

LAWS OF DELAWARE
VOLUME 83
CHAPTER 41
151st GENERAL ASSEMBLY
FORMERLY
HOUSE BILL NO. 111

AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO INSURANCE DISCRIMINATION BASED ON PRE-EXPOSURE PROPHYLAXIS MEDICATION TO PREVENT HIV INFECTION.

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

Section 1. Amend Chapter 23, Title 18 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 2320. Discrimination prohibited; pre-exposure prophylaxis medication to prevent HIV infection.

A person engaged in the business of life, disability, or long-term care insurance may not do any of the following solely because an individual has been prescribed pre-exposure prophylaxis medication to prevent HIV infection:

(1) Deny, refuse to issue, refuse to renew, refuse to reissue, cancel, or otherwise terminate an insurance policy or restrict coverage.

(2) Add any surcharge or rating factor to a premium of an insurance policy.

(3) Otherwise discriminate in the offering, issuance, cancellation, amount of coverage, price, payment of claims, or any other condition of an insurance policy without additional actuarial justification.

Approved June 15, 2021