

CHAPTER 266
FORMERLY
SENATE BILL NO. 248

AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE DISABILITY INSURANCE PROGRAM.

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

Section 1. Amend Chapter 52A of Title 29 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 5259 COVID-19 Emergency Provision.

The requirements of § 5253(c)(5) of this title are hereby suspended for any employee approved for short-term disability benefits who, as a result of suspension of non-emergency or elective surgeries by health care providers during the 2020 State of Emergency due to the COVID-19 public health threat, is unable to receive those health care services which would enable the employee to return to work in compliance with that section. The Committee is hereby authorized to approve, subject to terms and conditions determined by the Committee, (i) a supplemental disability wage equal to 15% of salary as of the employee's date of disability for an employee whose short-term disability claim was approved or extended for the entire short-term disability benefit period and who has been awarded long-term disability benefits because of the inability to obtain non-emergency health care services necessary to return to work; and (ii) other adjustments to the requirements of Chapter 52A of this title deemed necessary by the Committee to appropriately administer the disability insurance program for those employees unable to obtain non-emergency or elective surgeries during the 2020 State of Emergency due to the COVID-19 public health threat. The terms of this paragraph shall expire on December 30, 2020.

Approved July 23, 2020