

145th Delaware General Assembly

January 2009 – June 2010

Healthcare Industry Related Legislation

Delaware Senate Bills:

To view the bill and the current status, click on the bill number.

Bill Number	Description	Status	DHA Position
<u>SS1 for SB 35 with SA 1</u>	Amends Title 18 of the Delaware Code to grant the Delaware Department of Insurance the same ability to review health insurance premium rates that it now has for auto, homeowners, and all other lines property and casualty insurance.	Signed Into Law 07/06/2009	
<u>SB 38</u>	Amend Title 19 of the Delaware Code regarding Workers' Compensation Medical Payment System.	Signed Into Law 07/06/2009	
<u>SB 44 with SA 1</u>	Amends Title 16 of the Delaware Code regarding Delaware's Health Record Privacy Statute to allow protected health information to be released for specific health research purposes while still adhering to the Federal HIPAA Regulations.	Signed Into Law 06/28/10	No Position
<u>SB 47 with SA 1</u>	Amends Title 16 of the Delaware Code relating to the Delaware Health Statistics Center by designating the number of members to be appointed to the Hospital Discharge Technical Advisory Committee and provides specific terms of service. The bill also clarifies the appointments to the Committee are made by the Secretary of the Department of Health and Social Services.	Signed Into Law 06/26/2009	
<u>SB 56 with SA 1</u>	Creates a Heavy Vehicle Weight Law Task Force to analyze the ramifications of restricting the weight of trucks operating in Delaware to the vehicle manufacture's gross vehicle weight rating. The bill also delays implementation of the current law, which is scheduled to go into effect on January 1, 2010, until July 1, 2011.	Signed Into Law 07/30/2009	
<u>SB 59 with SA 3</u>	Updates the Building Code requirements for energy efficiency.	Signed Into Law 07/29/2009	
<u>SB 65 with SA 2</u>	Allows parents of children with severe disabilities with private dental insurance to secure dental care for this disabled child irrespective of in-network restrictions and promotes the availability of in-network practitioners willing and able to treat such children.	Signed Into Law 06/25/2009	

<u>SB 86</u>	Makes testing of pregnant women for HIV included in the standard battery of tests administered for all pregnant women.	Signed Into Law 07/06/2009	
<u>SB 105</u>	Provides an effective date that allows the Acupuncture Advisory Council to be established, promulgate rules, and issue licenses before an acupuncturist is required under law to be licensed two years after the law takes effect.	Signed Into Law 07/06/2009	
<u>SB 106 with SA 2</u>	Creates Energy Efficiency Resource Standards (EERS) and sets goals for consumption and peak demand for electricity and natural gas utilities. The Act also creates an eleven member Workgroup of representatives of affected interests to assist in developing the regulations necessary to administer the program and monitor its success.	Signed Into Law 07/29/2009	
<u>SB 109</u>	Amends Title 16 of the Delaware Code by outlawing Salvinorin A and includes it as a Schedule 1 controlled substance with other hallucinogenic substances.	Signed Into Law 07/06/2009	
<u>SB 110</u>	Amends Title 16 of the Delaware Code by converting the criminal action for failure to comply with mandatory reporting of suspected child abuse into a civil action with financial penalties.	Signed Into Law 07/08/2009	
<u>SB 111</u>	Amends Title 29 of the Delaware Code relating to Notaries Public.	Signed Into Law 07/16/2009	
<u>SB 113</u>	Creates a procedure by which youth exiting the foster care system in Delaware and who are provided services under the John H. Chafee Independence Act and/or the Fostering Connections and Increasing Adoptions Act of 2008, have a legal mechanism for Family Court to review the appropriateness of such services. The bill also specifically limits any findings on the reasonableness of the services offered and coordinated by the Delaware Division of Services for Children, Youth, and Their Families (DSCYF) to the youth, including financial, housing, medical, employment, training, education, and other appropriations made to or by the State of Delaware for this purpose. The bill also allows ongoing representation of the youth by the Office of the Child Advocate or the Court-Appointed Special Advocate program.	Signed Into Law 07/14/10	No Position
<u>SB 115 with HA 1</u>	Amends Title 6 of the Delaware Code relating to the Delaware False Claims and Reporting Act to meet the guidelines set forth by the U.S. Department of Health and Human Services (HHS) Office of the Inspector General (OIG) for Delaware to receive a 10% increase above the State share in all Medicaid	Signed Into Law 07/16/2009	

	fraud recoveries. This Act also streamlines and updates the procedures for investigating and litigating false claims cases by the Department of Justice (DOJ). The Act also provides a posting requirement for employers to post a summary of the Act.		
<u>SB 121</u>	Amends Titles 6, 9, 18, 19, 25, and 29 of the Delaware Code by adding the term "sexual orientation" to the already existing list of prohibited practices of discrimination in housing, employment, public works contracting, public accommodations, and insurance. Also see HB 5 .	Signed Into Law 07/02/2009	
<u>SB 122 with SA 1</u>	Requires all Delaware Psychiatric Center employees providing direct care to patients be subject to criminal background checks and drug testing. The drug testing provides for both pre-employment testing and testing where reasonable suspicion that an individual is impaired by an illegal drug exists.	Signed Into Law 06/15/10	No Position
<u>SB 138 with SA 2</u>	Permits physician's assistants, who are supervised by licensed physicians, and advance practice nurses, who are employed by or who have a collaborative agreement with a licensed physician, in addition to physicians to sign applications and renewal applications for license plates, and temporary and permanent parking permits for persons with disabilities. Also see <u>SB 70</u> .	Signed Into Law 07/06/2009	
<u>SB 156</u>	Amends Title 19, Chapter 33 relating to Unemployment Compensation Extended Benefits Program.	Signed Into Law 06/24/2009	
<u>SB 160</u>	Makes the plumbing code for all three Counties uniform by requiring the adoption and enforcement of the International Plumbing Code.	Signed Into Law 08/21/2009	
<u>SB 164</u>	Amends the Boards of Accounting, Landscaping, Architecture, Architects, Podiatry, Chiropractic, Cosmetology & Barbering and Aestheticians, Dental Examiners, Electrical Examiners, Plumbing/HVACR Examiners, Nursing, Occupational Therapy, Pharmacy, Physical Therapists and Athletic Trainers, Professional Land Surveyors, Dietetics/Nutrition, Real Estate Commission, Real Estate Appraisers, Mental Health and Chemical Dependency Professionals, Funeral Services, Veterinary Medicine, Psychology, Geology, Speech Pathologists, Audiologists, and Hearing Aid Dispensers, Clinical Social Work Examiners, Nursing Home Administrators, Massage and Body Work, and Manufactured Home Installation to waive convictions substantially related to the profession by either a	Signed Into Law 08/18/2009	

	<p>hearing or a review of documentation to determine whether applicants meet the specified criteria for a waiver. Other technical corrections are made to include making definitional sections and waiver language.</p>		
<u>SB 172</u>	<p>Provides an exemption from activities considered within the scope of nursing for assisting HIV/AIDS patients residing in residential group homes with self administration of medication, provided the person has successfully completed a Board-approved medication training program. The bill would enable CNAs to perform this needed function.</p>	<p>Signed Into Law 02/01/10</p>	No Position
<u>SB 174</u>	<p>Amends Title 16 of the Delaware Code relating to Uniform Controlled Substances Act. The Office of Controlled Substances is under the authority of the Department of State and handles regulatory inspections and administrative matters dealing with controlled substances. The Office of Narcotics and Dangerous Drugs is under the authority of the Department of Safety and Homeland Security and enforces the criminal Code relating to controlled substances. This bill clarifies the Code sections under Title 16, Chapter of the Delaware Code by clearly delineating the authority of the Secretary of State and the Secretary of Safety and Homeland Security.</p>	<p>Signed Into Law 07/10/2009</p>	
<u>SB 176</u>	<p>Extends the deadline to October 1, 2010 for the Universal Tamper-Resistant Prescription Pad Committee to establish a Statewide tamper-resistant prescription form with specified criteria to eliminate or significantly reduce prescription fraud.</p>	<p>Signed Into Law 07/13/2009</p>	
<u>SB 178</u>	<p>Amends Title 11 of the Delaware Code relating to abuse of prescription drugs and controlled substances. The bill creates a new offense which makes it a crime to be in possession of a blank prescription form or pad if you are not a practitioner as defined in this section. It also makes it a crime to take exercise control over, produce, or reproduce transfer, use, give, or sell a prescription form or pad of a practitioner with the intent to deprive him or her of it.</p>	<p>Signed Into Law 07/13/2009</p>	
<u>SB 181</u>	<p>Amends Title 16 by removing the sunset provision of the Delaware Health Resources Board - Certificate of Public Review program.</p>	<p>Signed Into Law 07/08/2009</p>	
<u>SB 182</u>	<p>Amends Title 24 relating to Nursing. The bill prohibits the use of the title "Nurse" unless such person is a registered nurse or licensed practical nurse. It also includes limits, titles, and abbreviations for advanced practice nurses.</p>	<p>Signed Into Law 03/31/10</p>	No Position

<u>SB 212 with SA 1, SA 2, & SA 3</u>	Amends Title 9 relating to New Castle County and grants power to include a surcharge on any application for a building permit application to provide funding for volunteer fire companies.	Signed Into Law 05/21/2010	Oppose, Unless Amended to Cap Surcharge
<u>SB 229</u>	Amends Title 11 related to Crimes Against Children . The bill implements one of the recommendations made in the Final Report of the Independent Review of the Earl Brian Bradley Case which was commissioned by the Governor and was issued on May 10, 2010. The Act clarifies who is in a "position of trust, authority or supervision over a child" and may therefore be subject to the enhanced penalties associated with the crimes defining sexual abuse of children. This Act also consolidates those provisions of the present criminal code concerning rape and unlawful sexual conduct that contain "position of trust" enhancement as a single crime known as "sexual abuse of a child by a person in a position of trust, authority or supervision." This Act further applies the "position of trust" category to other acts of sexual abuse that do not currently have any enhancement when perpetrated by a person in a "position of trust," including sexual extortion, sexual harassment, and indecent exposure. Lastly, the Act makes the necessary changes to related sex offender registration and sentencing provisions.	Signed Into Law 06/30/10	No Position
<u>SB 231 with SA 1</u>	Amends Title 16 relating to the Delaware Health Information Network (DHIN) by moving the DHIN from the Delaware Health Care Commission and moving toward a more traditional public/private corporation model of governance. The bill also provides for accountability, transparency, audits, reports to the Governor and General Assembly, and board representation.	Signed Into Law 07/12/10	No Position
<u>SB 232</u>	Ensures that when a professional licensing board revokes or suspends a license at a hearing, the revocation or suspension shall be effective immediately. However, the Bill also requires that a written order must be served within 30 days after the hearing date.	Signed Into Law 07/12/10	No Position
<u>SB 233</u>	Mandates that the Board of Medical Practice shall adopt rules and regulations establishing guidelines for the imposition of discipline against physicians and the members of other professions regulated by the Board . The Bill gives the Board one year from the date of enactment to adopt these rules and regulations.	Signed Into Law 07/12/10	No Position
<u>SB 235 with SA 2</u>	Amends Title 16 by creating the Delaware Prescription Monitoring Act . The program will monitor prescribing and dispensing of Schedule II,	Signed Into Law 07/15/10	Support

	<p>III, IV, and V controlled substances and other drugs of concern by the Office of Controlled Substances of the Division of Professional Regulation. It requires dispensers to submit certain information regarding the dispensing of controlled substances, which will be compiled into a database that can be accessed by physicians and other prescribers to provide them additional information about their patient's history of controlled substance use. The database will also assist law enforcement and regulatory boards in the investigation of unlawful use of controlled substances. The bill also creates criminal penalties for unlawful disclosure of prescription information. The Office of Controlled Substances is required to provide the General Assembly with an annual evaluation of the program.</p>		
<p><u>SB 236</u></p>	<p>Amends Title 24 relating to Qualifications of Psychologists. The bill removes the provision that allows for the registration of Psychological Assistants who hold their Masters degree that is "based on a program of studies that is psychological in content and specifically designed to train and prepare Psychologist, but who is not working toward full licensure as a Psychologist." Pursuant to the bill, a Psychological Assistant must have completed all the course requirements for a doctoral degree in psychology. A grandfather provision is included for existing Registered Psychological Assistants who maintain their registration. The change limits Psychological Assistants to those people who meet the experience requirement under §3508(a)(2) for full licensure as a psychologist.</p>	<p>Enacted Into Law Without The Governor's Signature on 07/17/10</p>	<p>No Position</p>
<p><u>SB 254 with SA 1</u></p>	<p>Amends Title 16 and Title 29 relating to nursing facilities and similar facilities. The bill will create a State Civil Penalty Trust Fund. Currently all sanctions which are imposed as a result of the surveys and complaint investigations of this Division are placed in the Long Term Care Residents Trust Fund (LTCRTF), which is governed by very restrictive Federal regulations. It is not compulsory to put the revenue derived from State sanctions into the LTCRTF, but that has been our practice. By splitting the money and creating a fund which receives civil penalties imposed pursuant to State Statutes and regulations, the Division will be better able to support community based residential efforts while at the same time taking care of long term care needs with the LTCRTF.</p>	<p>Signed Into Law 06/28/10</p>	<p>No Position</p>
<p><u>SB 259 with SA</u></p>	<p>Amends Title 24 relating to Licensing of Genetic Counselors. The bill establishes a new subchapter</p>	<p>Signed Into Law</p>	<p>No Position</p>

<u>1 & SA 2</u>	in Chapter 17 of Title 24. It defines the practice of genetic counseling and specifies the grounds for obtaining the license to practice genetic counseling. It also sets out the grounds for disciplining a licensee and makes the unlicensed practice of genetic counseling a Class G felony.	06/30/10	
<u>SB 260 with HA 1</u>	Amends Title 10 relating to the Delaware Uniform Interstate Depositions and Discovery Act . The bill adopts the Uniform Interstate Depositions and Discovery Act (UDDA), promulgated by the Uniform Law Commission in 2007. The goal of UDDA is to simplify and standardize the current patchwork of procedures across the various states for deposing a witness for purposes of out-of-state litigation.	Signed Into Law 07/12/10	No Position
<u>SB 262</u>	Amends Title 10 and Title 11 relating to Unsworn Foreign Declarations . The bill adopts the Uniform Unsworn Foreign Declarations Act (UUFDA) promulgated by the Uniform Law Commission in 2008. Declarations of persons abroad are routinely received in state and Federal courts and agencies. Many of the declarations are affidavits and other documents sworn to by declarants before authorized officials in United State embassies and consulate offices. Affiants in foreign countries with information relevant to U.S. proceedings or transactions typically visit the U.S. consular office to finalize their affidavit or statement in a manner similar to a person with the U.S. visiting a notary public.	Signed Into Law 07/02/10	No Position
<u>SB 268</u>	Amends Title 24 relating to the adoption and enforcement of a unified heating, ventilation, air conditioning, and refrigeration code , the international mechanical code, and the international fuel gas code.	Signed Into Law 07/15/10	No Position
<u>SB 275 with SA 2</u>	Amends Title 24 relating to Health Care Practices. The bill authorizes and requires the Delaware Board of Medical Practice to require doctors applying for licensure or re-licensure to present service letters from health care facilities though which they have had direct access to patients, or admitting, or staff privileges, attesting to their good character . The letters would contain information, if it exists, about any reasonably substantiated incidents involving violence, threats of violence, abuse, or neglect toward any other person, including any disciplinary action taken as a result of such conduct. Health care organizations or facilities providing the service letters would be immune from civil liability regarding any disclosures of	Signed Into Law 07/30/10	No Position

	information and their consequences and may not be made the subject of any libel or slander action by the person to whom the letter applies.		
<u>SB 286</u>	Amends Title 24 regarding the Board of Nursing by (1) allowing representation on the Board by a nurse educator, (2) eliminates the need of a quorum to issue a written decision previously determined by a quorum of the Board, and (3) creates a waiver provision for the licensure endorsement of licensed practical nurses.	Signed Into Law 07/23/10	No Position
<u>SB 287 with SA 1</u>	Amends Title 19 relating to Workers' Compensation by clarifying that volunteer HAZMAT team members who are operating under the authority of DNREC are no longer employed by private industry continue to be members of the HAZMAT team and as such remain eligible for workers' compensation coverage while assisting DNREC in a volunteer capacity during a HAZMAT incident.	Signed Into Law 07/12/10	No Position
<u>SB 291 with SA 1</u>	Amends Title 16 relating to Nursing and Similar Facilities by requiring the Division of Long Term Care Residents Protection to post online the results of its surveys of nursing facilities and eliminates the obligation of the Division to conduct a follow-up meeting after every survey of a nursing facility and replaces it with an obligation to conduct such meetings upon request by the facility, a resident, or a resident's family member or agent.	Signed Into Law 07/15/10	No Position
<u>SB 296 with SA 1</u>	An Act to Amend the Board of Medical Practice . This bill rewrites the Medical Practice Act and renames the Board of Medical Practice to the Board of Licensure and Discipline.	Signed Into Law 06/30/10	No Position
<u>SB 297 with SA 1</u>	Amends Titles 16 and 24 relating to the reporting of Abuse and Unprofessional Practice . The bill clarifies the mandatory reporting of child abuse or neglect applies to all persons and specifically includes institutions such as hospitals, nursing homes, and the Medical Society.	Signed Into Law 06/30/10	No Position
<u>SB 298</u>	Amends Title 24 relating to the imposition of fines by the Board of Medical Practice .	Signed Into Law 06/30/10	No Position
<u>SB 300</u>	Amends Title 16 relating to Childhood Lead Poisoning Prevention. The bill creates a formal screening process so children at high risk for lead exposure can receive an additional screening test at 24 months of age , while children at lower risk will continue to receive only the currently required screening at 12 months of age.	Signed Into Law 07/15/10	No Position
<u>SB 303</u>	Amends Title 29 relating to the Division of Long	Signed Into	No Position

	Term Care Residents Protection. The Division has the authority to regulate nursing assistant training programs and the bill allows for sanctions for non-compliance with statutes and regulations, and authority to publish the pass rates of the training programs. The bill also provides that individuals flagged on the Delaware Certified Nursing Assistant (CNA) Registry should have their certification suspended or revoked, depending on circumstances.	Law 07/12/10	
<u>SB 306 with SA 1</u>	Amends Title 20, Chapter 31, relating to Emergency Management. Currently, including during the recent snowstorms, when the Governor restricts vehicles from the State's roadways due to unsafe conditions, a criminal sanction is the only available penalty for drivers who are caught by law enforcement on the roads. This legislation would create a three-tiered driving restriction system for future storms or other emergencies: A Level 1 Driving Warning with no penalties, a Level 2 Driving Restriction with motor vehicle violations and a Level 3 Driving Ban for the most severe conditions with the current criminal sanctions under 20 Del. C. § 3125. Additionally, the bill provides that an employer may not terminate, reprimand or in any way discipline an employee for failing or refusing to report to work during a Level 3 Driving Ban. During a Level 2 Driving Restriction, an employer who requires an employee, who has not been pre-designated as essential personnel, to report to work shall be liable for the expenses incurred as a result of any emergency response to remove the employee, a passenger and/or the motor vehicle that becomes inoperable on the State's roadways.	Signed Into Law 07/30/10	No Position
<u>SB 307</u>	Companion bill to Senate Bill 306 which creates a 3-tiered driving restriction system for future storms or other emergencies. A person who violates a Level 2 Driving Restriction or Level 3 Driving Ban pursuant to §3116(b)(12), Title 20 of the Delaware Code shall be guilty of Operation of a Motor Vehicle During an Emergency and will be fined no less than \$25.00 nor more than \$115.00. A person convicted of a subsequent offense shall be fined no less than \$50.00 nor more and \$200.00, or imprisoned for not less than 10 nor more than 30 days, or both.	Signed Into Law 07/27/10	No Position
<u>SB 323</u>	Amends Title 24, Chapter 17 by clarifying the definition of acupuncture . Section 2 of this Bill allows acupuncture detoxification specialists to be licensed to perform the limited auricular point protocol for treatment of alcoholism, nicotine	Signed Into Law 07/27/10	No Position

	dependency, substance abuse, or chemical dependency. Acupuncture detoxification specialists are subject to the jurisdiction of the Board of Medical Practice and the Acupuncture Advisory Council.		
<u>SCR 16</u>	Expresses the sense of the Delaware General Assembly that ensuring the availability of adequate housing is an essential component of an effective strategy for prevention and treatment of HIV and the care of individuals with HIV .	Senate - Passed House - Passed	
<u>SCR 22</u>	Encourages all Delaware hospitals with other healthcare facilities within the State of Delaware to adopt the national color standards for patient alert wristbands if they have not already done so.	Senate - Passed House - Passed	
<u>SCR 32</u>	Recognizes the health concerns related to Bisphenol A , an industrial chemical regularly used in the plastics industry, urges Delawareans to take reasonable steps to reduce exposure to Bisphenol A, and supports efforts to develop alternatives to its use in food and drink packaging.	Senate - Passed House - Passed	No Position
<u>SCR 33</u>	Recognizing May 2010 as Melanoma and Skin Cancer Detection and Prevention Month .	Senate - Passed House - Passed	No Position
<u>SCR 34</u>	Recognizes the week of June 1-7, 201 as National Cardiopulmonary Resuscitation (CPR) and Automated External Defibrillator (AED) Awareness Week in Delaware.	Senate - Passed House - Passed	No Position
<u>SJR 3 with SA 1</u>	The bill designates the entire State of Delaware as a Healthcare Innovation Zone .	Senate - Passed House - Passed Signed by Governor Markell 07/27/10	No Position

Delaware House of Representative Bills:

To view the bill and the current status, click on the bill number.

Bill Number	Description	Status	DHA Position
<u>HB 3 with HA 1</u>	Adds a representative from the Delaware Health Care Facilities Association to the Hospital Infection Advisory Board .	Signed Into Law 03/25/10	Support
<u>HB 36</u>	Clarifies the role of the Community Legal Aid Society, Inc. (CLASI) , designated for the past 30 years as Delaware's protection and advocacy	Signed Into Law 08/24/2009	

	agency pursuant to Federal law, in protecting patients and residents in nursing and similar facilities.		
<u>HB 37 with HA 2</u>	Adds protections to the Mental Health Patient's Bill of Rights Act , including safeguards in administration of restraint and requirement of an enhanced patient grievance system for Delaware Psychiatric Center (DPC) patients.	Signed Into Law 07/15/10	No Position
<u>HB 38</u>	Adds protections to the mental hospitals and residential centers covered by the Mental Health Patient's Bill of Rights Act to report deaths and critical incidents to the State Protection & Advocacy Agency which is authorized by Federal law to investigate such occurrences. Also see <u>HB 34</u> and <u>HB 163</u> .	Signed Into Law 08/24/2009	
<u>HB 39</u>	Statutory anti-retaliation and protective provisions for patients and others applies to licensed long-term care facilities. This bill applies such protections to all patients and employees at the Delaware Psychiatric Center (DPC) .	Signed Into Law 08/24/2009	
<u>HB 41 with HA 1</u>	Establishes a Community Mental Health Treatment Act with rights paralleling those of patients in the substance abuse treatment system complied with Title 16, Chapter 22 of the Delaware Code.	Signed Into Law 07/15/10	No Position
<u>HB 44 with HA 1</u>	Establishes a Delaware Burn Camp to help young people who have suffered severe burns deal with the physical and emotional issues arising from such injuries.	Signed Into Law 04/30/2009	
<u>HB 49</u>	Relating to the resolution of disputes in the Court of Chancery	Signed Into Law 04/02/2009	
<u>HB 85 with HA1 & SA 1</u>	Amends Title 18 of the Delaware Code relating to small employer health insurance to compress rate variations, reduce rating factors, limits annual increases, and decreases dues to changes in health status to 15 percent, and prohibits the sale of stop-loss coverage in the small group market.	Signed Into Law 07/15/10	No Position
<u>HB 112 with HA 1</u>	Amends Title 16, Chapter 10, of the Delaware Code regarding Patient Visits, Power of Attorney, Advanced Health-Care Directives, and similar documents . Also see <u>HB 75</u> .	Signed Into Law 06/18/2009	
<u>HB 118 with HA 1 & SA 1</u>	Provides that if an entity requires a pharmacy to submit a request for payment electronically , then the pharmacy or its designated agent may choose to be reimbursed electronically without a processing fee.	Signed Into Law 07/06/2009	
<u>HB 135 with HA 1</u>	Permits the Board of Dentistry and Dental Hygiene to grant a limited license to a Director or Chairperson of a Hospital Dental or Oral	Signed Into Law 08/26/2009	

<u>& SA 1</u>	and Maxillofacial Surgery Department and its associated residency programs , who would be permitted to train and teach future practitioners in dentistry or oral and maxillofacial surgery.		
<u>HB 139 with HA 1</u>	Extends Delaware's Children's Health Insurance Program (CHIP) to include reduced-cost health insurance coverage for families with personal incomes above 200% of the Federal Poverty Level. Also see SB 18 & HB 22.	Signed Into Law 08/27/2009	
<u>HB 159 with HA 1, HA 1 to HA 1, HA 2, SA 1 & SA 2</u>	Requires the Delaware Department of Health and Social Services to adopt regulations requiring at least one hour of training annually for certified, licensed, or registered healthcare providers , as well as for healthcare providers who are partially or fully funded by the State, who provide services to persons diagnosed as having Alzheimer's disease or other forms of dementia, or with mental illness.	Signed Into Law 04/27/10	Amend - Language is narrow, intent is unknown
<u>HB 165 with HA 1 & SA 1</u>	Permits the Department of Health and Social Services to provide online access to the names and nature of the conduct committed by those persons who are actively listed on the Adult Abuse Registry as a result of substantiated findings of abuse, neglect, or financial exploitation.	Signed Into Law 06/30/2009	
<u>HB 170</u>	Amends Title 19 of the Delaware Code relating to Unemployment Compensation . The changes make Delaware eligible to receive additional Federal Unemployment money under The Assistance for Unemployed Workers and Struggling Families Act.	Signed Into Law 07/01/2009	
<u>HB 184 with HA 1, HA 2, & HA 3</u>	Requires all independent unlicensed clinical social work practitioners in Delaware to obtain a licensed for continued practice of social work. Also see <u>HB 125</u> .	Signed Into Law 02/01/10	Support
<u>HB 199 with HA 2</u>	Requires private health insurers in Delaware to covers the developmental screenings for infants and toddlers that are recommended by the American Academy of Pediatrics and the Delaware Early Childhood Council.	Signed Into Law 08/27/2009	
<u>HB 202</u>	Amends Title 18, Chapter 44, of the Delaware Code with the intent of implementing changes to the Delaware Life and Health Insurance Guaranty Association Act to ensure in a liquidation of a life and/or health insurance company licensed in Delaware that procedures are in place to ensure an organized liquidation of such company with appropriate protections for the policy holders of such company.	Signed Into Law 01/26/10	No Position
<u>HB 211</u>	Increases the tax on cigarettes from \$1.15 to	Signed Into	

	\$1.60 per 20-cigarette pack.	Law 07/01/2009	
<u>HB 237 with HA 1</u>	Requires all newly constructed businesses and other places of public accommodations to be equipped with automatic doors to make the main entrance of such buildings accessible to persons with disabilities.	Signed Into Law 07/09/10	No Position
<u>HS 1 for HB 247 with HA 1, HA 2, & HA 4</u>	Amends Titles 6, 25, and 29 of the Delaware Code relating to Consumer Protection .	Signed Into Law 06/10/10	Support
<u>HB 249</u>	Requires a pharmacy to provide pharmacy records to persons who request their records .	Signed Into Law 02/01/10	No Position
<u>HS 1 for HB 262</u>	Amends Titles 9 and 29 of the Delaware Code relating to Governmental Records Management. The bill increases the current State surcharge on each document or paper recorded or filed with the county recorders from \$6 to \$30. The increases would be effective August 1, 2009.	Signed Into Law 07/01/2009	
<u>HS 1 for HB 263</u>	Amends Title 16, Chapter 66, of the Delaware Code relating to Fire Marshall fees for plan reviews, permits, license, and certificates .	Signed Into Law 07/01/2009	
<u>HB 275</u>	Amends the Family and Medical Leave Act for Colonial School District teachers. Also see <u>HB 157</u> .	Signed Into Law 07/21/2009	
<u>HB 297 with HA 1</u>	Amends Title 8 of the Delaware Code relating to the Delaware General Corporation Law. This bill confirms existing statutes and practices related to the administration of the corporation franchise tax .	Signed Into Law 01/26/10	No Position
<u>HB 299</u>	Amends Title 11 of the Delaware Code relating to specific offences. The bill includes emergency medical technicians, fire police, fire marshals, and paramedics acting in the lawful performance of duty to the group of first responders listed as special victims for assaults in the first degree and assault in the second degree .	Signed Into Law 05/18/10	Support
<u>HB 304 with HA 1</u>	Amends Title 11 relating to specific offenses. The provides that a person who stands in a position of trust, authority, or supervision over a child who is at least 16 years old, but not yet 18 years old and intentionally engages in sexual intercourse or sexual penetration with such child, or an invitee or designee of such person shall have committed the offense of Rape in the 3rd degree , which is a class B felony.	Signed Into Law 05/21/2010	Support

<u>HB 323 with HA 1</u>	Amends Title 12 of the Delaware Code regarding the disposition of a persons last remains . This bill applies to military service members.	Signed Into Law 06/15/10	No Position
<u>HB 326 with HA2 & SA 1</u>	Amends Title 18 relating to healthcare medical negligence insurance and litigation . The bill clarifies that civil actions based on sexual abuse of a patient by a healthcare provider may be filed at any time after the commission of the abuse. The bill also creates a 2-year look back provision in cases of abuse which was unknown and could not reasonably have been discovered by the patient.	Signed Into Law 07/13/10	Support
<u>HB 338 with HA 1</u>	Amends Title 11 by authorizing a sentencing court to modify, defer, reduce, or suspend a minimum or mandatory sentence of one year or less if it finds the person to be sentenced has serious and ongoing medical treatment needs which makes incarceration inappropriate and the person does not pose a substantial risk to the community. The Department of Corrections has authority (11 Del. C. §4217) to request the modification of an inmate's sentence based on medical illness or infirmity. This Act would give Delaware's courts similar authority in imposing sentences, but only where the sentence required is for 1 year or less. Minimum and mandatory sentences for virtually all violent crimes would not be eligible for modification under this Act because the sentences required for such crimes exceed one year.	Signed Into Law 06/22/10	No Position
<u>HB 341</u>	Amends Title 8 relating to the General Corporation Law specifically relating to non-stock corporations.	Signed Into Law 05/03/10	No Position
<u>HS 1 for HB 348 with HA 3</u>	Amends Title 11 by creating a new criminal offense, Crime Against a Vulnerable Adult , which imposes enhanced penalties in more than 50 criminal offenses if the victim is a vulnerable or infirm adult.	Signed Into Law 07/16/10	No Position
<u>HB 351 with SA 1</u>	Amends Title 31 by creating the Delaware Aging and Disability Resource Center within the Division of Aging and Adults with Physical Disabilities of the Department of Health and Social Services, replacing the current Elder Care Information and Support System for Delaware Families. The Center will provide support for the elderly and adults with physical disabilities by combining existing Alzheimer's specific information into the program and supporting future Federal grant applications for Center projects.	Signed Into Law 05/14/10	No Position
<u>HB 368</u>	Amends Title 21 relating to motor vehicles and commercial driver licenses . The bill brings	Signed Into Law 06/28/10	No Position

	Delaware Code into compliance with the Federal Motor Carrier Safety Administration (FMCSA) commercial driver license (CDL) program.		
<u>HB 408</u>	Requires the destruction of any tobacco products forfeited for violations of §5342 of Title 30 , which prohibits the possession of more than 10 packs or packages of untaxed tobacco.	Signed Into Law 07/02/10	No Position
<u>HB 420 with HA 1 & SA 1</u>	Amends Title 18 by prohibiting the practice of post-claims underwriting by health insurers , as defined in Title 18 of the Delaware Code.	Signed Into Law 08/30/10	No Position
<u>HB 433</u>	Amends Title 10 relating to Choice of Law and Choice of Forum. This bill authorizes parties voluntarily to agree to have a member of the Superior Court arbitrate or mediate a business dispute regarding disputes about significant contracts or commercial matters . Specifically excluded are cases involving consumers.	Signed Into Law 07/27/10	No Position
<u>HS 1 for HB 435 with HA 1 & HA 2</u>	Amends Title 24 relating to the Board of Chiropractic by preventing unreasonable deductibles, copayments, or coinsurance charges for chiropractic care. <i>Also see <u>HB 416</u>.</i>	Signed Into Law 07/30/10	No Position
<u>HB 440</u>	Amends Title 16 relating to Informed Consent and Confidentiality. Delaware's Confidentiality of Personal Health Information Statute prevents Delaware Health and Social Services (DHSS) from engaging in activities permitted under Federal HIPAA. This bill carves out four narrow exceptions which would allow DHSS to release protected health information for law enforcement activities, pursuant to court order, for patient care and coordination, and for healthcare business operation, as permitted under HIPAA.	Signed Into Law 07/15/10	No Position
<u>HB 456 with HA 3 & HA 4</u>	Amends Title 24 relating to the treatment of minors by physicians under the Medical Practice Act by requiring a chaperon to be present when child is disrobed, partially disrobed, or otherwise undergoing certain physical examinations.	Signed Into Law 06/30/10	No Position
<u>HB 457</u>	Amends Titles 11, 24, and 29 relating to training on child sexual and physical abuse, exploitation and domestic violence, and the mandatory reporting thereof .	Signed Into Law 06/30/10	No Position
<u>HB 458</u>	Amends Title 24 relating to the Medical Practice Act by changing the physician licensure and renewal requirements .	Signed Into Law 06/30/10	No Position
<u>HB 459 with</u>	Amends Titles 24 and 29 relating to the Medical Practice Act and the Board of Medical Practice .	Signed Into Law 07/01/10	No Position

<u>HA 1</u>			
<u>HB 464 with HA 1</u>	Amends Title 16 Chapters 64, 66, 66B, and 71A by updating obsolete language and procedures and clearly defines the specific powers and duties of the State Fire Prevention Commission, the Office of the State Fire Marshall, and the State Fire School.	Signed Into Law 07/27/10	No Position
<u>HB 481 with HA 1</u>	Amends Title 24 relating to the Board of Dental Examiners. The bill incorporates all of the changes recommended by the Joint Sunset Committee.	Signed Into Law 07/30/10	No Position
<u>HB 485</u>	Amends Title 11 by defining the Division of Professional Regulation as a criminal justice agency for purposes of Chapters 85 and 86. As a result, the Division will be granted greater access to information maintained by the State Bureau of Identification and Delaware Criminal Justice Information System (DELJIS). The Division will also be required to promulgate regulations mandating the Division's reporting of certain information with respect to investigations and complaints that involve alleged criminal conduct into the Criminal Justice Information System (CJIS), an integrated criminal justice information system that supports electronic sharing of criminal justice information among the criminal justice community.	Signed Into Law 06/30/10	No Position
<u>HB 488 with HA 2</u>	Amends Title 16 relating to plumbing permits by clarifying the \$100 fee assessed by the Division of Public Health for plumbing permits applies solely to new construction.	Signed Into Law 07/27/10	No Position
<u>HB 493</u>	Amends Title 21 relating to rules of the road by providing a exemption for a person using a two-way communication device mounted or attached to a motor vehicle during their course of employment with a business or government entity while talking to a central dispatch, base of operation, or with other employees of such business or government entity.	Signed Into Law 07/06/10	
<u>HB 494 with HA 1</u>	Amends Title 21 relating to rules of the road by excluding two-way radio communications devices with a fixed placement in the vehicle from the list of prohibited devices.	Signed Into Law 07/06/10	
<u>HCR 18</u>	Establishes the Delaware National Guard and Military Reservist Health Insurance Support Group continue, as a permanent body, working to promote acceptance of military health insurance by physicians and health care facilities in this State.	House - Passed Senate - Passed	
<u>HCR 36</u>	Expresses the General Assembly's support of the Employer Support of the Guard and Reserve	House - Passed	No Position

	(ESGR) Statement of Support Program, encourages all Delaware employers to execute an ESGR Statement of Support, and requests the Department of Labor place a link on its webpage to the online statement of support form.	Senate - Passed	
<u>HCR 38</u>	Designates Saturday, May 1, 2010, as Brain Tumor Awareness Day in the State of Delaware.	House - Passed Senate - Passed	No Position
<u>HCR 40</u>	Designating the month of May 2010 as Older Americans Month.	House - Passed Senate - Passed	No Position
<u>HCR 47</u>	Recognizing May 2010 as Huntington's Disease Awareness Month in Delaware.	House - Passed Senate - Passed	No Position
<u>HCR 53</u>	Recognizes June 15, 2010 as Delaware Elder Abuse Awareness Day.	House - Passed Senate - Passed	No Position
<u>HR 45</u>	Recognizing May 12, 2010 as Fibromyalgia Awareness Day in Delaware.	House - Passed	Support