



SPONSOR: Sen. Brown

DELAWARE STATE SENATE
150th GENERAL ASSEMBLY

SENATE AMENDMENT NO. 1
TO
SENATE BILL NO. 32

FURTHER AMEND Senate Bill No. 32 by deleting lines 51 and 52 in their entirety and inserting in lieu thereof the following:

“(1)a. Any discount, payment, remuneration, waiver of payment, or payment practice not prohibited by § 1128B of the Social Security Act, 42 U.S.C. § 1320a-7b, and its implementing regulations, 42 C.F.R § 1001.

b. This paragraph (1) of this section includes a patient, claim, or benefit under a Federal health care program, as defined under § 1128B(f) the Social Security Act, 42 U.S.C. § 1320a-7b(f), or a health benefit plan.”.

FURTHER AMEND Senate Bill No. 32 between lines 85 and 86 by inserting the following:

“(11) Payments to a health-care provider or health-care facility under the requirements of a contract with the State to provide assistance to individuals with mental health conditions or substance use disorders in identifying and obtaining resources to pay for treatment, including clinical and related services for an individual with a mental health condition or substance use disorder.”.

FURTHER AMEND Senate Bill No. 32 on line 87 by inserting “(a)” before “The” therein.

FURTHER AMEND Senate Bill No. 32 between lines 88 and 89 by inserting the following:

“(b) A violation of this chapter shall be deemed an unlawful practice under § 2513 of this title and a violation of Subchapter II of Chapter 25 of this title.

(c) Nothing in this chapter modifies requirements under mental health parity laws, including § 3343, § 3571T, or § 3578 of Title 18 or the federal Mental Health Parity and Addiction Equity Act of 2008 (29 U.S.C. § 1185a).”.

SYNOPSIS

This Amendment makes the following changes to Senate Bill No. 32:

1. Identifies additional kinds of payments that are not prohibited.
2. Uses enforcement language that is consistent with other chapters in Title 6.
3. Clarifies that this Act does not modify any requirements under State or federal mental health parity laws.

Author: Senator Brown