HOUSE OF REPRESENTATIVES
152nd GENERAL ASSEMBLY

HOUSE BILL NO. 395

AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO HOSPITAL COSTS.

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

1   Section 1. Amend § 9951, Title 16 of the Delaware Code by making deletions as shown by strike through and

2 insertions as shown by underline as follows and redesignating accordingly:

3   § 9951. Definitions.

4   As used in this subchapter:

5   (2) "Core CPI" means as defined in § 2503 of Title 18.

6   Section 2. Amend § 9959, Title 16 of the Delaware Code by making deletions as shown by strike through and

7 insertions as shown by underline as follows:

8   § 9959. Temporary pricing measures for calendar year 2025 and 2026.

9   (a) ~~Except as provided in subsection (c) of this section, for the calendar years 2025 and 2026, a hospital may not~~

10 ~~charge any payer, purchaser, insurer, or public program more than 250% of the cost of care charged to the Medicare~~

11 ~~program for any service.~~ Except as provided in subsection (c) of this section, for calendar years 2025 and 2026, a hospital

12 may not charge any payer, purchaser, insurer, or public program an amount that exceeds the greater of 2% or Core CPI plus

13 1% over rates from the previous year.

14   Section 3. This Act takes effect 1 day after House Substitute No. 2 for House Bill No. 350 of the 152nd General

15 Assembly is enacted into law, or upon enactment, whichever is later.

16   Section 4. Section 2 of this Act sunsets on January 1, 2027, unless otherwise provided by a subsequent act of the

17 General Assembly.

SYNOPSIS

This Act replaces a temporary hospital cost containment provision from the implementing legislation for the Diamond State Hospital Cost Review Board that was based on Medicare reference pricing with a provision that limits growth based on a formula already in use for some health care services.