



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

HOUSE OF REPRESENTATIVES
152nd GENERAL ASSEMBLY

HOUSE BILL NO. 377

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 § 5201, Title 29 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 § 5201. Definitions.

4 For purposes of this chapter:

5 (5) “First employed” means the date when the eligible pensioner was first employed as a regular officer or
6 employee.

7 Section 2. Amend § 5203, Title 29 of the Delaware Code by making deletions as shown by strike through and
8 insertions as shown by underline as follows:

9 § 5203. Specifications of the coverage.

10 (b)(1) The plan shall be for regular all of the following:

11 a. Regular employees and eligible pensioners under 65 years of age and for employees age.

12 b. Employees and eligible pensioners over 65 years of age or over who are not entitled to services, rights
13 rights, or benefits under the federal Medicare Program (U.S. Public Law 89-97, as amended) [42 U.S.C. § 1395 et
14 seq.]; Program, 42 U.S.C. § 1395 et seq. and

15 c. For eligible pensioners entitled to services, rights, or benefits under the federal Medicare Program, a
16 plan which that is supplemental to Medicare parts A and B, or constructed as a plan under Medicare part C, for
17 eligible pensioners entitled to services, rights or benefits under the federal Medicare Program. B as follows:

18 1. For eligible pensioners first employed before January 1, 2025, a plan that is comparable to the
19 Special Medicfill Medicare Supplement plan offered under this section on [the effective date of this Act].

20 2. For eligible pensioners first employed on or after January 1, 2025, 1 or more Medicare supplement
21 plans that are not high deductible plans.

SYNOPSIS

This Act implements a recommendation from the December 31, 2023, Report of the Retiree Healthcare Benefits Advisory Subcommittee (RHBAS). Under this Act, the State must continue to offer eligible pensioners first employed by the State as a regular officer or employee (first employed) before January 1, 2025, a plan that is comparable to the current Special Medicfill Medicare Supplement plan. However, for eligible pensioners first employed on or after January 1, 2025, the State may offer different Medicare supplement plans that are not high deductible plans.

This Act differs from the RHBAS recommendation because it does not limit the plan for eligible pensioners first employed on or after January 1, 2025, to plans that are comparable to the current Medicare supplement Plan G and Plan L. This difference is because under this Act, the State will not be able to offer a different Medicare supplement plan to any eligible pensioners until January 1, 2040, and details about the Medicare supplement plans that will be available at that time is unknown.

This Act also makes technical corrections to conform existing law to the standards of the Delaware Legislative Drafting Manual and to align with related legislation.