



SPONSOR: Rep. Baumbach & Rep. Ramone & Sen. Townsend & Sen. Pettyjohn & Rep. Dorsey Walker
Reps. Bolden, K. Johnson, Lambert, Morrison, Parker Selby, Romer, Schwartzkopf, K. Williams, Harris, Minor-Brown, Yearick; Sens. S. McBride, Sokola, Sturgeon, Lockman

HOUSE OF REPRESENTATIVES
152nd GENERAL ASSEMBLY

HOUSE BILL NO. 376

AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO STATE HEALTH CARE INSURANCE.

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

1 Section 1. Amend § 5210, Title 29 of the Delaware Code by making deletions as shown by strike through and
2 insertions as shown by underline as follows:

3 § 5210. Authority and duties of the State Employee Benefits Committee.

4 The State Employee Benefits Committee established by under § 9602 of this title ~~shall have~~ has the following
5 powers, ~~duties~~ duties, and functions under this chapter:

6 (4) Authority to adopt rules and regulations for the general administration of the State employees group health
7 insurance ~~program~~. program (program), which must include all of the following for program participants:

8 a. Beginning January 1, 1993, a spousal coordination of benefits policy that applies to the spouse of a
9 program participant when the spouse is eligible for health care coverage through the spouse's own employer.

10 b. Beginning July 1, 2011, the spousal coordination of benefits policy under paragraph (4)a. of this
11 section also applies to a retired spouse of a program participant when the spouse is collecting a retirement benefit
12 through the spouse's own employment and is eligible for retiree health care coverage through that retirement
13 benefit.

14 c. Beginning July 1, 2027, a pensioner coordination of benefits policy for eligible pensioners who were
15 first employed on or after January 1, 2015, that applies to an eligible pensioner if the eligible pensioner is eligible
16 for health care coverage through their employer and that health care coverage is not through a plan under this
17 chapter. The policy under this paragraph (4)c. must be comparable to the spousal coordination of benefits policy
18 under paragraph (4)a. of this section.

SYNOPSIS

This Act implements a recommendation from the December 31, 2023, Report of the Retiree Healthcare Benefits Advisory Subcommittee. Under this Act, the state group health insurance program must include a pensioner coordination of benefits policy for eligible pensioners who were first employed by the State on or after January 1, 2015, and are eligible for

health care coverage through their employer that is not through a plan under Chapter 52 of Title 29. The new pensioner coordination of benefits policy begins July 1, 2027, and must be comparable to the exiting coordination of benefits policy for the spouse of a state group health insurance program participant who is eligible for health care coverage through the spouse's own employer. This Act also codifies the existing spousal coordination of benefits policies for the state group health insurance program.

The existing spousal coordination of benefits policies and the pensioner coordination of benefits policy created under this Act apply to all participants in the state group health insurance program, which includes regular officers or employees, eligible pensioners, and individuals eligible under § 5208 and § 5209 of Title 29.

In addition, this Act makes technical corrections to conform existing law to the standards of the Delaware Legislative Drafting Manual.