



SPONSOR: Rep. Schooley & Sen. Blevins
Reps. Barbieri, Bennett, Blakey, Cathcart, Gilligan,
Jaques, Keeley, Kovach, Kowalko, Lavelle, Longhurst,
Manolacos, M. Marshall, Miro, Mitchell, Oberle,
Ramone, Schwartzkopf, Scott, B. Short, D. Short; Sens.
Bushweller, Cloutier, Connor, Hall-Long, Peterson,
Sorenson

HOUSE OF REPRESENTATIVES
145th GENERAL ASSEMBLY

HOUSE BILL NO. 139

AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE DELAWARE HEALTHY CHILDREN PROGRAM.

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

1 Section 1. Amend Section 9909, Chapter 99, Title 16 of the Delaware Code by re-designating existing sections (j)
2 through (p) as sections (k) through (q), and adding the following new section (j), which shall read as follows:

3 “(j) (1) The provision of health care insurance under CHIP shall be extended to eligible children under the age of
4 nineteen (19) whose families have personal incomes above 200% of the Federal Poverty Level (FPL), as determined
5 pursuant to 42 U.S.C. § 1397jj(c)(5).

6 (2) For an eligible child whose family income is greater than 200% of the FPL, the family may purchase a
7 healthcare benefit package, determined by DHSS and subject to any necessary approval under federal law, that provides
8 benefits identical to those provided to an eligible child covered under this section.

9 (3) To be eligible for coverage under CHIP where family income is greater than 200% of the FPL, a child over
10 two (2) years of age must have been uninsured for a continuous period of not less than three (3) consecutive months
11 immediately preceding enrollment in CHIP unless:

12 a. The child's parent is eligible to receive benefits pursuant to the State's unemployment compensation
13 laws, as set forth in Title 19;

14 b. The child's parent was covered by a health insurance plan, a self-insurance plan or a self-funded plan
15 and involuntarily lost coverage; or

16 c. A child is transferring from one government-subsidized health care program to another.

17 (4) DHSS shall have the authority to establish and adjust the levels of co-payments, premiums, and deductibles
18 for children enrolled under this subsection for the purpose of ensuring that the State cost of the plan does not exceed
19 funds specifically appropriated for purposes of this subsection.

SYNOPSIS

This Bill extends Delaware's Childrens' Health Insurance Program (CHIP) to include reduced-cost health insurance coverage for children of families with personal incomes above 200% of the Federal Poverty Level. However, a cost-sharing program is to be implemented under CHIP whereby payments, as determined by DHSS, must be paid on behalf of the child for such care; notwithstanding the above, the cost-sharing provision of the bill is designed to have the new program impose no cost whatsoever on the State unless funds are specifically appropriated for it.