



SPONSOR: Rep. K. Williams & Sen. Walsh
Reps. Brady, Chukwuocha, Ramone, Seigfried; Sens.
Bonini, Cloutier, McBride, Poore, Wilson

HOUSE OF REPRESENTATIVES
150th GENERAL ASSEMBLY

HOUSE BILL NO. 183

AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO WORKERS' COMPENSATION
PAYMENTS FOR INJURIES OR DEATH AND INCIDENTAL BENEFITS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

1 Section 1. Amend § 2322B, Title 19 of the Delaware Code by making deletions as shown by strike through and
2 insertions as shown by underline as follows:

3 § 2322B. Procedures and requirements for promulgation of health-care payment system.

4 The health-care payment system developed pursuant to this section shall be subject to the following procedures
5 and requirements:

6 (11) Notwithstanding any other provision of this subchapter, healthcare provider services provided in an
7 emergency department of a hospital or any other facility subject to the Federal Emergency Medical Treatment and
8 Active Labor Act, 42 U.S.C. § 1395dd, and emergency medical services provided in a pre-hospital setting by
9 emergency medical technicians or paramedics are exempt from the healthcare payment system and are not subject to
10 any of the following:

11 a. The requirement that a healthcare provider be certified under § 2322D of this title.

12 b. Requirements for pre-authorization services.

13 c. Healthcare practice guidelines under § 2322C of this title.

SYNOPSIS

This Act exempts healthcare provider services subject to the Federal Emergency Medical Treatment and Active Labor Act from the provisions of Subchapter II of Chapter 23 of Title 19 because these services are required by federal law and not elective under this subchapter. This exemption was removed by error in 2014 by House Bill No. 373, as amended by House Amendment Nos. 1 and 2, of the 147th General Assembly.