

Senate Health & Social Services Committee

153rd General Assembly

Wednesday, March 12th, 2025

Senate Chamber/Virtual Meeting

12:05 p.m. - 12:51 p.m.

[Senate Committee Recording](#)

Committee Members Present:

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| Senator Marie Pinkney, Chair | <u>Marie.Pinkney@delaware.gov</u> |
| Senator Bryan Townsend, Vice-Chair | <u>Bryan.Townsend@delaware.gov</u> |
| Senator Eric Buckson | <u>Eric.Buckson@delaware.gov</u> |
| Senator David L. Wilson | <u>David.L.Wilson@delaware.gov</u> |
| Senator Russell Huxtable | <u>Russell.Huxtable@delaware.gov</u> |
| Senator Ray Seigfried | <u>Ray.Seigfried@delaware.gov</u> |
| Senator Nicole Poore | <u>Nicole.Poore@delaware.gov</u> |

Committee Members Absent:

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| Senator Stephanie L. Hansen | <u>Stephanie.Hansen@delaware.gov</u> |
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Other Legislators Present:

Senator Dave Sokola

Agenda

- I. HB 33 w HA 1 (Sokola): AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO CONTROLLED SUBSTANCES IN THE CITY OF NEWARK.**
- II. SJR 2 (Pinkney): REQUIRING THE DIVISION OF MEDICAID AND MEDICAL ASSISTANCE TO PRESENT THE GENERAL ASSEMBLY WITH A REPORT AND PLAN TO PROVIDE INSURANCE COVERAGE FOR COMMUNITY HEALTH WORKER SERVICES.**
- III. SB 28 (Brown): AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO FUNERAL EXPENSES FOR CERTAIN VOLUNTEERS WITH FIRE OR AMBULANCE COMPANIES.**

IV. SB 29 (Brown): AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO FUNERAL EXPENSES FOR CERTAIN VOLUNTEERS WITH FIRE OR AMBULANCE COMPANIES.

Introduction

Senator Pinkney called the meeting to order and conducted a roll call.

Senator Poore arrived at 12:09 p.m.

I. HB 33 w HA 1 (Sokola): AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO CONTROLLED SUBSTANCES IN THE CITY OF NEWARK. [12:07:16 PM]

Synopsis: This Act allows criminal charges of using, consuming, or possessing other than a personal use quantity of a marijuana or other substance containing tetrahydrocannabinols and charges of public consumption of the same, where the offense is committed in the City of Newark by a person over 18 years of age, to be heard initially at either the Alderman's Court or in the Court of Common Pleas. This Act likewise allows a civil violation for a person under the age of 21 using, consuming, or possessing a personal use quantity of a marijuana or other substance containing tetrahydrocannabinols to be heard initially at the Alderman's Court where the violation is committed in the City of Newark by a person over 18 years of age.

Senator Sokola introduced HB 33 with HA 1, explaining that the legislation amends Title 16 of the Delaware Code to expand the jurisdiction of the Alderman's Court in the City of Newark, allowing it to hear cases related to marijuana. This would streamline the judicial process and provide a swift and local resolution for certain offenses. The Courts, DOJ, and ODS have all reviewed the bill, and have no objections. He described which offenses would go to which Courts, which is detailed specifically in House Amendment 1. This legislation does not amend the nature or severity of penalties. Newark will only keep court security fees. The bill reduces the burden on higher courts by redirecting certain cases. This legislation helps alleviate the caseload of the Court of Common Pleas. House Bill 33 strengthens the judicial process in Newark, ensuring timely resolution to local residents.

Senator Sokola said that HB 33 was released from the House Administration Committee with 5 votes on its merits. The bill requires a 2/3 vote, and passed the House with 37 votes Yes, and 4 absent. He indicated an expert witness from the City of Newark was available virtually to answer any technical questions. [12:12:00 PM]

Senator Pinkney thanked the bill sponsor and asked for clarification on what fees the Newark Courts would be keeping.

Senator Sokola answered the Newark Courts only keep the court security fee.

Senator Pinkney asked if the remaining fees go back to go to wherever they went previously.

Senator Sokola answered yes.

Senator Pinkney asked how much that might be.

Senator Sokola responded he did not know and requested the support of the city solicitor if available.

Senator Buckson was noted present at 12:25 p.m.

Senator Poore asked what the purpose of the change of court is.

Senator Sokola answered that this change just puts crimes that are already crimes in a smaller court, so that the cases move more quickly, and the courts can operate with more efficiency.

Senator Poore asked if the Newark City Council was in favor of the bill.

Senator Sokola asked to call a witness.

James Dechene, with Blue Hen Strategies on behalf of the City of Newark, answered that the court security fee is \$10, and it is used to pay for bailiffs and security. He stated that Newark City Council is in favor of the bill, as is the Newark Police Department. He recognized that it will allow residents of Newark, particularly the student population, to be able to come down to City Hall or this municipal building to the Alderman Court, where they can walk to versus having to drive up to the Court of Common Pleas in New Castle.

Senator Poore asked if the Courts are okay with the bill.

James Dechene answered yes.

Senator Pinkney asked if any other municipalities will be moving to a similar procedure.

James Dechene answered not to his knowledge, but explained that this makes sense for Newark as it has a high population of students.

Senator Pinkney asks if any other members have questions that the witness might be able to answer. With no further questions for the witness, she moved to public comment. **[12:18:41 PM]**

Ellen Cappard, seeing no in-person registrants for public comment, moved to virtual public comment.

Wyatt Patterson invited virtual public comment. Seeing none, the public comment period was concluded. **[12:19:48 PM]**

Senator Pinkney thanked Senator Sokola and moved to the next agenda item.

HB 33 was reported out of committee: 0 Favorable, 6 On Its Merits, and 0 Unfavorable.

II. SJR 2 (Pinkney): REQUIRING THE DIVISION OF MEDICAID AND MEDICAL ASSISTANCE TO PRESENT THE GENERAL ASSEMBLY WITH A REPORT AND PLAN TO PROVIDE INSURANCE COVERAGE FOR COMMUNITY HEALTH WORKER SERVICES.

Synopsis: This resolution requires the Division of Medicaid and Medical Assistance to present a report to the Delaware General Assembly, by January 1, 2026, for the provision of insurance coverage for Community Health Worker services by Medicaid providers, which must include a draft State plan amendment or waiver, as appropriate, to the Governor and all members of the General Assembly, with copies to the Director and the Librarian of the Division of Research of Legislative Council, and the Delaware Public Archives.

Senator Pinkney introduced Senate Joint Resolution 2, sponsored by herself and Representative Kamala Smith. The legislation requires the Division of Medicaid and Medical Assistance (DMMA) to present a report to General Assembly for the provision of insurance coverage for Community Health Worker services by Medicaid providers. She described the number of roles that community health workers play in delivering services to the public. She informed the committee that there would be a fiscal note on the resolution, and that DMMA is in support.

Senator Pinkney invited questions from committee members. Seeing none, she moved to public comment [12:22:07 PM]

Ellen Cappard invited the first public commenter forward to speak.

Senator Pinkney stated as a reminder, public comment will be limited to two minutes.

Erin Rindout spoke in support of SJR 2.

Adriana Viveros-Sosa, community health worker, spoke in support of SJR 2.

Deanna Tyree McDuffie, Director of Advocacy and Policy at the Delaware Coalition Against Domestic Violence, expressed support for the resolution.

Tisha Jackson, community health worker, expressed support for the resolution.

Cimone Sylver, Government Affairs for ChristianaCare, expressed support for the resolution.

Megan McNamara Williams, Vice President of Clinical Affairs and Operations, Delaware Healthcare Association, expressed support for the resolution.

Peggy Geisler, CEO of Sussex County Health Coalition, expressed support for the resolution.

Ellen Cappard, seeing no additional in-person public comment, invited virtual public comment.
[12:36:04 PM]

Wyatt Paterson invited the first virtual public commenter to speak.

Dr. Alethea Miller, DMMA, spoke in support of the resolution.

Wyatt Patterson, seeing no additional public comment, concluded the public comment period.
[12:38:00 PM]

SJR 2 was reported out of committee: 5 Favorable, 0 On Its Merits, and 0 Unfavorable.

III. SB 28 (Brown): AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO FUNERAL EXPENSES FOR CERTAIN VOLUNTEERS WITH FIRE OR AMBULANCE COMPANIES.

Synopsis: Section 1 of this Act requires that \$7,000 be paid for the funeral expenses of a deceased member of a volunteer fire company, volunteer fire company ladies auxiliary, or volunteer ambulance and rescue. Consistent with a legal interpretation of the existing law by state agencies, Section 1 of this Act continues to enable the payment of funeral expenses for the funeral of a deceased member of a volunteer fire company, volunteer fire company ladies auxiliary, or volunteer ambulance and rescue company even if the member was also a state employee entitled to burial benefits under § 8331 of Title 11, § 8395 of Title 11, § 8846 of Title 11, or § 5316 of Title 29. However, Section 1 of this Act makes changes to existing law to make this legal interpretation clear and to specifically identify the state employee burial benefits to which this provision applies. Section 2 of this Act delays the effect of this Act until October 1, 2025, to provide time to implement this Act after the enactment of the fiscal year 2026 appropriations act containing the funding for this Act. This Act also makes technical corrections to conform existing law to the standards of the Delaware Legislative Drafting Manual.

Senator Brown introduced the bill. He explained the amendment, which clarifies that funeral expenses for deceased volunteer firefighters will be paid from the same self-insurance fund used for line-of-duty disability benefits for firefighters. He acknowledged his expert witnesses.

Senator Pinkney asked for confirmation that the bill would not be retroactive.

Senator Brown confirmed that the bill would not be retroactive.

Senator Poore asked if line 12, referring to the length of active service required to receive burial benefits, was consistent with other volunteer firefighter service legislation.

Senator Brown invited expert witness Thomas DiCristofaro to address Senator Poore's question.

Thomas DiCristofaro, President of Delaware Volunteer Firefighter Association (DVFA), said that there has not been an increase in funeral expenses paid since 2001. He expressed full support for the bill.

Jay Jones, Executive Manager of DVFA, answered that 10 years of active service required to receive the burial benefit is consistent with other legislation regarding volunteer firefighters.

Senator Pinkney asked if there were any additional questions from committee members. Seeing none, she moved to public comment. [12:46:18 PM]

Ellen Cappard invited the first public commenter to speak.

Chris Haas, Department of Insurance, expressed support for the bill.

Patrick Noonan spoke regarding Veterans on Medicaid.

Ellen Cappard, seeing no additional in-person public commenters, invited virtual public comment.

Wyatt Patterson invited virtual public comment. Seeing none, the public comment period was concluded. [12:49:00 PM]

Senator Pinkney moved to the last item on the agenda.

SB 28 was reported out of committee: 4 Favorable, 1 On Its Merits, and 0 Unfavorable.

IV. SB 29 (Brown): AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO FUNERAL EXPENSES FOR CERTAIN VOLUNTEERS WITH FIRE OR AMBULANCE COMPANIES.

Synopsis: Section 1 of this Act increases to \$10,000 the amount of funeral expenses which can be paid for the funeral of a deceased member of a volunteer fire company, volunteer fire company ladies auxiliary, or volunteer ambulance and rescue company. The amount of this benefit has not been increased since 2004 (See 74 Del. Laws, c. 339, § 1).

Consistent with a legal interpretation of the existing law by state agencies, Section 1 of this Act continues to enable the payment of funeral expenses for the funeral of a deceased member of a volunteer fire company, volunteer fire company ladies auxiliary, or volunteer ambulance and rescue company even if the member was also a state employee entitled to burial benefits under § 8331 of Title 11, § 8395 of Title 11, § 8846 of Title 11, or § 5316 of Title 29. However, Section 1 of this Act makes changes to existing law to make this legal interpretation clear and to specifically identify the state employee burial benefits to which this provision applies. Section 2 of this Act delays the effect of this Act until October 1, 2025, to provide time to implement this Act after the enactment of the fiscal year 2026 appropriations act containing the funding for this Act. This Act also makes technical corrections to conform existing law to the standards of the Delaware Legislative Drafting Manual.

Senator Brown introduced SB 29.

Senator Pinkney asked if any members of the committee had questions or comments for the bill sponsor. Seeing none, she moved to public comment. [12:51:27 PM]

Ellen Cappard invited the first public commenter to speak.

Thomas DiCristofaro, President of Delaware Volunteer Firefighter Association (DVFA), expressed full support for the bill.

Chris Haas, DOI, clarified information regarding the amendment.

Ellen Cappard, seeing no additional public commenters, invited virtual public comment.

Wyatt Patterson, seeing no virtual public commenters, ended the public comment period.

SB 29 was reported out of committee: 5 Favorable, 1 On Its Merits, and 0 Unfavorable.

Senator Pinkney entertained a motion to adjourn the meeting. Senator Townsend moved, and Senator Huxtable seconded.

Senator Pinkney adjourned the meeting at **12:53 p.m.**

Minutes prepared by Ellen Cappard, Legislative Assistant, March 12, 2025.

Staff:

Ellen Cappard, Legislative Assistant, Senate Majority

Appendix A: *Members of the public pre-registered for webinar and in-person sign-in sheet attendees.*

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| Sharece Sellem-Hannah, Feel the Future LLC |
| Louisa Phillips, PPDE |
| James Dechene, Blue Hen Strategies |
| Dr. Alethea Miller, Division of Medicaid and Medical Assistance (DMMA) |
| Deanna Tyree McDuffie, Director of Advocacy & Policy DCAVD |
| Tisha Jackson |
| Erin Rindout |

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|----------------------|
| Adriana Viveros-Sosa |
| Patrick Noonan |