Superior Court, the individual has the right to a hearing before an order of relinquishment may be granted by the Superior Court. (5) Makes clear that the Justice of the Peace Court and the Superior Court may, as part of an order of relinquishment, order an individual to not reside with an individual who owns, possesses, or controls firearms. However, the Courts may not impair or limit the right to keep and bear arms of an individual who is not subject to an order. (6) Adds consistent relinquishment provisions to Title 16 so that if the Superior Court finds probable cause for an involuntary commitment hearing or orders an individual to outpatient treatment, the Court must also order the individual to relinquish firearms or ammunition. It also makes clear that an individual subject to the order of relinquishment may seek relief from the Relief from Disabilities Board. (7) Makes technical changes to correct a designation in § 1448C of Title 11 and to add “, institution, agency, or hospital” to § 5402(a)(1) of Title 16. HA 2 makes changes to language and definition, technical errors, places responsibility with the Relief from Disabilities Board for hearing requests, and makes the Act effective 6 months after enactment to prepare for implementation of the Act. HA 1 to HA 2 "mental illness" with "mental condition," HA 3 clarifies the type of report needed, the law enforcement agency

	responsible for receiving or conducting searches for firearms or ammunition, and technical corrections to correct drafting errors. HA 4 strengthens the duty to warn, properly balances the need to protect potential victims and places the responsibility on law enforcement and courts to determine whether the patient has access to firearms and ammunition and whether there is probable cause to believe the patient is dangerous to others.
Status:	Signed into Law 5/2/2018
DHA Position:	Support

Bill #	<u>HB 319</u> Introduced on: 3/1/2018
Description	An Act to amend Title 18 of the Delaware Code relating to Experimental Treatment Health Insurance Coverage . This legislation creates a benchmark for determining when a treatment or service is no longer experimental or investigational. Essentially, when Medicare determines that a treatment is safe for its population, commercial insurers in Delaware may no longer deny coverage on that basis. This will remove inconsistencies for properly-evidenced treatments between payers.
Status:	Substituted
DHA Position:	Support

Bill #	<u>HS 1 for HB 319 with HA 1</u> Introduced on: 4/12/2018
Description	An Act to amend Title 21 of the Delaware Code relating to Experimental Treatment Health Insurance Coverage . This legislation creates a benchmark for determining when a treatment or service is no longer experimental or investigational. When Medicare determines that a treatment is safe for its population, commercial insurers in Delaware may no longer deny coverage on that basis. This bill will remove inconsistencies for properly-evidenced treatments between payers. HA 1 corrects the section number of the Social Security Act.
Status:	Signed into Law 6/13/2018
DHA Position:	No Position

Bill #	<u>HB 320</u> Introduced on: 3/1/2018
Description	An Act to amend Title 21 of the Delaware Code relating to Driving Under the Influence . This bill lowers the blood alcohol content requirement for driving under the influence from .08 to .05.
Status:	Introduced and Assigned to Public Safety & Homeland Security Committee in House
DHA Position:	No Position

Bill #	<u>HB 324 with HA 1</u> Introduced on: 3/1/2018
Description	An Act to amend Title 31 of the Delaware Code relating to The Delaware Child Care Act . This Act requires that the Office of Child Care Licensing include application forms, the specific requirements to obtain a license, and due process provisions in regulations to ensure that child care providers have clear notice of what is required, the opportunity to comment on proposed changes, and an opportunity to correct minor deficiencies before they are posted on the Office of Child Care Licensing's website as an instance of noncompliance. This Act also repeals language regarding implementation of the current section that is no longer necessary. This Act also makes technical corrections to conform existing law to the standards of the Delaware Legislative Drafting Manual. HA 1 removes the requirement that the Office of Child Care Licensing's regulations require an

	opportunity to correct some deficiencies before the deficiency is recorded as noncompliance.
Status:	Signed into Law 8/10/18
DHA Position:	No Position

Bill #	<u>HB 330</u> Introduced on: 3/1/2018
Description	An Act to amend Title 11 of the Delaware Code relating to Firearms . This bill changes from 18 to 21 the age of a person to whom another person can sell, give, or transfer a firearm or ammunition for a firearm. HA 1 clarifies that the changes made to Title 11, Section 1448 do not apply to an active member of the Armed Forces of the United States or a qualified law-enforcement officer, and limits the definition of firearm in order to exclude any type of bow. HA 2 excludes a shotgun, muzzle-loading rifle, and ammunition for a shotgun and muzzle-loading rifle from the definition of firearm. HA 3 excludes a rifle, shotgun, and rimfire ammunition from the definitions of firearm and ammunition that a person may sell, give, or transfer to a person under 21 years of age. HA 1, 2 and 3 were placed with the Bill.
Status:	Substituted
DHA Position:	No Position

Bill #	<u>HS 1 for HB 330 with HA 1</u> Introduced on: 3/13/2018
Description	An Act to amend Title 11 of the Delaware Code relating to Firearms . This bill changes the age of a person to whom another person can sell, give or transfer a firearm or ammunition for a firearm from 18 to 21. However, this bill permits a person to sell, give or transfer a firearm or ammunition for a firearm to a person under 21 years of age if the person under 21 is an active member of the United States Armed Forces or a law-enforcement officer or possesses a license to carry a concealed deadly weapon. The prohibition against the sale or transfer of a firearm to a person under 21 does not apply if that person is over 18 and the firearm is a shotgun or muzzle-loading rifle or if the ammunition is for such weapons. This bill does permit the transfer of a firearm or ammunition to a person under 21 so long as such transfer is without compensation and the person transferring is the parent or guardian of the person under 21 or has the permission of the parent or guardian. This bill increases the age from 18-21 for the person who must directly supervise a child under the age of 16 who is in possession of a firearm, BB, air, or spear gun. HA 1 permits a qualified law-enforcement officer to use a weapon which by compressed air or spring discharges a pellet, slug or bullet. This amendment also clarifies that it is not unlawful to possess or sell a BB or air gun if the pellet or slug that is discharged is not larger than a .177 shot, which is the size of a BB shot. SA 1 creates an additional exemption to the prohibition of firearm transfer if the person is over the age of 18 and has been validly issued a Delaware Hunting License. SA 2 adds additional categories of military personal that would be able to purchase firearms if over the age of 18 and otherwise qualify. SA 3 adds a person over the age of 18 and is the Petitioner to a Protection From Abuse Order that has been ordered by the Family Court of this state to the exemptions. SA 4 allows .22 caliber weapon and .22 caliber ammunition to be purchased by persons under the age of 21. SA 5 creates an exemption for pistol caliber carbines and the ammunition associated with pistol caliber carbines. SA 1 was laid on the table, and SA 2, 3, 4, and 5 we placed with the Bill.
Status:	Laid on the table in Senate
DHA Position:	No Position

Bill #	<u>HB 331 with HA 1, HA 1 to HA 1</u>	Introduced on: 3/1/2018
Description	An Act to amend Title 31 of the Delaware Code relating to Benzodiazepine and Non-benzodiazepine Hypnotics . This bill creates regulations concerning the use, distribution and education of Benzodiazepine and Non-benzodiazepine Hypnotics. It require Practitioners to obtain consent from a minor’s parent or guardian prior to prescribing these drugs, and require pharmacist to include a cautionary statement explaining the risks associated with the long term use of these drugs. HA 1 provides a new definition of “Non- benzodiazepine hypnotic”, restores current authority of the Secretary of Safety and Homeland Security, and provides an exception for parental consent in the case of emergency treatment. HA 1 to HA 1 provides an additional exception for parental consent in the case of emergency treatment or for the treatment associated with neuromuscular disabilities.	
Status:	Signed into Law 9/4/2018	
DHA Position:	Oppose	

Bill #	<u>HB 333</u>	Introduced on: 3/8/2018
Description	An Act to amend Title 21 of the Delaware Code relating to Motor Vehicles . In 2017, HB 114 raised the minimum bodily injury and property damage liability limits set forth at 21 Del. C. § 2902(b)(2) from \$15,000/\$30,000/\$5,000 to \$25,000/\$50,000/\$10,000. However, HB 114 did not address the issue of combined single limits, and did not change the definition of “proof of financial responsibility” in the definitions section of Title 21. The purpose of this bill is to resolve the statutory conflict that was created when HB 114 was passed in 2017.	
Status:	Signed into Law 7/11/2018	
DHA Position:	No Position	

Bill #	<u>HB 350</u>	Introduced on: 3/20/2018
Description	An Act to amend Title 21 of the Delaware Code relating to Personal Information Privacy . This Act will create the Biometric Privacy Protection Act and Geolocation Privacy Protection Act to give Delaware’s citizens important protections with respect to the collection, storage, use, and disclosure of their unique biometric information (such as fingerprints, voiceprints, and retinal and facial scans) and, with respect to their use of mobile devices, geolocation information. This Act provides that it will become effective January 1 following its enactment into law.	
Status:	Introduced and Assigned to Economic Development/Banking/Insurance/Commerce Committee in House	
DHA Position:	No Position	

Bill #	<u>HB 352</u>	Introduced on: 3/22/2018
Description	An Act to amend Title 21 of the Delaware Code relating to Nursing . This Act permits licensed child care providers, who successfully complete a State-approved medication training, to administer medication to children in their care, including by non-intravenous injection, if a child has a medical need during child care hours that requires it. This Act also makes technical corrections to conform existing law to the standards of the Delaware Legislative Drafting Manual.	
Status:	Signed into Law 7/1/2018	
DHA Position:	No Position	

Bill #	HB 354 Introduced on: 3/27/2018
Description	An Act to amend Title 6 of the Delaware Code relating to Equal Accommodations . This Act makes the Delaware equal accommodation law internally consistent, correctly organized, and aligned with the Americans with Disabilities Act ("ADA"). This Act corrects the potential for confusion by changing the term "physical disability" to "disability"; replaces the term "support animal" with "service animal"; uses the ADA definition of service animal, which requires that the dog be trained to do work or perform tasks for an individual with a disability; moves the requirement that a service animal be permitted to accompany an individual with a disability in public places from the definition of disability to the statute that lists unlawful practices.
Status:	Signed into Law 9/17/2018
DHA Position:	Support

Bill #	HB 358 Introduced on: 3/28/2018
Description	An Act to amend Titles 30 & 16 of the Delaware Code relating to Opioid Tax, Opiate Stewardship Fund, Opiate Advisory Council, and Opiate Settlement Proceeds . This Act will: 1.) Impose a tax on the first sale of opioids in the State at a rate of 10% of the purchase price; 2.) Direct civil legal settlement proceeds resulting from matters related to opioids be deposited to the Opiate Stewardship Fund; 3.) Authorize the Governor to appoint and fund the position of the newly-created Policy Advisor. The full-time Policy Advisor will serve at the pleasure of the Governor and will be tasked with addressing only opioid addiction-related matters; and 4.) Establish the Opiate Stewardship Advisory Council, charged with prioritizing where revenue generated from the opioid tax is best spent in order to assist those who are addicted, as well as their families.
Status:	Introduced and Assigned to Revenue & Finance Committee in House
DHA Position:	No Position

Bill #	HB 360 Introduced on: 3/29/2018
Description	An Act to amend Titles 19 of the Delaware Code relating to Employment Practices . "This bill seeks to offer broader protections for Delaware workers against sexual harassment than those found at the federal level by defining sexual harassment as an unlawful employment practice and clarifying the definition of employee to include state employees, persons providing services pursuant to a contract, or unpaid interns. This bill also includes a requirement that the Department of Labor create an information sheet pertaining to sexual harassment that employers must distribute to employees. Employers having more than 50 employees must provide sexual harassment training to their supervisory employees six months after they assume the supervisory role, and the training must be conducted every two years."
Status:	Substituted in House
DHA Position:	No Position

Bill #	HS 1 for HB 360 with HA 2 Introduced on: 6/12/2018
Description	An Act to amend Titles 19 of the Delaware Code relating to Employment Practices . As poll from 2017 revealed that 31% of people in the United States have been sexually harassed in the workplace. The United States Equal Employment Opportunity Commission released a comprehensive study of workplace harassment in the United States which concluded that between 25% and 85% of women reported having experienced sexual harassment in the workplace. However, the Commission estimated that 75% of all workplace harassment incidents go unreported. The purpose of this bill is to combat sexual harassment in the workplace and to ensure the safety and dignity of all

	<p>employees in Delaware. This bill defines sexual harassment and makes employers responsible for the sexual harassment of an employee by a supervisor or by another employee when the employer knew or should have known about it and failed to take appropriate corrective action. Moreover, this bill prevents an employer from retaliating against an employee for filing a discrimination charge. This bill includes a requirement that the Department of Labor create an information sheet pertaining to sexual harassment that employers must distribute to employees. Employers having more than 50 or more employees in Delaware will be required to provide sexual harassment training to all employees and supervisory employees which must be conducted every 2 years. This bill also empowers the Department of Labor to investigate violations of this Act and gives the Department jurisdiction over all sexual harassment cases which includes an administrative process. This bill requires the Department of Labor to post the requirements in this bill on its website and perform outreach necessary to educate employers of the requirements. This bill takes effect on January 1, 2019. HA 2 replaces the definition of “joint employee” with “employee placed by employment agency” to make clear that such employees are protected against sexual harassment. This amendment also changed the definition of independent contractor by using a definition already existing in Title 19 and clarified the definition of supervisor. This amendment changed the language in the definition of sexual harassment to track directly the federal definition as it appears in the Code of Federal Regulations. This amendment also clarifies that employers can distribute the information sheet physically or electronically to employees. This amendment removes the requirement that an employer provide 90 minutes of sexual harassment training. Finally, this amendment clarifies which employees are required to be counted and trained under subsection (h).</p>
Status:	Signed into Law 8/29/2018
DHA Position:	Oppose unless amended

Bill #	<u>HB 362</u> Introduced on: 3/29/2018
Description	An Act to amend Titles 19 of the Delaware Code relating to Adult Protective Services . This bill sets forth revisions to the Code related to Adult Protective Services. The bill updates language to reflect best practices and current names of agencies and class positions.
Status:	Signed into Law 7/23/2018
DHA Position:	No Position

Bill #	<u>HB 369 with HA 1</u> Introduced on: 4/12/2018
Description	An Act to amend Titles 11 of the Delaware Code relating to the Falsification of Business Records . This Bill expands the offense of falsifying business records by including the act of altering or modifying and creating false medical records. Currently, no specific statute exists to prevent a person from falsely creating, altering, or modifying a medical record. Expanding the offense of falsifying business records to include medical records will be a useful tool for combating healthcare provider fraud, protecting patients, and assisting patients in ensuring the integrity of their medical records. HA 1 further expands the offense of falsifying business records to include a person who causes the alteration or modification of a medical record or causes the creation of a false medical record.
Status:	Signed into Law 6/27/2018
DHA Position:	No Position

Bill #	<u>HB 374 with HA 1</u>	Introduced on: 4/17/2018
Description	An Act to amend Titles 11 of the Delaware Code relating to the Medical Marijuana Act . This bill adds glaucoma, chronic debilitating migraines, pediatric autism spectrum disorder, pediatric sensory processing disorder to the list of debilitating medical conditions which may qualify a person, upon certification by a physician, to be eligible for the use of medical marijuana in accordance with the terms of the Delaware Medical Marijuana Act. HA 1 removes pediatric autism spectrum disorder and pediatric sensory processing disorder from the definition of debilitating medical condition in House Bill 374.	
Status:	Signed into Law 8/28/2018	
DHA Position:	No Position	

Bill #	<u>HB 376</u>	Introduced on: 4/19/2018
Description	An Act to amend Titles 11 and 16 of the Delaware Code relating to Health & Safety . This Act replaces House Bill No. 285 and, in so doing, removes provisions of House Bill No. 285 related to creating an order of relinquishment process for removing firearms or ammunition from an individual subject to a report from a mental health provider under § 5402 of Title 16 as these provisions are now exclusively contained in House Substitute No. 1 for House Bill No. 302. This Act retains provisions of House Bill No. 285 that do the following: (1) Improve the structure and process related to the Relief from Disabilities Board. (2) Require that information regarding individuals who are declared guilty but mentally ill is reported to the Federal Bureau of Investigation's National Instant Criminal Background Checks System (NICS). (3) Require that an individual who is voluntarily admitted for inpatient treatment at a psychiatric treatment facility be informed of the individual's rights and options as a voluntary patient. (4) Clarify that an individual who is emergently detained must be treated the same as an individual who is subject to a provisional admission and may not be considered involuntarily committed for any legal purpose. This Act also makes technical corrections to conform existing law to the standards of the Delaware Legislative Drafting Manual. HA 1 Provides that the judiciary committees of the Senate and House of Representatives may, acting either jointly or individually, request the State Bureau of Identification to provide the report that is required to be provided under current law, and requires that a clinical evaluation and risk assessment performed at the direction of the Relief from Disabilities Board be performed by a mental health services provider, as defined under § 5401 of Title 16 of the Delaware Code. HA 1 was placed with the Bill.	
Status:	Introduced and Assigned to Administration Committee in House	
DHA Position:	No Position	

Bill #	<u>HB 386</u>	Introduced on: 4/25/2018
Description	An Act to amend Title 18 of the Delaware Code relating to Coverage for Treatment of Pediatric Autoimmune Neuropsychiatric Disorders Associated with Streptococcal Infections and Pediatric Acute Onset Neuropsychiatric Syndrome . This Act requires that individual, group, State employee, and public assistance insurance plans provide coverage for treatment of pediatric autoimmune neuropsychiatric disorders associated with streptococcal infections and pediatric acute onset neuropsychiatric syndrome. This Act suspends this requirement for individual and group insurance plans if, under the Affordable Care Act, the State is required to assume the cost of this coverage.	
Status:	Signed into Law 8/29/2018	
DHA Position:	No Position	

Bill #	<u>HB 401</u> Introduced on: 5/3/2018
Description	An Act to amend Title 18 of the Delaware Code relating to The Controlled Substances Act . Currently the US FDA is reviewing a New Drug Application (NDA) of a pharmaceutical product containing cannabidiol (CBD) to treat patients with rare pediatric seizure disorders. If approved, this drug will be required to be prescribed and dispensed like other FDA approved products. However, to make sure that this product and future FDA approved marijuana containing products are available to patients as soon as possible, a change in Delaware law is required. This bill would exempt federally lawful FDA approved marijuana containing products from Schedule I of the state's Controlled Substances Act until they are rescheduled under Delaware law. This would allow patient access to new therapies without an administrative delay, and allow FDA approved marijuana containing medicines to be prescribed, dispensed and regulated like other FDA approved pharmaceutical products. Illegal possession or sale of these drugs would be prosecuted as any other violation of the Controlled Substance Act.
Status:	Signed into Law 8/29/2018
DHA Position:	No Position

Bill #	<u>HB 406</u> Introduced on: 5/3/2018
Description	An Act to amend Title 18 of the Delaware Code relating to Small Employer Health Insurance . This bill allows for small employers who have more than 5 employees to obtain a "stop loss" policy for health insurance. This will provide more options for small employers in the health insurance market. Additionally these changes bring the section into compliance with the Delaware Legislative Drafting manual.
Status:	Signed into Law 9/4/2018
DHA Position:	No Position

Bill #	<u>HB 417</u> Introduced on: 5/10/2018
Description	An Act to amend Title 30 of the Delaware Code relating to Tobacco Product Taxation & Licensing . This Act prohibits a tax rate greater than 50 cents per cigar upon the sale and use of premium cigars. HA 1 which makes non-substantive, technical corrections by removing the proposed premium cigar tax rate cap under § 5305(c), Title 30 and reinserting the proposed language under § 5305(b). The purpose of the amendment is to clarify that the intent of the Bill is to not create a new tax but to cap the current tax rate provided under § 5305(b) for premium cigars was placed with the Bill. HA 1 which makes non-substantive, technical corrections by removing the proposed premium cigar tax rate cap under § 5305(c), Title 30 and reinserting the proposed language under § 5305(b). The purpose of the amendment is to clarify that the intent of the Bill is to not create a new tax but to cap the current tax rate provided under § 5305(b) for premium cigars was placed with the Bill.
Status:	Assigned to Appropriations Committee in House
DHA Position:	No Position

Bill #	<u>HB 424</u> Introduced on: 5/30/2018
Description	An Act to amend Title 16 of the Delaware Code relating to Childhood Lead Poisoning Prevention Act . At this time, the 24-month testing rates are well below what the Division of Public Health would expect them to be based upon the risk factors that determine when testing is necessary. This bill simplifies the requirements and the process for physicians and eliminates confusion that may be causing the low compliance rate for the second test. With better compliance, the Division of Public Health will have a much clearer picture of lead exposure in Delaware. This bill also requires the Division of Public Health to review

	the criteria for testing every 5 years. This requirement would actively foster discussions between the Division and stakeholders to ensure that the best balance is struck between the burden of testing and the protection to children.
Status:	Out of Committee in House
DHA Position:	No Position

Bill #	HB 425 with HA 1	Introduced on: 5/30/2018
Description	An Act to amend Title 18 of the Delaware Code relating to Permitted Disclosures Related to Prescription Drugs . This Act establishes that a contract between a pharmacy benefits manager and a pharmacy may not prohibit a pharmacy or pharmacist from doing any of the following: (1) Providing an insured with information regarding the retail price of a prescription drug or the amount of the cost share for which the insured is responsible for a prescription drug. (2) Discussing with an insured information regarding the retail price of a prescription drug or the amount of the cost share for which the insured is responsible for a prescription drug. (3) If a more affordable, therapeutically equivalent prescription drug is available, selling the more affordable, therapeutically equivalent prescription drug to the insured. In some cases, contracts between pharmacy benefits managers and pharmacies have provisions that prohibit pharmacies or pharmacist from informing consumers that they have options related to a prescription drug they want to buy and that the prescription drug could be purchased at a lower cost if the consumer paid out of pocket rather than through their health insurance plan. These provisions are often known as “gag clauses.” At least 7 states have enacted laws prohibiting these “gag clauses.” HA 1 replaces the term "therapeutically equivalent" with "substitute," which is used in Chapter 25 of Title 24 (regarding the regulation of pharmacies and pharmacists).	
Status:	Signed into Law 8/28/2018	
DHA Position:	No Position	

Bill #	HB 429 with HA 3	Introduced on: 5/30/2018
Description	An Act to amend Title 18 of the Delaware Code relating to the Department of Technology and Information . Cybersecurity attacks, including data breaches, corporate theft, and sabotage perpetrated by state and non-state actors throughout the world present unique threats to Delaware residents, governments, businesses, and critical infrastructure. Statewide coordination is required to effectively ensure cybersecurity protection. Cyber-attacks have increased significantly, providing evidence that information security must be strengthened to guard against threats. The State must leverage every partnership and mechanism available to combat the growing number of cyber-attacks and breaches. Trends show attacks growing by 64% annually. 84% of organizations have experienced cyber-attacks in the last 12 months. This bill strengthens Delaware’s defenses by facilitating multi-industry coordination among critical sectors such as communications, emergency services, energy, financial services, healthcare, water, and government. The primary objectives of the Council will be to focus on sharing and analyzing cyber threat intelligence in a collaborative manner. HA 3 adds the Chief Justice of the Delaware Supreme Court and the President of the Delaware Healthcare Association to the Council. The Chief Justice may designate to the Council the Deputy State Court Administrator, who is responsible for overseeing the operations of the Judicial Information Center. This amendment also increases the number of members from the private sector by 2. This amendment also makes a technical correction.	
Status:	Signed into Law 8/10/2018	
DHA Position:	Support	

Bill #	<u>HB 431 with HA 1</u>	Introduced on: 06/07/2018
Description	An Act to amend Title 16 of the Delaware Code relating to Long-Term Care Facilities . This Act requires long-term care facilities to offer the influenza vaccine to all employees with direct contact with patients. It also requires the facility to keep a record of a signed statement from each employee that the vaccine has been offered. HA 1 clarifies that House Bill No. 431 applies only to nursing and assisted living facilities.	
Status:	Signed into Law 7/23/2018	
DHA Position:	No Position	

Bill #	<u>HB 440</u>	Introduced on: 5/30/2018
Description	An Act to amend Title 16 of the Delaware Code relating to the Creation of an Overdose System of Care . This Act establishes an overdose system of care to improve care, treatment, and survival of the overdose patient in State of Delaware. This Act allows the Secretary of the Department of Health and Social Services to establish stabilization centers that can receive overdose patients from Emergency Medical Services and designate acute health care facilities, freestanding emergency departments, and hospitals that meet established requirements as an overdose system of care centers. This Act also establishes a standing Overdose System of Care Committee to assist in the oversight of the overdose system of care and provide recommendations for its implementation and maintenance.	
Status:	Substituted in House	
DHA Position:	No Position	

Bill #	<u>HS 1 for HB 440</u>	Introduced on: 6/5/2018
Description	An Act to amend Title 16 of the Delaware Code relating to the Creation of an Overdose System of Care . House Substitute No. 1 for House Bill 440 differs from House Bill 440 only in that it locates the Overdose System of Care and the Overdose System of Care Committee in Chapter 97 of Title 16 instead of in Chapter 10 of Title 16. House Substitute No. 1 for House Bill 440 establishes an overdose system of care to improve care, treatment, and survival of the overdose patient in State of Delaware. This Act allows the Secretary of the Department of Health and Social Services to establish stabilization centers that can receive overdose patients from Emergency Medical Services and designate acute health care facilities, freestanding emergency departments, and hospitals that meet established requirements as an overdose system of care centers. This Act also establishes a standing Overdose System of Care Committee to assist in the oversight of the overdose system of care and provide recommendations for its implementation and maintenance.	
Status:	Signed into Law 9/10/2018	
DHA Position:	Support	

Bill #	<u>HB 441 with HA 1</u>	Introduced on: 6/5/2018
Description	An Act to amend Title 18 of the Delaware Code relating to Pharmacy Benefit Manager Prior Authorization of Emergency Prescriptions and Prescriptions for Chronic or Long-Term Conditions . Due to the delay in the prior authorization process by pharmacy benefit managers, many patients end up waiting days to weeks for medications to be filled that are prescribed on an emergency basis or for medications that have been previously prescribed for chronic and long-term conditions that must go through the prior authorization process again. To reduce the delay and hardship of this waiting process, this bill will put into place specified time tables to fill emergency prescriptions and to make subsequent prior authorizations for chronic and long-term conditions to be filled more	

	readily. HA 1 (1) adds the definition of “emergency” to the bill; (2) removes the ability of a Pharmacy Benefit Manager (PBM) to waive prior authorizations for up to 72 hours of an initial prescription for narcotic or benzodiazepine medication; (3) changes the word “drug” to “medication” throughout the bill; (4) requires reauthorization for prescriptions for chronic or long-term conditions to occur at least once a year; (5) removes the requirement of a PBM to maintain a database of prior authorization forms; (6) directs PBMs to provide a list of alternative medications that do not require prior authorization to prescribers and/or pharmacies as soon as a prior authorization is requested, while using e-prescribing, and when the prior authorization is denied.
Status:	Signed into Law 8/28/2018
DHA Position:	No Position

Bill #	HB 458 Introduced on: 6/12/2018
Description	An Act to amend Title 16 of the Delaware Code relating to Prescription Monitoring Program . This Act removes language from the state’s Prescription Drug Monitoring Program statute that unreasonably prevents law enforcement officials from accessing the PMP database when officials can show that the information on the database is relevant to an investigation or prosecution. This Act leaves intact the statutory right and responsibility of the Office of Controlled Substances to maintain the privacy of patients and patient information except under circumstances enumerated in the Delaware Code.
Status:	Out of Committee in House
DHA Position:	Oppose

Bill #	HB 459 Introduced on: 6/12/2018
Description	An Act to amend Title 13 of the Delaware Code relating to Child Support Liens on Insurance Claim Payments . This Act requires insurers to check if an individual owes child support arrears before making a payment to the individual and permits the Division of Child Support Services to attach a lien to an insurance payment awarded pursuant to a settlement or award. This Act also makes technical corrections to conform existing law to the standards of the Delaware Legislative Drafting Manual.
Status:	Out of Committee in House
DHA Position:	No Position

Bill #	HB 460 Introduced on: 6/12/2018
Description	An Act proposing amendment to Article VIII, # 6 the Delaware Constitution relating to Limitations on Appropriations . This Act is the first leg of a Constitutional Amendment reflecting the recommendations of the Advisory Panel to the Delaware Economic and Financial Advisory Council (DEFAC) on Potential Fiscal Controls and Budget Smoothing Mechanisms established as per House Joint Resolution 8 of the 149th General Assembly (Panel). This Act would build upon the State’s existing appropriation limit methodology by moving the Budget Reserve Account into a newly defined Budget Stabilization Fund, defining rules for deposits to and withdrawals from said Budget Stabilization Fund, and adding a check of the appropriation limit against an index comprised of relevant indicators of growth of the State’s economy. The Panel further recommended that any final adoption of the structural budget reforms included in this Act be accompanied by statutory enactment of structural reforms to the Personal Income Tax by broadening the tax base as initially recommended by the DEFAC Advisory Council of Revenues report dated May 2015 and further detailed in the Panel’s report dated June 1, 2018.
Status:	Out of Committee in House

DHA Position:	No Position
------------------	-------------

Bill #	<u>HB 461</u> Introduced on: 6/12/2018
Description	An Act to amend Title 11 of the Delaware Code relating to Unlawful Sexual Contact . Delaware law criminalizes “therapeutic deception,” a representation by the health professional that sexual contact by the health professional is consistent with or part of the patient’s treatment. This Act creates a felony level offense for a person that is a health professional and who, in the course of providing professional health services to the victim, intentionally has sexual contact with the victim. This would criminalize all sexual contact between a health professional and the health professional’s patient. This Act makes this conduct a felony offense, rather than a misdemeanor, due to the vulnerability of the victim as a patient seeking services from a health professional.
Status:	Introduced and Assigned to Judiciary Committee in House
DHA Position:	No Position

Bill #	<u>HB 462</u> Introduced on: 6/13/2018
Description	An Act to amend Title 11 of the Delaware Code relating to The Board of Occupational Therapy Practice . This Act fulfills recommendations made by the Joint Legislative Overview and Sunset Committee by making amendments to the statute governing the Board of Occupational Therapy Practice to make Chapter 20 of Title 24 consistent with other Title 24 boards and delete antiquated sections that are no longer applicable, including: - Adding the duty to report conduct that constitutes grounds for discipline or inability to practice. - Removing "censure a practitioner" as an available sanction. - Removing references to temporary licenses, because the temporary license section of the statute was repealed in 2005. - Removing § 2015(c) and § 2017(c) because they are covered under the Administrative Procedures Act. - Revising the reciprocity language to address situations where a licensee holds a current license in a state that is no substantially similar to Delaware. In addition, this Act includes several amendments to conform existing law to the standards of the Delaware Legislative Drafting Manual, including deleting unnecessary words, correcting grammatical errors, and improving consistency and clarity.
Status:	Signed into Law 9/4/2018
DHA Position:	No Position

Bill #	<u>HB 463</u> Introduced on: 6/14/2018
Description	An Act to amend Title 18 of the Delaware Code relating to Reimbursement for and Provision of Prescription Drugs or Pharmacy Services . This Act authorizes a pharmacist or pharmacy to decline to dispense a prescription drug or provide a pharmacy service to an “insured” if the amount reimbursed by an entity subject to the Act is less than the pharmacy acquisition cost. This Act also prohibits a pharmacy benefits manager from reimbursing a pharmacist or pharmacy for a prescription drug or pharmacy service in an amount less than the pharmacy benefits manager reimburses itself or an affiliate for the same prescription drug or pharmacy service.
Status:	Introduced and Assigned to Economic Development/Banking/Insurance/Commerce Committee in House
DHA Position:	Support

Bill #	HB 473	Introduced on: 6/20/2018
Description	An Act to amend Title 16 of the Delaware Code relating to the Delaware Medical Marijuana Act . This act makes various edits to the existing Medical Marijuana Act, including, but not limited to: • Adding requirements for registration of a compassion center, including information about any labor peace agreement with a bona fide labor organization assuring an uninterrupted supply of medicine, and to disclose any record of previous violations, investigations, citations, administrative proceedings, or lawsuits related to any laws or regulations relating to employment, workplace safety, wages and compensation, discrimination, any other worker protections, tax, or any other relevant laws and regulation by any business owned or operated by the applicant, principal, or managerial employees. • Expands the authority of the Department to include evaluation of compassion center registration certificate renewals. • Expands considerations by the Department for an applicant of a compassion center to include the centers plan to maintain pesticide free medical marijuana, the center's employment standards, and evidence that they have no history of disciplinary action and/or investigations. • Includes in the criteria for compassion center and safety compliance facilities renewals to submit any history of disciplinary action and/or investigations. • Removes the requirement for volunteers of compassion center, or registered safety compliance facilities to undergo background checks every 5 years. • Requires a compassion center or a registered safety compliance facility to report any legal proceedings, judgments, or government investigations against them, or its owners, principals or managerial employees and to provide sufficient compensation to support the worker's family, health and welfare, and cost of living.	
Status:	Introduced and Assigned to Health & Human Development Committee in House	
DHA Position:	No Position	

Bill #	HB 475	Introduced on: 6/26/2018
Description	This Bill is the Fiscal Year 2019 Bond and Capital Improvements Act .	
Status:	Signed into Law 7/1/2018	
DHA Position:	No Position	

Bill #	HB 483	Introduced on: 7/1/2018
Description	An Act to amend Title 19 of the Delaware Code relating to Minimum Wage . This Act creates a training minimum wage and a youth wage that is not more than \$0.50 less than the minimum wage rate that becomes effective January 1, 2019. The increase in the minimum wage to \$8.75 is also effective January 1, 2019.	
Status:	Signed into Law 7/1/2018	
DHA Position:	No Position	

Bill #	HCR 10	Introduced on: 3/15/2017
Description	This House Concurrent Resolution recognizes March 2017 as "Eye Donor Month" in Delaware and recognizes the 60th anniversary of the Lions Eye Bank of Delaware Valley .	
Status:	House & Senate Passed	
DHA Position:	No Position	

Bill #	HCR 11	Introduced on: 3/15/2017
Description	This resolution proclaims March 17, 2017 as "Phelan-McDermid Syndrome Awareness Day" in Delaware .	

Status:	House & Senate Passed.
DHA Position:	No Position

Bill #	<u>HCR 13</u> Introduced on: 3/22/2017
Description	This House Concurrent Resolution recognizes March 22, 2017, as “Rare Disease Day” in Delaware.
Status:	House & Senate Passed.
DHA Position:	No Position

Bill #	<u>HCR 16</u> Introduced on: 4/4/2017
Description	This Concurrent Resolution recognizes April 4, 2017, as "Equal Pay Day."
Status:	House & Senate Passed.
DHA Position:	No Position

Bill #	<u>HCR 19</u> Introduced on: 4/25/2017
Description	This concurrent resolution recognizes April 2017 as National Donate Life Month and recognizes the generosity of donors and their families. It further encourages all Delawareans to become designated organ, eye, and tissue donors.
Status:	House & Senate Passed.
DHA Position:	No Position

Bill #	<u>HCR 28</u> Introduced on: 5/11/2017
Description	This Concurrent Resolution recognizes and commends speech-language pathologists and audiologists throughout this State for their work with citizens of this State to lead independent, productive, and fulfilling lives.
Status:	House & Senate Passed.
DHA Position:	No Position

Bill #	<u>HCR 40</u> Introduced on: 6/14/2017
Description	This Resolution recognizes the month of November, 2017, as “Lung Cancer Awareness Month” in Delaware.
Status:	Passed in House & Senate
DHA Position:	No Position

Bill #	<u>HCR 42</u> Introduced on: 1/23/2018
Description	This Concurrent Resolution recognizes January 2018 as Human Trafficking Awareness Month in Delaware.
Status:	Passed in House & Senate
DHA Position:	No Position

Bill #	<u>HCR 44</u> Introduced on: 6/20/2017
Description	This concurrent resolution designates the third week of September in 2017 as

	“Awareness Week for the Prevention, Recognition, and Treatment of Prenatal Substance Exposure in Infants and to Support Healthy Families in Delaware.
Status:	Passed in House & Senate
DHA Position:	No Position

Bill #	<u>HCR 46</u> Introduced on: 6/27/2017
Description	This Resolution designates the month of June as "Post-Traumatic Stress Injury Awareness Month" and June 27, 2017, as "Post-Traumatic Stress Injury Awareness Day" in order to bring awareness to those who suffer from post-traumatic stress and to help remove the stigma associated with it.
Status:	Passed in House & Senate
DHA Position:	No Position

Bill #	<u>HCR 47</u> Introduced on: 7/2/2017
Description	This resolution recognizes the week of September 17 – 24, 2017 as Prostate Cancer Awareness Week.
Status:	Passed in House & Senate
DHA Position:	No Position

Bill #	<u>HCR 49</u> Introduced on: 6/29/2017
Description	This concurrent resolution establishes the Medicaid Cost Efficiency Task Force to study and make findings and recommendations regarding Delaware’s Medicaid program.
Status:	Introduced and Assigned to Health & Human Development Committee in House
DHA Position:	No Position

Bill #	<u>HCR 52</u> Introduced on: 7/1/2017
Description	This Resolution creates an Adult Use Cannabis Task Force to study issues surrounding the possible future legalization of non-medical, adult use cannabis in Delaware , including local authority and control, consumer safety and substance abuse prevention, packaging and labeling requirements, impaired driving and other criminal law concerns, and taxation, revenue, and banking issues and to submit a report to the Governor and General Assembly by January 31, 2018.
Status:	Passed in House & Senate
DHA Position:	No Position

Bill #	<u>HCR 65</u> Introduced on: 3/28/2018
Description	This House Concurrent Resolution recognizes March 28, 2018, as "Rare Disease Day" in Delaware.
Status:	Passed in House & Senate
DHA Position:	No Position

Bill #	<u>HCR 68</u> Introduced on: 3/28/2018
Description	This House Concurrent Resolution designates the 21st day of the Month of March, 2018 as “Rock Your Socks for World Down Syndrome Day” and celebrates the beauty and contributions that people with Down syndrome make in Delaware.

Status:	Passed in House & Senate
DHA Position:	No Position

Bill #	<u>HCR 72</u> Introduced on: 3/29/2018
Description	This Concurrent Resolution recognizes April 10, 2018, as "Equal Pay Day" in the State of Delaware.
Status:	Passed in House & Senate
DHA Position:	No Position

Bill #	<u>HCR 77</u> Introduced on: 4/24/2018
Description	This resolution supports designating the month of April 2018 as "National Donate Life Month" , which recognizes those and the families of those who have donated organ, eye and tissue, as well as supports and encourages the donation of organ, eye and tissue.
Status:	Passed in House & Senate
DHA Position:	No Position

Bill #	<u>HCR 93</u> Introduced on: 6/28/2018
Description	This House Concurrent Resolution designates June 27, 2018 "Delaware Post-Traumatic Stress Injury Awareness Day" and June is "Delaware Post-Traumatic Stress Injury Awareness Month."
Status:	Passed in House & Senate
DHA Position:	No Position

Bill #	<u>HJR 5 with HA 1</u> Introduced on: 6/6/2017
Description	Relating to improving medical outcomes by establishing statewide metrics for emergency room wait times. This resolution directs the Delaware Emergency Medical Services Oversight Council and the Office of Emergency Medical Services to establish statewide metrics for emergency room wait times, with such information being publicly reported on a regular basis and available to emergency responders. HA 1 clarifies the authority and scope of the work of the Delaware Emergency Medical Services Oversight Council.
Status:	Assigned to Health Children & Social Services Committee in Senate
DHA Position:	No Position

Bill #	<u>HJR 7</u> Introduced on: 7/1/2017
Description	Conferring upon the Department of Health & Social Services the necessary powers and authority to establish and plan for the monitoring and implementation of an Annual Health Care Benchmark. Health care spending in Delaware is higher than the national average and has historically outpaced the State's economic and revenue growth, contributing to the State's current structural deficit. To combat ever rising costs, this Joint Resolution authorizes the Secretary of the Department of Health and Social Services to undertake the actions necessary to establish a health care benchmark, and designating the State's 2018 fiscal year as a planning year. The Secretary is directed to consult with stakeholders in developing the benchmark.
Status:	Signed into Law 9/7/2017
DHA Position:	No Position

Position:	
-----------	--

Bill #	<u>HR 7</u> Introduced on: 3/28/2017
Description	This resolution designates March 30, 2017 as "Doctors' Day" to recognize the valuable contributions made by physicians in Delaware.
Status:	Passed in House
DHA Position:	No Position

Bill #	<u>HR 9</u> Introduced on: 4/6/2017
Description	This Resolution recognizes April 2017 as Autism Awareness Month.
Status:	Passed in House
DHA Position:	No Position

Bill #	<u>HR 13</u> Introduced on: 5/10/2017
Description	This Resolution recognizes the important work of school nurses and declares May 10, 2017 as "National School Nurse Day" in Delaware.
Status:	Passed in House
DHA Position:	No Position

Bill #	<u>HR 26</u> Introduced on: 3/20/2018
Description	This resolution designates March 30, 2018 as "Doctors' Day" to recognize the valuable contributions made by physicians in Delaware.
Status:	Passed in House
DHA Position:	No Position