

State of Delaware
142nd Delaware General Assembly
(January 2003 - June 2004)

Senate Bill Number	Description
<u>SB 2 With SA 2 & SA 3</u>	Amend Title 24 of the Delaware Code relating to the Board of Chiropractic. This Bill is intended to eliminate the current debate over whether chiropractors are competent to testify in the Courts of this State on matters relating to causation, permanent impairment, and disability. For many years, chiropractors had been permitted to offer opinions on these issues until recent Superior Court rulings called into question this practice.
<u>SB 63</u>	Clarifies that the Department of Health and Social Services Division of Long Term Care Residents Protection may proceed with a court action to collect a civil money penalty assessed against a nursing facility.
<u>SB 64</u>	Grants the Department of Health and Social Services Division of Long Term Care Residents Protection the authority to require a current employee of a nursing home or temporary agency, a home health agency, or a self-employed healthcare giver to undergo a criminal history record check when the Department has a reasonable suspicion that such employee has been convicted of a disqualifying crime. The Bill also provides that the State will incur the cost of a criminal history record check performed at the request of a private individual seeking to hire a self-employed healthcare giver.
<u>SB 67</u>	Creates an education program to raise public awareness of the causes, nature, detection, and treatment of Reflex Sympathetic Dystrophy Syndrome (RSDS) , also known as Complex Regional Pain Syndrome.
<u>SB 71 with SA 2</u>	Brings third-party administrators , used by health insurers, within the regulatory authority imposed by Title 18 of the Delaware Code, and includes them within Title 18's health insurance arbitration provisions.
<u>SB 101</u>	Gives the Bureau of Health Planning Resources Management the authority to collect data from rest residential and assisted living facilities in the same way that they have been collecting data from hospitals and nursing homes.
<u>SB 102</u>	Creates the Delaware Cancer Consortium , a collaborative effort between private and public entities designed to implement the recommendations of the Delaware Advisory Council on Cancer Incidence and Mortality.
<u>SB 119 With SA 1</u>	Clarifies that special investigators who investigate abuse and neglect of the elderly in long term care facilities have the same powers as special investigators within the Division of Family Services ("DFS") who investigate cases of child abuse and neglect.

Senate Bill Number	Description
<u>SB 132 With SA 1 & SA 2</u>	Amends Title 16 of the Delaware Code relating to abuse, neglect, or mistreatment of patients and residents of nursing homes and similar facilities . Criminalizes the failure to report patient abuse and adds a \$1,000 civil penalty on those who fail to report suspected abuse. The Bill also adds criminal negligence to the criminal states of mind required as an element to prove a claim of patient neglect.
<u>SB 142</u>	Expands the definition of "unprofessional conduct" in the State Medical Practices Act to include the signing of a death certificate prior to the time of death . The purpose of the Act is to end the practice of pre-signing death certificates.
<u>SB 160 With SA 1</u>	Adds 2 members to the Delaware Nursing Home Residents Quality Assurance Commission . One member from the Long Term Care Association appointed by the Speaker of the House; and one member of the Hospital Association appointed by the President Pro Tem of the Senate.
<u>SB 196</u>	This Act will extend to July 1, 2007, the provision in Section 3003A(2) of Title 16 relating to student teacher ratios in the training of certified nursing assistants in long term care facilities that allows a licensed practical nurse having at least 3 years experience who is under the supervision of a registered nurse to serve as a teacher in lieu of a registered nurse.
<u>SB 229 with SA 1 & HA 1</u>	Amends Title 24 regarding disqualifications for licensure . Requires that the refusal, revocation or suspension of licenses for professions and occupations regulated under Title 24 be based upon conviction of crimes that are "substantially related" to the profession or occupation at issue, and not for crimes that are unrelated to the profession or occupation. Also requires the boards to promulgate regulations that specifically identify the crimes that are "substantially related" to the profession or occupation.
<u>SB 261 with SA 1</u>	Creates an exception to the Nurse Practices Act and clarifies that competent individuals should presumptively be allowed to delegate to others what they could normally do themselves, but for functional limitations.
<u>SB 264</u>	Allows the Secretary of Health and Social Services to delegate attendance at the Delaware Emergency Medical Services Oversight Council meetings to the Director of Public Health without having to request the appointment of an alternate voting representative on each occasion.
<u>SB 270</u>	Extends the incentive loans for speech/language pathologists to employees of providers of the Part C, birth to Three Early Intervention System programs.
<u>SCR 6</u>	Urges the Division of Social Services to provide for a cap or waiver of their non-emergency transportation co-pay policy for hardship cases.

Senate Bill Number	Description
<u>SCR 23</u>	Creates a Hospice Task Force to study hospice business ethics and patient services in order to provide recommendations concerning improvements that can be made to the current regulations.
<u>SCR 40</u>	Creates a Task Force to examine the prevalence of lyme disease in this State and to make recommendations for the prevention of lyme disease and for educational programs to raise awareness about the long-term effects of misdiagnosis of lymes disease.
House Bill Number	Description
<u>HB 7 with HA 1</u>	Changes the date by 6 months by which all 911 – Emergency Report Centers must be accredited by the National Academy of Emergency Medical Dispatch (NAEMD).
<u>HB 43 With SA 1</u>	In an effort to increase seat belt compliance , thereby saving lives, this legislation establishes as a primary offense failure to wear a seat belt.
<u>HB 113 with HA 1 and SA 1</u>	This Bill amends the State law relating to nursing facilities to require surveys of such facilities to: (i.) defer to attending physician diagnosis and treatment provided such is consistent with standards of practice; (ii.) disqualify former employees of a facility from such surveys of that facility; and (iii.) to give the facility a right to a hearing relating to the survey deficiencies.
<u>HB 176</u>	Lowers the score to 75 for proof satisfactory that an applicant for a license to practice dentistry has successfully completed the National Board of Dental Examiners’ examination. The score of 75 is the minimum passing score established by the National Board of Dental Examiners. This brings Delaware in line with the national minimum score and its sister states MD, VA, PA, and NJ along with the other states of the union.
<u>HB 197</u>	Clarifies the definition and role of the State EMS Directors in the statewide paramedic system. It also clarifies their role in providing on scene patient care in the performance of their duties and identifies them clearly as EMS providers entitled to liability protection afforded to such providers.
<u>HB 262 With HA 1</u>	Creates a Hearing Aid Loan Bank Program within the Division of Public Health. The Hearing Aid Loan Bank would benefit children under the age of 3 who do not otherwise qualify for public assistance, but are unable to afford a hearing aid during the language learning phase of the child's life.
<u>HB 310</u>	Amends Titles 10 and 18 of the Delaware Code relating to Heath Care Medical Negligence Insurance and Litigation, and Court Procedure . This Act requires an Affidavit of Merit signed by an expert witness to be obtained before a healthcare negligence lawsuit can be filed. This Act also requires healthcare providers to provide patients copies of their medical records within forty-five (45) days from the date the request is received.

House Bill Number	Description
<u>HB 432 With HA 1</u>	Establishes a Volunteer License category for doctors who volunteer their time in non-profit clinics or non-profit medical services within the State.
<u>HB 455 with HA 1</u>	Provides that public benefit assets be paid to a non-profit foundation and used to benefit the health care needs of the citizens of this State, particularly with regard to the medically uninsured and underserved populations as a result of a not-for-profit healthcare conversion transaction.
<u>HCR 10</u>	Encouraging the U.S. Congress to enact a Medicare Prescription Drug Benefit.
<u>HCR 64</u>	Supports the Delaware Nurses Association sponsoring a mercury thermometer exchange week. The resolution further encourages retail establishments within the State to voluntarily stop stocking and selling mercury thermometers.
<u>HJR 10</u>	Creates a Task Force to study the coordination of private and public health sectors for chronic disease management in the State of Delaware and sets a date to submit its findings by March 31, 2004.
<u>HR 38</u>	Creates a Task Force to evaluate the issue of prompt payments to Delaware providers , and to examine alternative payment methodologies for physicians and hospitals that treat patients with either a long length of stay in hospitals or a high patient balance until discharge.
<u>HR 39 With HA 2</u>	Establishes a Medicaid Task Force composed of specific persons and with a report due date of January 15, 2004.

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