



**152nd DELAWARE GENERAL ASSEMBLY
January 2024**

Bill Title	Bill Number	Description	Sponsor	Status	MSD position
MSD PRIORITIES					
Prior authorization	SB 10	Comprehensive legislation to reform prior authorization in DE. MSD drafted with the Health Care Association.	Senator Townsend	Awaiting Consideration in Committee	Support
Primary Care Reform	SB 120	The Primary Care Reform Subcommittee has made suggested enhancements for this bill which were approved by the GAC and MSD Executive Board. MSD will continue to have conversations with the bill sponsor about ways to improve the bill and ensure the implementation of the regulations meet the spirit of the law.	Senator Townsend	Signed.	Meeting with bill sponsor to discuss successful of execution of bill and regulations
Educational Transparency/ Title Misappropriation	Draft	Draft legislation to strengthen Delaware law on educational transparency in medical settings so that patients understand the credentials of the practitioner they are seeing.	Representative Minor-Brown		Support. Collaborating with supporters and other health care professionals.
Physician Workforce		MSD is building a repository of Physician Workforce resources in the state. We continue to look at this issue as not only a stand-alone critical issue, but how individual legislation impacts workforce in Delaware.			
HOUSE LEGISLATION – NEW BUSINESS					
Annual Behavioral Well Check	HB 268	The act amends Title 31 of the Delaware Code, allowing DMMA	Representative Longhurst	Reported Out of	Monitor

		to develop and implement new billing codes for a behavioral well check. HB 303 in the 151 st created the annual behavioral well check and required insurers to provider coverage.		Health Committee / Passed by House	
DE Constitution Relating to General Assembly	HB 269	This bill proposes the creation of a “Crossover Day” deadline for each House to send legislation to the other House. There are some exclusions, such as annual budget appropriation act.	Representative Yearick	Introduced and Assigned	
Health Coverage for Speech Therapy	HB 273/ HA 1 to HB 273	This act would add to additional diagnosis for coverage for speech therapy – phonological disorder and receptive language disorder. HA 1 was placed with the bill changing the diagnoses to “ expressive language disorder and mixed receptive-expressive language disorder”	Representative Dorsey Walker	Reported out of Economic Dev/ Banking Committee	Supports
Definition of Sexual Orientation	HB 275	This act would update the definition of “sexual orientation” through the Delaware Code, including Title 18. In other states, this has laid groundwork for larger things to come	Representative Morrison		Monitor
Coverage of Mammograms	HS 1 for HB 253	Requires health insurance companies, including State employee’ retiree plans and Medicaid, to cover annual mammograms for women 40 years and older. Mammogram facilities may not require the name of the health care provider in the order.	Representative Williams	Introduced and Assigned to Committee	MSD/ GAC wrote a letter expressing concerns with liability and follow-up of results.
Code Relating to Medical Marijuana	HB 285	This act would make several changes to the DE Medical Marijuana Code, introducing more vague language for conditions that would be appropriate for use of medical marijuana. Although specific conditions are still identified, it removes the term “debilitating” and allows health care clinicians to determine appropriate uses. It also allows patients over 65 to self-certify that they would	Representative Osienski	Reported out of Health Committee / Passed by House	MSD/GAC wrote a letter regarding concerns with the bill including use in glaucoma and self-certification

		medically quality for use of marijuana.			
DHCC Provider Load Repayment Program	HB 294	This bill adds optometrists to those health care clinicians eligible for the Student Loan Repayment Program.	Representative Hilovsky		
Administrative Fees	In conversations	This proposed possible legislation would require medical practices to regularly post and share what administrative fees patients are responsible for and the costs.	Representative Morrison		Opposed, pending conversations and draft review
HOUSE LEGISLATION – OLD BUSINESS					
Reimbursement of School Based Behavioral Health Services	HB 5	State Medicaid Plan limits Medicaid covered - school based behavioral health services provided under an Individuated Educational program (IEP). This bill would direct funds from DHSS to apply to CMS to allow for reimbursement of medically necessary behavioral health services. The fiscal note is pending.	Representative Longhurst	Not heard this session	Monitor
Pediatric Inpatient Behavioral Health Enhancement	HB 7	Requires Delaware Medicaid to enhance the acute care per diem rate for psychiatric facilities for hard to place pediatric behavioral health inpatients. The enhancement would be based on admission criteria and would be limited to 14 days. The fiscal note is pending.	Representative Longhurst	Not heard this session	Monitor
Medical Conditions Related to Driver's Licenses	HB 108	Allows for all licensed independent practitioners that are treating a driver to report findings and sign Division paperwork. Makes other technical and logistical changes to regarding reporting and compliance.	Representative Matthews	Updates to the bill are being drafted via collaboration with DHSS, DMV, and MSD	MSD supports removal mandated reporting and other CNS specific language
Income Tax Credit for Nurse Preceptors	HB 136	The nursing shortage in DE remains unsustainable. Due to a lack of nursing school faculty, this bill provides a nonrefundable tax credit of up to \$1,000 and up to \$5,000 for individual qualifying preceptors	Representative Minor-Brown	Out of Revenue & Finance; Assigned to Appropriates Committee	Support, with physicians added to bill or separate bill

		and clinical preceptors. The act would be effective for tax years beginning on or after January 1, 2024.			
End of Life Options	HB 140	This act permits terminally ill adult individuals to request and self-administer medication to end the individual's life in a humane and dignified manner. The individual's attending or consulting physician or APRN agrees on the individual's diagnosis and prognosis and believes the individual has capacity to make decisions as well as is acting voluntarily. The Act itemizes safeguards.	Representative Baumbach	Out of Committee 5/16/23	Engaged Neutrality
Medical Coverage for all DE Children	HB 150	This bill would provide healthcare coverage to undocumented children. The Act directs the Department of health and Social Services to develop and operate a limited medical assistance program for children who are not covered, including the undocumented. It would not include in-patient care at a hospital or other healthcare facility. Large fiscal note attached, which is cause for some concern.	Representative Griffith	Reported out of Health Committee ; Assigned to Appropriations	Will take a position if asked.
Hospital Visitation Policy	HS 1 for HB 242	The bill strives to balance between allowing visitors and ensuring safety of hospital staff during public health emergencies, pandemics, and disease outbreaks. It allows hospitals to provide guidance on hospital visitation including number of visitors, health screenings, and PPE requirements. HS 1 provides clarity on liability and risk and notes that a hospital may not provide a doula providing pregnancy or post-partum services.	Representative Dukes	Passed by House;	No Position
SENATE – NEW BUSINESS					
Code Relating to Pharmacy (PrEP and PEP)	SB 194	This bill will increase the Scope of Pharmacists to allow them to	Senator McBride	Reported Out of Committee	MSD opposed to PrEP; Supports PEP

		initiate, dispense, and administer HIV PrEP and PEP. PrEP is a medically complex process and MSD/ GAC provided by verbal and written testimony against this portion of the bill for several reasons. The bill sponsor noted she willing to meet with stakeholders about the bill. Additionally, The Medical Director of DPH agreed with some of MSD's concerns, although was overall supportive of the bill.			
Delaware Medical Orders for Scope of Treatment Act (DMOST)	SB 195	This act will improve the utilization of DMOST forms by creating a DMOST Program at DHSS. It expands the DHSS's responsibilities to include ongoing training and education, maintaining a website, working with the DHIN to maintain and electronic registry, coordination with the POLST Collaborative, and creating a DMOST Steering Committee	Senator Pinkney	Reported Out of Health Committee ; Assigned to Finance	Supports. MSD wrote a letter of support.
24/7 Emergent Physician Care Centers	SB 196	Establishes a voluntary certification program for 24/7 Emergent Physician Care Centers. The goal is to help patients chose the right level of walk in; medical care based on the level of certification.	Senator Poore	Introduced and Assigned to Committee	Monitor
Code Related to Large Health Care Facilities	SB 199	This bill updates the definition of a large health care facility	Senator Mantzavinos	Reported Out of Committee / Passed by Senate	No Position
Uniform Controlled Substances Act and Drug Testing Strips	SB 207	This act eliminates the sunset provision related to xylazine		Reported out of Committee / Passed by Senate	
Medical Negligence Insurance & Litigation	SB 208	Repeals provisions of Title 18, Chapter 68 that are expired or that are no longer used as a matter of practice in medical negligence litigation.	Senator Mantzavinos	Introduced and Assigned to Committee / Passed by Senate	

Code Related to Health Equity	SB 212	This act codifies the Bureau of Health Equity in DPH, including the Office of Minority Health and the Office of Women’s Health, ensuring that critical work to reduce health disparities continues.	Senator Brown	Introduced 1/25	
SENATE – OLD BUSINESS					
Authorized Information Sharing for Children	SB 122	Authorizes the Office of the Child Advocate and Office of the Investigation Coordinator to provide child victim data and information to the Office of Investigative Services during investigations of defendants convicted of felony child abuse.	Senator Gay	Passed by Senate and House	No Position
Prompt Payment on Clean Claims by Insurance Companies	SB 143	The act makes several changes to enhance the health insurance claims payment process.	Senator Mantzavinos	Awaiting consideration in Committee	GAC Supports, Pending in Executive Board
Long Term Care Facility Bills	SB 150 SB 151 SB 152	Last session, there was a bill that called for dementia education and the creation of a task force. The task force drafted 18 recommendations and these bills stem from these recommendations.	Senator Mantzavinos	SB 150 – Not heard this session. SB 151 Out of Committee 6/7/23 SB 152 Awaiting Governor’s Signature	No Position
CONCURRENT RESOLUTIONS					
Maternal Awareness Day	HCR 79	Designated January 23, 2024 as “Maternal Health Awareness Day”	Representative Minor-Brown	Passed by House and Senate	
Turner Syndrome Awareness Month	SCR 109	This bill designates the month of February 2024 as “Turner Syndrome Awareness Month” in Delaware	Senator Hoffner	Passed by House and Senate	