

LAWS OF DELAWARE
VOLUME 85
CHAPTER 264
153rd GENERAL ASSEMBLY
FORMERLY
HOUSE BILL NO. 288

AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE DIVISION OF DEVELOPMENTAL DISABILITIES SERVICES.

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

Section 1. Amend § 7909A, Title 29 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 7909A. Division of Developmental Disabilities Services.

(b) The mission of the Division of Developmental Disabilities Services is to provide services and supports to individuals with developmental disabilities and their ~~families which~~ families, to enable them to make informed choices that lead to an improved quality of life and meaningful participation in their communities.

(c) The Division of Developmental Disabilities Services ~~shall have~~ has the following powers and duties:

(1) Provide case management and community-based services including family supports, advocacy, respite, residential setting options, nurse and behavioral consultation, day services, and supported employment services to assist individuals achieve their goals.

(2) Submit an annual report relating to the Division's services to the Secretary, the Governor, the General Assembly, and the Director and Librarian of the Division of Legislative Services. The report must include information related to at least all of the following:

a. Service system size and growth to include both individuals receiving services and agencies providing services.

b. Service utilization.

c. Observed gaps in or challenges to the service system.

~~(2)~~, (3) [Repealed.]

(4) Provide intermediate care facility residential services.

(d) The Division of Developmental Disabilities Services shall ensure the investigation of complaints of abuse, neglect, ~~mistreatment~~ mistreatment, and financial exploitation. ~~Such investigations~~ An investigation may be in coordination with the Attorney General's Office, ~~law enforcement~~ law-enforcement, or other appropriate agencies.

(e) The Division of Developmental Disabilities Services ~~shall be authorized to~~ may promulgate rules and regulations to implement this statute.

(f) It is the intent of the General Assembly for the Division of Developmental Disabilities Services (DDDS) to phase in increases to the rate system for services to adults with intellectual and developmental disabilities (I/DD) based on the market study provided to the Office of Management and Budget and the Controller General on January 17, 2014, by the Department of Health and Social Services Secretary, as subsequently updated with utilization data for fiscal year 2018 and updated component percentages. Subject to available funding, these rates shall be phased in to ~~100 percent~~ 100% of the benchmarked levels established.

Approved May 21, 2026