

146th Delaware General Assembly
January 2011 to June 2012
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>SB 13 with SA 4</u>	Continues, without sunseting, the needle exchange program . SA1 makes the bill only applicable within the City of Wilmington .	Signed Into Law 07/05/2011	Support
<u>SB 17 with SA 3, SA 4, HA 6, & HA 7</u>	Creates the Delaware Medical Marijuana Act .	Signed Into Law 05/13/2011	
<u>SB 22 with SA 1 & SA 3</u>	Provides for insurance coverage for the diagnosis and treatment of autism spectrum disorders .	Signed Into Law 08/13/2012	No Position
<u>SB 24 with SA 2</u>	Reforms the Office of the Public Guardian by requiring the Public Guardian to be an attorney, changes the appointing authority from the Chancellor to the Governor, expands the mission of the Office of the Public Guardian from a protective agency to an advocacy and protective agency, and establishes the Delaware Guardianship Commission as an advisory group to the office of Public Guardian to assist in creating appropriate policies and priorities for State Guardianship.	Signed Into Law 06/08/2011	Support with Amendment Adding Appointee to Advisory Group from Delaware Healthcare Association
<u>SB 30</u>	Creates the recognized legal relationship of civil unions in Delaware for eligible persons. Parties entered into a civil union lawfully in Delaware will have all the same rights, benefits, protections, and responsibilities as married persons under Delaware law.	Signed Into Law 05/11/2011	
<u>SB 31 with SA 1</u>	Provides that no person who has been convicted of a felony sexual offense can receive a license to practice dentistry or dental hygiene ; requires the permanent revocation of the license of any person convicted of a felony sexual offense; makes it grounds for discipline if a licensee fails to report child abuse or neglect as required of persons licensed in the healing arts by Title 16, § 903; requires a licensee to report to the Board any other licensee or healthcare provider who the licensee reasonably believes to be guilty of unprofessional conduct or physically or	Signed Into Law 07/25/2011	

	mentally incapable of practicing their profession; failure to so report can be grounds for discipline, and any person making a report in good faith is not subject to civil or criminal liability for reporting.		
<u>SB 32 with SA 2</u>	Amends Title 24 relating to Licensure of Psychologists by requiring permanent revocation of the license of any person convicted of a felony sexual offense; and makes it grounds for discipline if a licensee fails to report child abuse or neglect as required of persons licensed in the healing arts by Title 16, § 903.	Signed Into Law 07/25/2011	
<u>SB 33 with SA 1</u>	Makes it grounds for disciplinary action if a Physician Assistant fails to report to the Board any doctor, physician assistant, or healthcare provider who is reasonably believed to be guilty of unprofessional conduct or physically or mentally incapable of practicing medicine, although no one who makes a good faith report shall be civilly or criminally liable for reporting; makes a licensee subject to discipline for failing to report child abuse or neglect as required by Title 16, § 903, and provides for revocation of the license of any physician assistant who is convicted of a felony sexual offense.	Signed Into Law 07/25/2011	
<u>SB 35</u>	Extends state employee benefits to eligible child dependents who graduate from college in May 2011 under the terms of the Patient Protection and Affordable Care Act of 2010. The State of Delaware will provide dependent coverage for eligible adults until the age of 26 beginning on July 1, 2011.	Signed Into Law 05/04/2011	
<u>SS 1 for SB 56 with HA 1</u>	Requires insurers administrating CHIP buy-in programs in other states to cause similar buy-in programs to be offered in Delaware if they should engage in specified transactions or affiliations with Delaware health service corporations.	Signed Into Law 06/27/2011	
<u>SB 59</u>	Modifies provisions which allow the Boards of Accountancy, Landscape Architecture, Architects, Podiatry, Chiropractic, Cosmetology & Barbering and Aestheticians, Dentistry and Dental Hygiene, Electrical Examiners, Medical Licensure and Discipline and Advisory Councils for Respiratory Care, Genetic Counselors and Acupuncture, Plumbing/HVACR Examiners, Nursing, Occupations Therapy, Examiners of Optometry, 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 Bodywork, and Manufactured Home Installation to grant a waiver of convictions determined to be substantially related to each respective practice. The bill also changes the waiting period from 5 years after the discharge of all sentences to 5 years from the date of conviction for a felony provided the applicant is not incarcerated,	Signed Into Law 06/08/2011	

	on work release, on probation, or parole, or serving any part of a suspended sentence. The applicant must also be in substantial compliance with all fines, restitution, and community service. The bill removes the 5 year limitation for misdemeanor in its entirety provided the applicant is not incarcerated, on work release, on probation, on parole, or serving any part of a suspended sentence. The applicant must also be in compliance with all fine, restitution, and community service. The bill also makes some changes regarding background checks to the Board of Dentistry and Dental Hygiene statue , and the Board of Adult Entertainment statute.		
<u>SB 64 with SA 2 & HA 1</u>	Amends Title 7 of the Delaware Code relating to Floodplain and drainage standards, wetlands, and subaqueous lands.	Signed Into Law 08/17/2011	
<u>SB 69</u>	Amends Title 14 to allow the use of academic excellence units for funding for licensed athletic trainers in schools that are members of the Delaware Interscholastic Athletic Association.	Signed Into Law 06/22/2011	
<u>SB 70 with SA 1</u>	Prohibits the chemical bisphenol-A in certain children's products such as bottles, cups, and other containers used for food or beverages.	Signed Into Law 06/30/2011	
<u>SB 77</u>	Amends Title 8 of the Delaware Code relating to the General Corporation Law.	Signed Into Law 07/07/2011	
<u>SB 92 with HA 1</u>	Revises the Department of Natural Resources and Environmental Control (DNREC)'s chronic violator program.	Signed Into Law 08/16/2011	
<u>SB 98 with SA 1</u>	Amends Title 18 relating to insurance coverage for immunizations and preventive services. The bill brings Delaware into alignment with the Patient Protection and Affordable Care Act (PPACA) and its recommended vaccinations, health screenings, and children's wellness visits for all insurance plan years beginning on or after September 30, 2010.	Signed Into Law 09/23/2011	
<u>SB 102</u>	Amends Title 16 relating to the Long Term Care Ombudsman. The bill keeps the Long Term Care Ombudsman program in the Delaware Department of Health and Social Services, but allows it to be located outside the Division of Aging and Adults with Physical Disabilities. This change is required by the Federal Administration on Aging to keep the Ombudsman program in a separate Division from the long term care facilities.	Signed Into Law 07/13/2011	
<u>SB 103</u>	Changes the name of DNREC's Division of Waste Management to Division of Waste and Hazardous Substances, and enumerates the programs organized under the newly named Division. It re-designates the Division of Boiler Safety as a Program within the newly named Division, eliminates the position of Director of Boiler Safety, and moves the Boiler Safety enabling legislation	Signed Into Law 07/13/2011	

	from Title 29 Chapter 80 to Title 7 Chapter 74B. This legislation also authorizes the fees from DNREC's Aboveground Storage Tank Program to partially fund administration costs of DNREC's Underground Storage Tank Program and the Boiler Safety Program.		
SB 108	Prohibits Delaware medical providers from opening a facility across state lines to perform procedures on patients that could be performed in state to collect higher fees. The bill allows an injured worker to receive specialized treatment outside the state . The bill also provides for medical providers (physician) report to serve as the triggering event for the completion of the employer's report of modified-duty availability .	Signed Into Law 08/17/2011	
SB 111 with SA 1	Requires the Delaware Interscholastic Athletic Association (DIAA) to adopt regulations regarding the appropriate recognition and management of student athletes exhibiting signs and symptoms consistent with a concussion during practices, scrimmages, and interscholastic contests . The bill also requires the signing of an information sheet by students and their parents or guardians. The bill is limited to member schools of the DIAA.	Signed Into Law 08/30/2011	
SB 130	Bond and Capital Improvements Act for Fiscal Year Ending June 30, 2012.	Signed Into Law 07/01/2011	
SB 134 with SA 1	Amends the insurance code to allow patients to assign their right to receive benefits under their health insurance policies to physicians and other health care providers for payment of health care services . The bill incorporates the provisions of Section 7.6 of the Insurance Department Regulation 1301 into the insurance code.	Signed Into Law 07/13/2011	
SB 137 with SA 1	Creates a moratorium on health insurance providers that charge higher cost sharing for different classification of prescription drugs .	Signed Into Law 09/14/2011	
SB 146 with SA 1	Amends Titles 18 and 29 relating to Not-For-Profit Health Care Conversions .	Signed Into Law 07/12/2011	
SB 153 with SA 1	Amends Title 18 relating to independent health care appeals programs by conforming Delaware law to new Federal law prescribing external review of adverse decisions by health carriers.	Signed Into Law 04/19/2012	
SB 155	Amends Titles 11, 16, 18, and 29 relating to the Office of Narcotics and Dangerous Drugs and the Delaware State Police Drug Diversion Unit. The bill makes it clear the office of Narcotics and Dangerous Drugs , formally a part of the Department of Health and Social Services, is now a unit within the Division of State Police existing command structure and the agents transferred to the Department of Safety and Homeland Security from the Department of Health and Social Services are	Signed Into Law 07/27/2011	

	non-merit employees and did not retain their former merit status after transfer.		
<u>SB 160</u>	Amend Title 16 of the Delaware Code Relating to The Uniform Controlled Substances Act . The bill clarifies the definition of Designer Drugs and covers those synthetic analogues of controlled substances that are made and distributed for drug use, but due to their novelty have not yet been added to the schedule of controlled substances. This amendment to Delaware's drug code will ensure there are no gaps in the law's coverage of these dangerous substances as they surface. The bill also bans the possession, use, sale, or delivery of synthetic cathinones, more commonly known as bath salts, by categorizing synthetic cathinones as a Schedule I Controlled Substance under Delaware Title 16, §4714(f). This Act also removes synthetic cannabinoids from the definition section of the Uniform Controlled Substances Act and categories the chemical compounds within the Schedule I Controlled Substances under Delaware Title 16, §4714(f). Finally, this Act creates Tier Quantities for Schedule I Controlled Substances in Delaware Title 16, §4751C.	Signed Into Law 01/25/2012	Support
<u>SB 162</u>	Amends Title 16 of the Delaware code relating to Sexually Transmitted Diseases, Informed Consent, and Confidentiality . The bill implements the September 2006 Centers for Disease Control and Prevention (CDC) recommendations for increased HIV testing. Healthcare providers in clinical settings may adopt an HIV opt-out policy in which the patient will have the opportunity to choose to be tested for HIV as part of the patient's routine medical care. As the current Chapter 12, Subchapter 1, deals with issues beyond informed consent and confidentiality and as HIV is a sexually transmitted disease, the updated Subchapter on HIV testing and counseling is better placed as a Subchapter of Chapter 7.	Signed Into Law 06/27/2012	Support
<u>SB 174 with SA 1 & HA 2</u>	Amends Title 10, Chapter 43 regarding evidence and witnesses. The bill creates a confidentiality privilege between the first responder and a Critical Incident Stress Management team or team member to encourage first responders to seek stress management services in order to alleviate the high levels of stress they may experience as a result of their exposure to a critical incident so they may continue to function effectively during emergency situations.	Signed Into Law 05/10/2012	
<u>SB 185 with SA 1</u>	Requires lobbyists to disclose the bill, resolution, or regulation on which they are lobbying by making an electronic filing with the Public Integrity Commission within five business days of contact with a relevant public official. For budget appropriations bills, bond, and capital improvements bills, the Act requires identification of the subject in the bill being lobbied. The reports are to be made available on the internet in a manner in which they can be easily reviewed by bill, resolution, regulation, lobbyist, or employer, and that regular updates be distributed to	Signed Into Law 08/15/2012	

	members of the General Assembly. The Act also requires lobbyists to file registration forms and financial disclosure forms electronically and requires the reporting to be within five business days.		
<u>SB 190 with SA 1 & SA 2</u>	Amends Title 11 relating to the Healthy Pregnancies for Incarcerated Women Act . The bill ensures that a correctional institution does not use restraints on a pregnant prisoner except under very limited circumstances. It also requires correctional facilities to adopt rules to comply with the Act.	Signed Into Law 07/12/2012	
<u>SB 194 with SA 2</u>	Establishes education, experience, examination, and licensure for Polysomnographic Professionals (sleep medicine).	Signed Into Law 09/12/2012	
<u>SB 197</u>	Amends Title 16, Chapter 74, by defining the regulatory responsibility of Federal and state government with respect to radioactive material licensing and enforcement , revises texts for brevity, and makes other technical corrections.	Signed Into Law 07/18/2012	
<u>SB 200</u>	Amends the Fatal Incident Review Team by reducing the core members from eight to seven. The Team investigates deaths and near deaths that occur as a result of domestic violence.	Signed Into Law 07/05/2012	
<u>SB 206 with SA 2 & HA 1</u>	Requires school districts and charter schools to establish a policy on responding to Teen Dating Violence and Sexual Assault , including guidelines on mandatory reporting and confidentiality, a protocol for responding to incidents to teen dating violence and sexual assault, and training on the issue. School districts and charter schools shall add comprehensive healthy relationships programming as part of the student health classes.	Signed Into Law 07/20/2012	
<u>SB 210 with SA 1 & SA 2</u>	Amends Title 16, Chapters 97 and 98 to be consistent with changes to the Emergency Medical Services (EMS) practitioner titles based on changes to the U.S. Department of Transportation, National Emergency Medical Services Education Standards and National Standards Curricula, and the National Registry of EMT's (NREMT), the national certifying agency for EMS providers.	Signed Into Law 07/05/2012	
<u>SB 216 with SA 1</u>	Amends Title 16 and Title 29 by establishing an electronic web-based background check center for employment in long term care, Delaware Psychiatric Center, and community setting.	Signed Into Law 07/05/2012	
<u>SB 218</u>	Amends Chapter 38, Title 12 of the Delaware Code relating to the Creation, Regulation, Operation, and Dissolution of Domestic Statutory Trusts.	Signed Into Law 06/28/2012	
<u>SB 227</u>	Amends Title 30, Chapter 65 of the Delaware code to impose a Quality Assessment Fee on Nursing Facilities and by creating a new Chapter 105 in Title 16 establishing the Nursing Facility Quality Assessment Fund.	Signed Into Law 06/28/2012	
<u>SB 233</u>	The Omnibus School Safety Act amends Titles 11 and 29 relating to Comprehensive School Safety Plans. Under this bill,	Signed Into Law	

	the Department of Safety and Homeland Security will work with schools, districts, and first responders to develop a comprehensive school safety plan (CSSP) for each public school and district. Each CSSP will be (1) coordinated with law enforcement agencies, fire departments, and other first responders; (2) compliant with the National Incident Management System (NIMS), a framework for governments and agencies to work together to prepare for, or respond to, and recover from critical incidents; and (3) specific to the particular needs and requirements of each school and district.	09/10/2012	
<u>SB 234 with SA 2</u>	Establishes the Office of Child Abuse . These new statutes combine current statutes and redefine physical injury and serious physical injury to reflect the medical realities of pain and impairment suffered by children. A new section provides special protection to infants, toddlers, and children who have disabilities. The statute also expands the state of mind necessary for certain offenses against children by allowing for more effective prosecution of parents who subject their children to abuse by others and fail to protect their children. The bill also re-numbers the definitional section making clear that the definitions apply to all crimes in the subchapter.	Signed Into Law 09/12/2012	
<u>SB 238</u>	Amends Title 19 relating to Worker's Compensation and the Health Care Payment System by facilitating hospital and ambulatory surgery center compliance with the medical treatment expense cost savings measures required by the Worker's Compensation Healthcare Payment System.	Signed Into Law 08/07/2012	
<u>SB 240</u>	Extends the line-of-duty death benefits to the Delaware State Police Sex Offender Apprehension and Registration (SOAR) Agents.	Signed Into Law 07/27/2012	
<u>SB 247</u>	Amends Title 12, Chapter 49A of the Delaware Code relating to Durable Personal Powers of Attorney . The bill makes several changes including Section 5 relating to individuals having more than one caregiver.	Signed Into Law 07/27/2012	
<u>SB 258 with SA 1</u>	Amends Title 12 relating to Voluntary Disclosure of Abandoned or Unclaimed Property .	Signed Into Law 07/11/2012	
<u>SB 265</u>	Grant-In-Aid Bill.	Signed Into Law 07/01/2012	
<u>SCR 10</u>	Recognizes May 2011 as American Stroke Month in the State of Delaware.	Senate - Passed House - Passed	
<u>SCR 14</u>	Continuing the raise awareness that the month of May is Melanoma and Skin Cancer Detection and Prevention Month in Delaware.	Senate - Passed House - Passed	

SCR 15	Recognizes June 16, 2011 as National Network of Career Nursing Assistants' Day and recognizes the vital role that Certified Nursing Assistants play in providing health care services.	Senate - Passed	
SCR 28	Establishing February 2012 as Teen Dating Violence Prevention and Awareness Month in the State of Delaware.	Senate - Passed House - Passed	
SCR 34 with HA 1	Creates a State Transition Task Force for Emerging Adults with Disabilities and Special Health Care Needs within the Governor's Advisory Council for Exceptional Citizens with research support from the University of Delaware Center for Disabilities Studies and the Catalyst Center. The Task Force shall study the transitional needs of children and youth with disabilities and special health needs of strategies to ensure successful transition from children and adolescent services into adult services. The Task Force shall present a final report of its findings and recommendations to the Governor and the General Assembly within one year of the passage of this resolution. HA 1, which adds the Executive Director of the Governor's Advisory Council for Exceptional Citizens to the State Transitions Task Force for Emerging Adults with Disabilities and Special Health Care Needs as a Co-Chairperson, it also adds the Insurance Commissioner or a designee thereof to the Task Force, creates an education and housing/transportation subcommittee working group, and makes some technical corrections, was introduced and placed with the bill.	Senate - Passed House - Passed	
SCR 38	The Resolution continues to raise awareness that the Month of May is Melanoma and Skin Cancer Detection and Prevention Month in Delaware.	Senate - Passed House - Passed	
SCR 41	Recognizing the fight of Baby Avery Canahati and the growing need to raise awareness about Spinal Muscular Atrophy in Delaware.	Senate - Passed House - Passed	
SCR 46	Establishes the Workplace Bullying Task Force to examine the issues of workplace bullying.	Senate - Executive Committee	
SCR 47	Establishes a Task Force to Examine the Issue of Workplace Bullying.	Senate - Passed House - Awaiting Committee Assignment	
SJR 5	Directs an Independent Council established by the Governor to prioritize the projects and services provided by the State to use in developing a five year plan to restructure and	Senate - Finance Committee	

	reorganize State Government. The Council is further directed to provide these recommendations to the General Assembly and the Governor by the first day of the General Assembly session in 2012.		
SR 19	Requesting a working group of interested parties be formed to assess the risk of tornados and other natural disasters in the State of Delaware with the best adaptive strategies and return to the General Assembly with a report and recommendations by the end of January 2012.	Senate - Stricken	
SR 20	Commends the Delaware Department of Safety and Homeland Security and the Delaware Emergency Management Agency for their work in protecting the people and property of Delaware during a man-made or natural disaster and further encouraging them to continue in their efforts to educate the public on how to better prepare themselves to respond to man-made or natural disasters.	Senate - Passed	
SR 22	Designates June 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.	Senate - Passed	

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Delaware House of Representatives Bills:

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Bill Number	Description	Status	DHA Position
HB 3 with HA 1	Prohibits public schools, including charter schools, and school districts from making available or serving food with more than 0.5 grams of artificial trans fatty acids to students in grades K through 12.	Signed Into Law 06/22/2011	No Position
HB 28	Enables small employer health insurance carriers to make stop-loss insurance coverage available to small employers with more than 15 employers. The issuance of stop-loss coverage to small employers, defined as having no more than 50 employees, will be prohibited as of July 1, 2011. This bill will limit that prohibition to employers with 15 or fewer employees.	Signed Into Law 05/17/2011	Support
HB 30	Adds synthetic cannabinoids to Schedule I Controlled Substances.	Signed Into Law 06/28/2011	No Position
HB 45 with HA 1	Amends Title 24 relating to Nursing . The bill prohibits a person who has been convicted of a felony sexual offense from receiving a license to practice registered nursing or practical nursing. The bill also provides for permanent revocation of the license of any nurse convicted of a felony sexual offense. In addition, the bill makes it a	Signed Into Law 05/31/2011	

	ground for discipline if a licensee fails to report child abuse or neglect as required of every person by Title 16, Subsection 903, or if a licensee fails to report to the Board any physician, nurse, or other healthcare professional who is reasonably believed to be guilty of unprofessional conduct or physical or mentally incapable of practicing their profession. And finally, the bill provides that any licensee who makes a good faith report against a physician, nurse, or other healthcare professional is not subject to civil or criminal liability for reporting.		
<u>HB 47 with HA 1, HA 1 to HA 1, HA 2 to HA 1 & SA 1</u>	Provides the Department of Health and Social Services (DHSS) with the explicit authority to investigate and inspect unsanitary or unsafe conditions in certain facilities where invasive medical procedures are performed . It also gives DHSS the authority to adopt regulations to strengthen oversight of facilities. In addition, it provides the Department of State, Division of Professional Regulation may investigate and inspect unsanitary and unsafe conditions maintained by individuals licensed by the Board of Medical Licensure and Discipline. Finally, the bill provides that maintenance of an unsanitary or unsafe condition is unprofessional conduct for purposes of the Board of Medical Licensure and Discipline. HA1 to HB 47 – (1) eliminates the 60-day filing requirement from the definition of complaint; (2) adds the term “major conduction anesthesia” to the definition of “invasive medical procedure”; (3) provides that maintaining a facility in an unsanitary or unsafe condition is grounds for discipline for purposes of the State Board of Dentistry and Dental Hygiene and the Board of Podiatry; (4) provides that the Division of Professional Regulations may investigate and inspect unsanitary and unsafe conditions maintained by individuals licensed by the State Board of Dentistry and Dental Hygiene and the Board of Podiatry; (5) eliminates chiropractic and similar procedures from the definition of “invasive medical procedure”; and (6) makes technical corrections. (See <u>SB 45</u> and <u>SB 51</u>)	Signed Into Law 05/04/2011	Support
<u>HB 48 with HA 1, HA 2, & SA 1</u>	Amends Titles 11, 16, and 29 of the Delaware Code. The bill authorizes state agencies to provide information on mentally ill individuals to the National Instant Criminal Background Check System (NICS) database . The database collects information on individuals prohibited from possessing firearms, including mentally ill individuals. The bill also creates a Federally mandated “relief from disabilities” program, which allows individuals adjudicated as mentally ill to once again become eligible for gun ownership by showing they are not likely to act in a manner dangerous to public safety.	Signed Into Law 07/13/2011	
<u>HB 63</u>	Amends Title 16 relating to sexual abuse of patients in facilities . The bill provides important safeguards for vulnerable patients and residents who are treated in, or reside in healthcare, residential, or treatment facilities, against sexual predators who exploit their infirmity or disability. Under this bill it is illegal for an employee or volunteer of a healthcare facility, nursing home, assisted living	Signed Into Law 05/19/2011	

	<p>facility, long-term care residence, group home, psychiatric treatment facility, residential substance abuse or mental health facility, or any facility required to be licensed under Title 16 to engage in sexual activity with a patient or resident of a facility. Consent shall not be a defense. Sexual conduct with a patient or resident by an employee or volunteer shall be a Class G felony. Where an employee or volunteer engages in sexual penetration or sexual intercourse, the crime will be a Class C felony. Abuse, mistreatment, or neglect resulting in serious physical injury is enhanced from a Class D felony to a Class C felony.</p>		
<p><u>HB 67 with HA 1</u></p>	<p>Requires permanent revocation of the license of any mental health or chemical dependency professional convicted of a felony sexual offense. The bill also makes it grounds for discipline if a licensed mental health or chemical dependency professional fails to report child abuse or neglect as required of every person by Title 16, § 903, or if a licensee fails to report to the Board any licensee or other healthcare professional who is reasonably believed to be guilty of unprofessional conduct or physically or mentally incapable of practicing their profession. It also provides that any licensee who makes a good faith report against a licensee or other healthcare professional is not subject to criminal liability for reporting. <i>(Note: This bill is similar to <u>HB 52</u> which was stricken).</i></p>	<p>Signed Into Law 05/19/2011</p>	
<p><u>HB 68 with HA 1</u></p>	<p>Amends Title 24 relating to Licensure of Clinical Social Workers. The bill makes a technical change to the Code; requires permanent revocation of the license of any person convicted of a felony sexual offense; makes it grounds for discipline if a licensee fails to report child abuse or neglect as required of every person by Title 16, § 903, or if a licensee fails to report to the Board any clinical social worker or other healthcare professional reasonably believed to be guilty of unprofessional conduct or physically or mentally incapable of practicing their profession; and provides that any licensee who makes a good faith report against a clinical social worker or other healthcare professional is not subject to civil or criminal liability for reporting. <i>(Note: This bill is similar to <u>HB 53</u> which was stricken).</i></p>	<p>Signed Into Law 05/19/2011</p>	
<p><u>HB 76 with HA 1 & HA 2</u></p>	<p>Assures prosthetic parity for Delaware citizens who have experience limb loss by requiring all individual and group health insurance policies provide orthotic and prosthetic devices at a reimbursement rate equal to the Federal reimbursement rate for the aged and disabled.</p>	<p>Signed Into Law 08/15/2011</p>	
<p><u>HB 85</u></p>	<p>Amends Title 9 relating to limitations upon taxing power. The bill requires an owner of property in New Castle County who seeks a charitable, religious, or educational tax exemption or exemption as a specified organization to submit an application by which the County may determine its eligibility for exemption by March 1st of the preceding fiscal year, or within 30 days of the property acquisition, if acquired after March 1st. No such application is required of governmental entities.</p>	<p>Signed Into Law 07/25/2011</p>	
<p><u>HB 91</u></p>	<p>Amends Title 29 relating to the use of respectful language when</p>	<p>Signed Into</p>	

	referring to persons with disabilities.	Law 08/17/2011	
HB 92	Defines a new class of occupation license for direct care workers and provides for license fee of such direct care workers to be reduced if the gross receipts of such direct care workers for the 12 months, beginning July 1 and ending June 30, preceding the year of license application or renewal are less than \$10,000.	Signed Into Law 07/08/2011	
HB 99	Enables the State of Delaware to adopt the medical certification requirements as part of its commercial driver's license (CDL) issuance program beginning January 30, 2012, as required by the Federal Motor Carrier Safety Administration. CDL holders will provide DMC with documentation confirming they are medically qualified to safely operate a commercial motor vehicle.	Signed Into Law 07/05/2011	
HB 109 with HA 2 & SA 1	Amends Title 6, Chapter 35, regarding building construction and payment .	Signed Into Law 06/25/2012	
HB 111	Amends Title 6 relating to Antitrust Actions .	Signed Into Law 06/15/2012	
HB 136 with HA 1 & SA 1	Delaware law currently gives preference in hiring for State employment to veterans. This bill adds spouses of veterans, POW, and MIA.	Signed Into Law 03/28/2012	No Position
HB 138	Makes technical corrections to clarify that members appointed to the Acupuncture Advisory Council and the Genetic Counselor Advisory Council must be licensed.	Signed Into Law 07/25/2011	
HB 144	Allows for a person's spouse to file a complaint concerning unsafe or unsanitary conditions at facilities where invasive medical procedures are performed . The bill gives the Department of Health and Social Services the authority to require accreditation for medical facilities that perform invasive medical procedures. It also gives DHSS the authority to promulgate regulations for accreditation. The bill also requires DHSS to work with stakeholders in the development of the regulations and it outlines who those stakeholders should be. The bill prohibits individuals licensed under Chapters 5, 11, and 17 of Title 24 from working in any facility where invasive medical procedures are performed unless the facility is licensed or accredited. <i>(Note: The bill is similar to SB 90).</i>	Signed Into Law 07/05/2011	
HB 155	Amends Title 24 relating to nursing by creating the option of renewing a nursing license late, up to sixty days past the renewal period consistent with most regulated professions.	Signed Into Law 07/13/2011	
HB 160 with HA 1	Changes provisions for supplemental health insurance coverage for child of insureds by raising the age children may be covered by their parent's health insurance to the age of 26 .	Signed Into Law 07/29/2011	
HB 161	Amends Title 18 of the Delaware Code relating to the prohibition	Signed Into	

<u>with SA 1</u>	of the denial of coverage for pre-existing conditions in children under the age of nineteen.	Law 07/25/2011	
<u>HB 165</u>	Amends Title 24 of the Delaware Code by clarifying the duty of physicians and health care facilities to report under this paragraph is to report changes that result in the partial or full removal of a physician's hospital privileges as the result of adverse events, unprofessional conduct, or competency issues, and not to report change that enhance or add to the physician's privileges.	Signed Into Law 07/08/2011	
<u>HB 170 with HA 1</u>	Amends Title 18 relating to Group and Blanket Health Insurance by requiring insurers to allow qualified individuals who are covered by small employer plans to continue their coverage at their own cost, for up to nine months after termination of coverage.	Signed Into Law 05/22/2012	
<u>HB 175</u>	Amends the Board of Chiropractic by simplifying the process of calculating the cost sharing charged to patients for chiropractic care and changes the effective date from July 1, 2011 to January 1, 2012.	Signed Into Law 08/03/2011	
<u>HB 190</u>	Appropriations for the Expense of the State Government for the Fiscal Year Ending June 30, 2011.	Signed Into Law 07/01/2011	
<u>HB 195</u>	Appropriations for certain Grant-In-Aid for the Fiscal Year Ending June 30, 2012.	Signed Into Law 07/01/2011	
<u>HB 214 with HA 1 & SA 1</u>	Amends Titles 1, 4, 6, 7, 10, 11, 12, 14, 16, 19, 20, 21, 25, 29, 30, and 31 relating to the removal of insensitive and offensive language. The bill changes terms such as disabled persons to persons with disabilities.	Signed Into Law 08/17/2011	
<u>HB 222 with HA 1 & HA 2</u>	The bill requires the Department of Labor to publish the names of employers who have violated the Workplace Fraud Act by misclassifying an employee as an independent contractor or otherwise.	Signed Into Law 07/12/2012	No Position
<u>HB 223</u>	Allows the use of electronic notices and documents in lieu of current requirements for the sending of insurance notices and documents. The insurer must obtain the consent of the other party to send electronic notices and documents and also allows for withdrawal of consent by the other party to receive electronic notices and documents.	Signed Into Law 05/22/2012	
<u>HB 234</u>	Amend Title 6 of the Delaware Code Relating to Consumer Protection. The bill clarifies the effect of the consumer law changes in House Substitute 1 for House Bill No. 247, enacted in 2010. Several sections in Title 6, Chapter 25 contained references to Title 29, §2517, which was substantially modified by House Substitute 1. The bill eliminates the reference to Title 29, §2517 and provides a more general reference as Subchapter II of Chapter 25 of Title 29.	Signed Into Law 03/30/2012	No Position

<u>HB 238 with HA 1</u>	Amends Title 29 of the Delaware Code Relating to the Division of Professional Regulation Licenses and Permits for Military Spouses . The bill simplifies the process for a military spouse applying for reinstatement of a professional license or permit with the Division of Professional Regulation within 2 years of the license lapsing. It does not apply to a revoked or suspended license or permit unless the license or permit was reinstated prior to the lapse. In addition, the bill provides for a military spouse to apply for a six-month temporary license or permit while applying the application for endorsement or reciprocity is being processed to verify good standing and to perform the criminal background check.	Signed Into Law 05/28/2012	No Position
<u>HB 240 with HA 1 & SA 1</u>	Amends Title 11 by creating an additional penalty of \$100.00 which shall be imposed on all crimes committed against persons 62 years of age or older . The penalty assessment shall be placed in a special fund called The Senior Trust Fund which shall be used to provide assistance programs for the senior population.	Signed Into Law 05/10/2012	
<u>HB 245 with HA 1</u>	The bill Amends Title 11 of the Delaware Code by removing insensitive and offensive language from the criminal code.	Signed Into Law 04/19/2012	No Position
<u>HB 257 with HA 1</u>	Amends Title 29 and Title 30 of the Delaware Code relating to Denial or Suspension of Professional and Occupational Licenses . HA 1, which specifies the Director of Revenue must provide within 30 days notification to the Director of the Division of Professional Regulation and the debtor when the grounds for denial or suspension of a license no longer exist, was introduced and placed with the bill.	Signed Into Law 06/19/2012	
<u>HB 265</u>	The Delaware Cancer Treatment Access Act amends Title 18 by requiring health insurance companies to make equal reimbursement for oral and intravenous anticancer medications. The bill applies to health insurance policies issued, renewed, or amended on or after January 1, 2013.	Signed Into Law 05/01/2012	Support
<u>HB 275 with SA 2</u>	Amends Title 30 of the Delaware Code and establishes the Veterans' Opportunity Credit , which shall be awarded to employees hiring qualified veterans. The credits shall equal 10% of a qualified veteran's wages, up to a maximum of \$1,500. Employers may take the credit in the year the qualified veteran was hired and the two subsequent tax years.	Signed Into Law 07/31/2012	
<u>HB 294</u>	Requires a person who is operating a commercial motor vehicle in violation of the electronic communications devices law, will have such violation made a part of their driving record . This change brings Delaware into compliance with the Federal Motor Carrier Safety Administration Regulations.	Signed Into Law 06/28/2012	
<u>HB 300 with HA 2, HA 1 to HA 2, & HA</u>	Amends Title 15 relating to enhanced disclosure, reporting, and disclaimer requirements in Delaware's campaign finance laws . The bill requires additional disclosure for electronic election communications, requires all third-party advertisements to have the candidate's name and the website of the Commissioner of Elections	Signed Into Law 08/15/2012	

3	website address and if over \$500 to file a report with the Commissioner of Elections office within 24 hours of the expense, plus it enhances disclosure requirements by requiring entities that contribute more than \$1,200 to political action committees or political parties during an election cycle to disclose the name and address of the person who directs or controls the entity's activities.		
HB 303	Amends Title 18 relating to Delaware School Based Health Centers and Insurance.	Signed Into Law 06/26/2012	
HB 310 with HA 1	Amends Title 15, Chapter 80 relating to violations of the Campaign Finance Law by enhancing penalties applicable to the late filing of election disclosure reports by increasing the penalty from \$50 per month to \$50 per day. The bill also provides that a reporting party who files an incomplete report will be subject to the same penalties as a reporting party who files a tardy report and requires the Commissioner of Elections to send written notice whenever a report is late or incomplete and gives the party 30 days to correct before the Commissioner must inform the Attorney General's office of the failure to file such report. The bill also increases penalties for not including "Paid for by ..." on all advertisements, ads, etc.	Signed Into Law 08/15/2012	
HS 1 for HB 311 with HA 2	Amends Title 16 relating to the admission, maintenance, and discharge of patients with mental conditions.	Signed Into Law 07/24/2012	
HB 313	Makes changes that more specifically define the membership of the Provider Advisory Board.	Signed Into Law 07/27/2012	
HB 315 with HA 1	Establishes the Emergency Medical Services for Children (EMSC) Program within the Office of Emergency Medical Services, and places the Committee Chair on the Delaware Emergency Medical Services Oversight Council (DEMSOC).	Signed Into Law 07/12/2012	
HB 321	Changes the biennial fee for pesticide and device registration, up to a maximum of \$140.00 for a two-year registration.	Signed Into Law 06/15/2012	
HB 322	Amends Title 9 by giving Sussex County government the ability to properly administer the Board of Assessment appeals process.	Signed Into Law 07/05/2012	
HB 326	Amends Title 16 regarding the Delaware Health Resources Board.	Signed Into Law 08/13/2012	
HB 328	Amends Title 16 regarding the Delaware Health Care Commission.	Signed Into Law 06/15/2012	
HB 342	Amends Title 8 of the Code relating to the General Corporation Law.	Signed Into Law 06/29/2012	

<u>HB 349 with HA 1</u>	Amends Title 24 relating to Professions and Occupations and The Medical Practice Act . The bill mandates that a physician must ensure that all offices of a practice are properly managed by visiting each office at least once a month. The bill updates Subchapter VI relating to physician assistants. The Regulatory Council of Physician Assistants will: propose rules and regulations in accordance within the Administrative Procedures Act; evaluate applications for licensing as a physician assistant; and will make disciplinary recommendations. The bill also requires a written agreement identifying the physician assistant's role. The bill provides for a limitation on a physician assistant's liability in rendering care during a disaster or emergency. The bill also provides a process for placing a physician assistant's license on inactive status and re-activating a license.	Signed Into Law 08/02/2012	
<u>HB 357</u>	Expands the powers of the Board of Massage and Bodywork to include adoption of rules pertaining to advertising and unprofessional conduct by licensees and the adoption of a client Disclosure Form, to be used by certified massage technicians.	Signed Into Law 07/27/2012	
<u>HB 365</u>	Amends Title 14 relating to Education and Exceptional Children . Allows parents and guardians who successfully challenge the denial of services to their children with special needs to recover the costs of expert witnesses that they needed to hire to advocate for their children.	Signed Into Law 08/09/2012	
<u>HS 1 for HB 371</u>	Amends Title 16 relating to investigating the abuse of children . The Act ensures the investigation and disposition of cases of child abuse or neglect are conducted in a comprehensive, integrated, and multi-disciplinary manner, thereby significantly reducing existing communication and coordination gaps in the investigation and disposition of such cases.	Signed Into Law 08/16/2012	
<u>HB 384 with HA 1</u>	Amends Title 16 by updating the Universal Newborn and Infant Hearing Screening Act to require tracking and intervention protocol. In addition, families are to be provided with information on early intervention and treatment. The bill also creates the Early Hearing Detection and Intervention Advisory Board.	Signed Into Law 08/03/2012	
<u>HB 385</u>	Amends Title 11, Chapter 85, relating to missing persons . The bill clearly establishes what shall be the primary jurisdiction where a missing person's complaint must be filed for purposes of determining which law enforcement agency shall be primarily responsible for receiving and taking a missing person's complaint and assuming the investigation to locate the missing person.	Signed Into Law 07/12/2012	
<u>HB 403 with HA 1</u>	Amends Title 16 relating to The Hospital Infections Disclosure Act .	Signed Into Law 07/20/2012	
<u>HCR 8</u>	Designates the Month of April 2011 as Sexual Assault Awareness Month in Delaware.	House - Passed Senate - Passed	

<u>HCR 17</u>	Celebrates the 100th Anniversary of the Delaware Nurses Association and recognizes its 100 years of commitment and service to professional nurses in the state of Delaware.	House - Passed Senate - Passed	
<u>HCR 18</u>	Recognizes June 15, 2011 as Delaware Elder Abuse Day.	House - Passed Senate - Passed	
<u>HCR 21</u>	Recognizes and Celebrates National Long-Term Care Residents' Rights Month as October 2011 and Residents' Rights Rally on October 4, 2011 in Delaware.	House - Passed Senate - Passed	
<u>HCR 30</u>	Recognizes the week of January 22 to 28, 2012 as Nurse Anesthetists Week.	House - Passed Senate - Passed	
<u>HCR 36</u>	Recognizes March 21, 2012 as Kick Butts Day and encourages anti-smoking activism.	House - Passed Senate - Passed	
<u>HCR 37</u>	Recognizes April 2012 as Child Abuse Prevention Month in Delaware.	House - Passed Senate - Passed	
<u>HCR 38</u>	Encourages conformance with the prohibition on the use of electronic communication devices while operating a motor vehicle on the highways of Delaware, encourages cell phone carriers, automobile manufactures, and cell phone manufacturers to continue public awareness campaigns, and further encourages all cell phone carriers, automobile manufacturers, and cell phone manufacturers to adopt and implement, as quickly as possible, available technologies that will allow their customer to restrict the use of their cell phones while driving.	House - Passed Senate - Passed	
<u>HCR 46</u>	Recognizes June 15, 2012 as Delaware Elder Abuse Awareness Day.	House - Passed Senate - Passed	
<u>HCR 55</u>	Creates the Delaware Health Fund Working Group. The Working Group shall study and make recommendations on how the money received from the tobacco settlement can best be spent to meet the intent of the tobacco settlement agreement which is to provide services to treat and prevent illnesses associated with the use of tobacco products. The Working Group shall make recommendations on how to best utilize the talent and expertise of the Delaware Health Fund Advisory Committee to identify and provide initial funding for innovative programs to meet the objectives of the tobacco settlement. The Working Group shall	House - Passed Senate - Passed	

	provide a report of its recommendations to the Governor and General Assembly by January 1, 2013.		
HJR 4 with HA 1	Establishes a Study Commission on Lobbyist Ethics to examine Delaware's ethics laws as they relate to regulated lobbyists. The 13-member Study Commission includes (i) four individuals appointed by the President Pro Tempore of the Senate, (ii) four individuals appointed by the Speaker of the House, (iii) and five individuals appointed by the Governor. The Study Commission shall report its findings to the Governor and the General Assembly no later than December 31, 2012, after which the Study Commission shall terminate its existence.	House - Passed	
HJR 7	Establishes a study group to evaluate child mental health needs in Kent and Sussex Counties, focusing on the needs of child victims of sexual assault . The group would be made up of the following: <ul style="list-style-type: none"> <input type="checkbox"/> Lieutenant Governor who will serve as Chairman of the group. <input type="checkbox"/> Secretary of the Department of Services for Children, Youth, and Their Families or a designee. <input type="checkbox"/> Secretary of the Department of Health and Social Services or a designee. <input type="checkbox"/> Attorney General or a designee. <input type="checkbox"/> A representative of the Delaware Developmental Disabilities Council or a designee. <input type="checkbox"/> A Sussex County School Official or designee. <input type="checkbox"/> A representative of the Children's Advocacy Center of Delaware or a designee. <input type="checkbox"/> A representative of the Delaware State Police Victim's Services or a designee. <input type="checkbox"/> A child psychiatrist licensed to practice psychiatry in the State of Delaware as designated by the Psychiatric Society of Delaware. <input type="checkbox"/> Two members of the House of Representatives to be designated by the Speaker of the House. <input type="checkbox"/> Two members of the Delaware Senate to be designated by the President Pro Tempore; and <input type="checkbox"/> At least two individuals appointed by the Governor from the public at large. 	House - Passed	
HJR 9	The bill registers the concerns of the members over the U.S. Postal Service's proposed closing of Delaware's single mail processing center and urges the Hares Corner facility remain open.	House - Passed Senate - Passed	
HJR 12	Recognizes the month of April 2012 as Autism Awareness Month .	House - Passed Senate - Passed	
HJR 15	Establishes a Study Group on Alternative Dispute Resolution (ADR) for the purpose of studying and making recommendations	House - Out of Committee	

	for strengthening and expanding ADR in Delaware. The Study Group will report to the Governor and the General Assembly by June 30, 2013. The bill is similar to HJR 14.		
HJR 17	Establishes a study group to assess Delaware's civil mental health laws.	House - Passed	
HR 7	Declares April 2011 as Autism Awareness Month in Delaware.	House - Passed	
HR 13	Recognizing May 12, 2012 as Fibromyalgia Awareness Day in Delaware.	House - Passed	
HR 30	Designates May 2012 as Older American Month and urges citizens to honor older adults and the professionals, family members, and citizens who care for them, and to improve the lives of older adults.	House - Passed	
HR 34	Proclaims May 2012 as Cystic Fibrosis Awareness Month in Delaware.	House - Passed	
HR 38	Urging the public and private sectors to examine prospective advances in technologies and Delawareans' expectation of privacy in social media networking and electronic devices.	House - Passed	

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