SPONSOR: Rep. Heffernan & Sen. Poore
Reps. Bush, Gray, Lambert, Longhurst, Minor-Brown, Phillips, Romer, Schwartzkopf; Sens. Gay, Hoffner, Lockman, S. McBride, Pinkney, Sokola

HOUSE OF REPRESENTATIVES
152nd GENERAL ASSEMBLY

HOUSE BILL NO. 185

AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO HEALTH CARE INSURANCE AND ELIMINATION OF THE STATE SHARE WAITING PERIOD.

WHEREAS, health care premiums are not prorated, so if a newly hired benefit eligible employee's hire date is any date other than the first of a month and they enroll in health care coverage, the employee would be responsible for paying the entire employee share of the monthly premium.

NOW, THEREFORE:

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

Section 1. Amend § 5201, Title 29 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 5201. Definitions.

For purposes of this chapter:

(8) A "regular officer or employee" ~~shall be~~ means one ~~who has been continuously employed by this State in each calendar month during 3-month period immediately preceding the first day of any given month (exclusive of legal holidays and allowable leave) and~~ who works the regularly scheduled full-time hours of the employing agency, or at least 30 or more hours per week or 130 hours per month (with allowable interruptions) in a position of a continuing nature on a regular schedule expected to last at least 1 year from the date of initial appointment. The appointing authority shall determine at the time of appointment the qualifications of an appointee regarding the continuing nature and appointment duration criteria of this paragraph. An employee appointed to temporary or seasonal positions and members of boards and commissions who were not receiving coverage under the State group health insurance contract on January 1, 1993, shall not be considered a "regular officer or employee" for the purposes of this chapter. A "regular officer or employee" called to active duty with Guard or Reserve for other than training purposes shall continue to receive state contributions toward health insurance coverage for a period of up to 2 years. A "regular officer or employee" shall also include an employee who is receiving disability benefits pursuant to § 5253(b) of this title.

Section 2. This Act is effective January 1, 2024.

Ssynopsis

This legislation prioritizes recruitment and retention of State employees by removing the 3-month waiting period for the state to pay its share of premium or subscription charges for health care coverage under § 5202 of Title 29 for benefit eligible state employees hired on or after January 1, 2024 by revising the definition of a "regular office or employee."