

LAWS OF DELAWARE
VOLUME 85
CHAPTER 203
153rd GENERAL ASSEMBLY
FORMERLY
SENATE BILL NO. 83

AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE RIGHTS OF RESIDENTS OF LONG-TERM CARE FACILITIES.

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

Section 1. Amend § 1121, Title 16 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 1121. Resident's rights.

(b) It is the public policy of this State that the interests of the resident must be protected by a declaration of a resident's rights, and by requiring that all facilities treat their residents in accordance with such rights, which must include the following:

(19) ~~If married, a~~ Each resident shall enjoy privacy in visits by the resident's ~~spouse, spouse or domestic partner~~ and, if spouses or domestic partners are both residents of the facility, they shall be afforded the opportunity where feasible to share a room, unless medically contraindicated.

(42) Each resident has the right to be free from discrimination on any basis protected under Chapter 45 of Title 6 in the provision of care, treatment, or services.

Section 2. Amend § 1123, Title 16 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 1123. Notice to resident.

(a) The Department must prepare a notice that includes § 1121 of this title in its entirety. This notice must be available in a language and format that is accessible to each resident or their authorized representative under § 1122 of this title. Within 30 days of any revisions to § 1121 of this title, the Department must prepare and make available an updated version of the notice.

Section 3. Amend § 1124, Title 16 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 1124. Staff training; issuance of regulations.

(a) Each facility shall provide appropriate staff training to implement the bill of rights under § 1121 of this title. Within 60 days of any revisions to § 1121 of this title, each facility must provide appropriate staff training that addresses the content of the revisions.

Approved September 3, 2025