

CHAPTER 390
FORMERLY
SENATE BILL NO. 192

AN ACT TO AMEND TITLE 20 OF THE DELAWARE CODE RELATING TO CONTROL OF HEALTH CARE SUPPLIES.

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

Section 1. Amend § 3133, Title 20 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 3133. Control of Health Care Supplies.

(b) Definitions for the purpose of this section only:

~~(2) "Essential worker" means a person who has been identified by that person's employer and the Division of Public Health as someone who must report to work during an emergency in order to maintain and keep operational the critical infrastructure in the State of Delaware. An essential worker may include, but is not limited to, personnel from the Division of Public Health, the Delaware Emergency Management Agency, the Delaware Department of Transportation, fire service, and law enforcement agencies.~~

(3) "Unlicensed person" means an individual who is not a licensed healthcare professional and has successfully completed in-service training, approved by the Board of Pharmacy, on the ~~In-State~~ State or Federal Stockpile.

(c) Any licensed healthcare professional or unlicensed person who, at the direction of the Public Health Authority, prior to, during or after an impending, probable or actual public health threat or a declared public health emergency or state of emergency, delivers, or assists in the delivery of medical supplies or prescription or nonprescription medications to ~~essential workers and their families~~ individuals, other than by injection, and provided that the medication is in the original container and properly labeled, shall be exempt from the licensing statutes and regulations for healthcare professionals and shall be considered a public employee under § 4001 and § 4002 of Title 10. The Division of Public Health shall position a licensed healthcare professional on-site to supervise the delivery process to ~~essential workers and their families~~ individuals if a licensed healthcare professional is available.

(d) Each ~~essential worker~~ individual will complete a prescreening assessment ~~for themselves and each family member, if applicable,~~ on an annual basis that will screen for contraindications to the medications in the ~~In-State~~ State or Federal Stockpile. The assessment will be developed by the Division of Public Health and approved by the Board of Pharmacy.

Approved August 10, 2016