



SPONSOR: Rep. Osienski & Sen. Walsh
Reps. Brady, Keeley, Kowalko, Paradee, Potter, Ramone,
Smyk, Viola; Sens. Bushweller, Hansen, Henry, Lawson

HOUSE OF REPRESENTATIVES
149th GENERAL ASSEMBLY

HOUSE BILL NO. 369
AS AMENDED BY
HOUSE AMENDMENT NO. 1

AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE FALSIFICATION OF BUSINESS RECORDS.

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

Section 1. Amend § 871, Title 11 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 871. Falsifying business records; class A misdemeanor.

(a) For purposes of this section:

(1) “Medical Record” means a record that pertains to a person’s medical history, evaluations, tests, diagnoses, prognoses, laboratory reports, medical imaging, treatments, prescriptions, or any other information used in assessing a person’s physical, mental, or emotional condition.

(b) A person is guilty of falsifying business records when, with intent to defraud, the person:

(1) Makes or causes a false entry in the business records of an enterprise; or

(2) Alters, erases, obliterates, deletes, removes or destroys a true entry in the business records of an enterprise; or

(3) Omits to make a true entry in the business records of an enterprise in violation of a duty to do so which the person knows to be imposed by law or by the nature of the person's position; or

(4) Prevents the making of a true entry or causes the omission thereof in the business records of an enterprise; or

(5) Alters or modifies, or causes the alteration or modification of the medical record of any person; or

(6) Creates or causes to be created any false medical record.

(c) Falsifying business records is a class A misdemeanor.