

CHAPTER 89  
FORMERLY  
HOUSE BILL NO. 165  
AS AMENDED BY  
HOUSE AMENDMENT NO. 1

AN ACT TO AMEND TITLES 11 AND 29 OF THE DELAWARE CODE  
RELATING TO THE ADULT ABUSE REGISTRY.

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

Section 1. Amend §8564, Title 11 of the Delaware Code by striking existing subsection (c) in its entirety and substituting a new subsection “(c)” in lieu thereof as follows:

“(c) No health care service provider, nursing home or similar facility, or child care facility shall hire any person seeking employment without first checking the Adult Abuse Registry. For purposes of this subsection, the Adult Abuse Registry shall be the central registry of information maintained pursuant to Chapter 79 of Title 29 of this Code relating to the individuals against whom a charge of patient abuse, neglect, mistreatment or financial exploitation has been substantiated.”.

Section 2. Further Amend §8564, Title 11 of the Delaware Code by striking subsection (d) thereof in its entirety and re-designating existing subsections (e), (f), (g), (h) and (i) as “(d)”, “(e)”, “(f)”, “(g)” and “(h)” respectively.

Section 3. Further Amend §8564, Chapter 85, Title 11 of the Delaware Code by deleting the second sentence, beginning with “Such records may be disclosed”, of the newly designated subsection (e) in its entirety and substituting in lieu thereof the following:

“Regulations promulgated by the Department of Health and Social Services may authorize online access to the names of those actively listed on the Adult Abuse Registry and whether the listing is due to a substantiated finding of abuse, neglect, mistreatment or financial exploitation.”.

Section 4. Amend §7971(b)(1), Title 29 of the Delaware Code by deleting the language “receive an Adult Abuse Registry check” as it appears therein and substituting “check the Adult Abuse Registry” in lieu thereof.

Section 5. Amend §8564(b), Title 11 of the Delaware Code by deleting the words “or neglect” that appear after the words “adult abuse” in the first sentence thereof and by substituting in lieu thereof the following:

“, neglect, mistreatment or financial exploitation”.

Section 6. Amend §7971(b)(1), Title 29 of the Delaware Code by deleting the words “or neglect” that appear after the words “adult abuse” in the first sentence thereof and by substituting in lieu thereof the following:

“, neglect, mistreatment, or financial exploitation.”.

Approved June 30, 2009