



SPONSOR: Sen. Poore & Rep. Longhurst  
Sens. Brown, Mantzavinos, Walsh

DELAWARE STATE SENATE  
152nd GENERAL ASSEMBLY

SENATE BILL NO. 196

AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO 24/7 EMERGENT PHYSICIAN CARE CENTERS.

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

1 Section 1: Amend Chapter 91, Title 16 by making deletions as shown by strike through and insertions as shown by  
2 underline as follows:

3 Chapter 91. ~~Managed Care Organization~~ 24/7 Emergent Physician Care Centers

4 § 9101-9124. ~~Legislative purpose and intent; definitions; certificate of authority required; procedure for issuance of~~  
5 ~~certificate of authority; annual report; prohibited practices; relationships with insurance companies and health service~~  
6 ~~corporations; examinations; suspension or revocation of certificate of authority; probation; public censure; rules and~~  
7 ~~regulations; fees; relationship to other laws; confidentiality of health information; freedom of choice; short title; Independent~~  
8 ~~health care appeals program; violations; penalties; enforcement; adoption of rules and regulations [Repealed].~~

9 § 9101. Purpose.

10 It is the purpose of this chapter to help Delawareans identify the appropriate level of walk-in, medical care. This  
11 chapter creates a voluntary certification and minimum qualifications for 24/7 Emergent Physician Care Centers.

12 § 9102. Definitions.

13 For purposes of this chapter:

14 (a) “24/7 Emergent Physician Care Center” means a health care facility providing outpatient services on a 24  
15 hour per day, 7 days per week basis to individuals in need of immediate, emergent care for a medical condition, and which  
16 is subject to all of the following requirements:

17 (1) There shall be a physician who serves as a medical director and is board certified.

18 (2) There shall always be one licensed physician and one licensed registered nurse physically present in  
19 the 24/7 Emergent Physician Care Center.

20 (3) Each physician and registered nurse practicing in a 24/7 Emergent Physician Care Center shall hold  
21 certifications in advanced cardiac life support and advanced pediatric life support.

22 (4) All advanced practice providers shall be licensed or attain within 6 months of hire, certifications in  
23 advanced cardiac life support or equivalents as approved by the Department of Health and Social Services.

24 (5) A 24/7 Emergent Physician Care Center shall provide the following on site services during all hours  
25 of operation:

26 a. Clinical Laboratory Improvement Amendments (CLIA) waived laboratory services and  
27 diagnostic radiology services, including x-rays.

28 b. Splinting, fracture care, and wound care.

29 c. Common medications.

30 (6) A 24/7 Emergent Physician Care Center shall not refuse to render care to any individual due an  
31 individual's inability to pay or lack of identification.

32 (7) A 24/7 Emergent Physician Care Center shall participate in the Delaware Health Information Network  
33 as data senders and end users within 18 months of the effective date of this Act.

34 (8) A 24/7 Emergent Physician Care Center shall maintain a certification with a nationally recognized  
35 accreditation authority.

36 (b) "Division" means the Division of Health Care Quality.

37 § 9103. Certifying organization; standards; and training.

38 (a) The Division shall do all of the following:

39 (1) Establish and administer a voluntary certification program for 24/7 Emergent Physician Care Centers.

40 (2) Establish processes and requirements as necessary to implement this chapter related to all of the  
41 following:

42 a. Certification and required 2-year annual renewal applications.

43 b. Suspending or revoking a certification.

44 c. Appeals.

45 § 9104. Misrepresentation of certification.

46 (a) Unless certified under this chapter, it is unlawful for an operator to advertise, imply, or represent a center is a  
47 24/7 Emergent Physician Care Center. Violation of this subsection is a civil violation punishable by a fine of no more than  
48 \$5,000. For the purposes of this subsection, each day a violation occurs is a separate violation.

49 (b) When considering the amount of a fine assessed under subsection (a) of this section, the court shall consider  
50 the operator's history of violations.

51 Section 2. This Act is effective January 1, 2025.

## SYNOPSIS

This legislation establishes a voluntary certification program for 24/7 Emergent Physician Care Centers and is designed to help Delawareans chose the right level of walk-in, medical care. The importance of 24/7 Physician Care Centers in the delivery of urgent and emergent health care services in times of crisis was exhibited during the recent COVID-19 Pandemic. Currently, Delawareans have no assistance in determining the varying levels of services available at urgent care facilities. This legislation creates the category of and defines the minimum level of services necessary for 24/7 Emergent Physician Care Centers. The minimum requirements for 24/7 Emergent Physician Care Centers include being open 24 hours a day, 7 days a week, having a Delaware licensed physician and registered nurse on site at all times, providing lab and diagnostic imaging services, providing on-site splinting, fracture care and suturing, and not refusing care to any person due to inability to pay or lack of identification.

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