

LAWS OF DELAWARE
VOLUME 85
CHAPTER 92
153rd GENERAL ASSEMBLY
FORMERLY
SENATE SUBSTITUTE NO. 1
FOR
SENATE BILL NO. 101

AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE DEFINITION OF THE PATIENT-PRACTITIONER RELATIONSHIP.

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

Section 1. Amend Chapter 47, Title 16 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 4701. Definitions.

(34) “Patient-practitioner relationship” means, with respect to prescribing drugs for a patient, that the practitioner is a licensed practitioner ~~who~~: who meets one or more of the following:

a. Has conducted at least 1 in-person medical evaluation of the patient and performed a medical history and physical examination sufficient to establish a diagnosis and to identify underlying conditions of, or contraindications to, the treatment recommended or ~~provided~~; or provided.

b. Personally knows the patient and the patient’s general health status through an existing patient-practitioner ~~relationship~~; or relationship.

c. Provides treatment in consultation with or upon referral of another practitioner who has an existing patient-practitioner relationship with the patient and who has agreed to supervise the patient’s treatment, including follow-up care and use of the prescribed ~~medications~~; or medications.

d. Provides treatment to the patient through an on-call or cross-coverage situation for another practitioner who has an existing patient-practitioner relationship with the ~~patient~~; or patient.

e. Provides continuing medications on a short-term basis for a new patient prior to the first ~~appointment~~; or appointment.

f. Provides treatment based upon admission orders for a newly hospitalized patient.

g. Provides treatment for opioid use disorder under a properly established provider-patient relationship as provided by § 6003 of Title 24 for Schedule III through V medications approved by the Federal Drug Administration for such treatment.

Approved July 21, 2025