



SPONSOR: Rep. Lynn & Rep. Heffernan & Sen. Townsend
Reps. Baumbach, Brady, Dorsey Walker, K. Johnson,
Kowalko; Sens. Delcollo, Ennis

HOUSE OF REPRESENTATIVES
150th GENERAL ASSEMBLY

HOUSE BILL NO. 329

AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO INSURANCE DISCRIMINATION
BASED ON PRE-EXPOSURE PROPHYLAXIS MEDICATION TO PREVENT HIV INFECTION.

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

1 Section 1. Amend Chapter 23, Title 18 of the Delaware Code by making deletions as shown by strike through and
2 insertions as shown by underline as follows:

3 § 2320. Discrimination prohibited: pre-exposure prophylaxis medication to prevent HIV infection.

4 A person engaged in the business of life, disability, or long-term care insurance may not do any of the following
5 solely because an individual has been prescribed pre-exposure prophylaxis medication to prevent HIV infection:

6 (1) Deny, refuse to issue, refuse to renew, refuse to reissue, cancel, or otherwise terminate an insurance policy
7 or restrict coverage.

8 (2) Add any surcharge or rating factor to a premium of an insurance policy.

9 (3) Otherwise discriminate in the offering, issuance, cancellation, amount of coverage, price, payment of
10 claims, or any other condition of an insurance policy without additional actuarial justification.

SYNOPSIS

Individuals who are at very high risk of getting HIV can take pre-exposure prophylaxis ("PrEP") medication to reduce the risk of HIV transmission. PrEP medication reduces the risk of HIV transmission by up to 99% if taken daily. This Act prohibits discrimination because an individual takes PrEP medication in the issuance or renewal of disability, long-term care, and life insurance.