

LAWS OF DELAWARE
VOLUME 85
CHAPTER 88
153rd GENERAL ASSEMBLY
FORMERLY
HOUSE BILL NO. 56

AN ACT TO AMEND TITLES 18, 29, AND 31 OF THE DELAWARE CODE RELATING TO COVERAGE FOR REMOVAL OF EXCESS SKIN AND SUBCUTANEOUS TISSUE.

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

Section 1. Amend Chapter 33 of Title 18 by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 3370M. Coverage for removal of excess skin and subcutaneous tissue.

(a) For purposes of this section:

(1) “Medically necessary” means as defined in § 3371(8) of this title.

(2) “Panniculectomy” means an operative procedure used to contour the abdominal wall by removing significant excess skin and subcutaneous adipose tissue.

(b) All individual health insurance policies, contracts, or certificates that are delivered, issued for delivery, renewed, extended, or modified in this State must provide coverage for medically necessary removal of excess skin and subcutaneous tissue, including a panniculectomy.

(c) Nothing in this section prevents the operation of a policy provision required by this section as a deductible, coinsurance, allowable charge limitation, coordination of benefits, or a provision restricting coverage to services by a licensed, certified, or carrier-approved provider or facility.

(d) This section does not apply to accident-only, specified disease, hospital indemnity, Medicare supplement, long-term care, disability income, or other limited benefit health insurance policies.

Section 2. Amend Chapter 35 of Title 18 by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 3571EE. Coverage for removal of excess skin and subcutaneous tissue.

(a) For purposes of this section:

(1) “Medically necessary” means as defined in § 3581(8) of this title.

(2) “Panniculectomy” means an operative procedure used to contour the abdominal wall by removing significant excess skin and subcutaneous adipose tissue.

(b) All group and blanket health insurance policies, contracts, or certificates that are delivered, issued for delivery, renewed, extended, or modified in this State must provide coverage for medically necessary removal of excess skin and subcutaneous tissue, including a panniculectomy.

(c) Nothing in this section prevents the operation of a policy provision required by this section as a deductible, coinsurance, allowable charge limitation, coordination of benefits, or a provision restricting coverage to services by a licensed, certified, or carrier-approved provider or facility.

(d) This section does not apply to accident-only, specified disease, hospital indemnity, Medicare supplement, long-term care, disability income, or other limited benefit health insurance policies.

Section 3. Amend Chapter 52 of Title 29 by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 5223. Coverage for removal of excess skin and subcutaneous tissue.

(a) For purposes of this section:

(1) “Medically necessary” means as defined in § 3581(8) of Title 18.

(2) “Panniculectomy” means an operative procedure used to contour the abdominal wall by removing significant excess skin and subcutaneous adipose tissue.

(b) The plan must provide coverage for medically necessary removal of excess skin and subcutaneous tissue, including a panniculectomy.

Section 4. Amend Chapter 5 of Title 31 by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 538. Coverage for removal of excess skin and subcutaneous tissue.

(a) For purposes of this section:

(1) “Medically necessary” means as defined in § 3581(8) of Title 18.

(2) “Panniculectomy” means an operative procedure used to contour the abdominal wall by removing significant excess skin and subcutaneous adipose tissue.

(b) Carriers shall provide coverage for medically necessary removal of excess skin and subcutaneous tissue, including a panniculectomy, in all health benefit plans delivered or issued under § 503(3) of this title.

Section 5. This Act applies to all policies, contracts, or certificates issued, renewed, modified, altered, amended, or reissued after December 31, 2026.

Approved July 21, 2025