



DEPARTMENT OF HEALTH AND SOCIAL SERVICES (DHSS) LEGISLATIVE UPDATE

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153rd General Assembly Legislative Update

Division of Substance Abuse and Mental Health (DSAMH)

- **HB 21 – Ban on Tianeptine ("Gas Station Heroin")**
Classifies Tianeptine as a Schedule I controlled substance, banning its sale in Delaware. The drug is being misused and sold as a supplement, despite FDA concerns.
- **HB 54 – Creates the Office of Suicide Prevention**
Establishes a centralized Office to coordinate statewide suicide prevention strategies, support local efforts, manage funding, and report progress to the legislature.
- **HB 87 – Expands Suicide Prevention Coalition**
Adds two seats to the Coalition for individuals with lived experience—one suicide attempt survivor and one survivor of suicide loss—to ensure inclusive decision-making.



Department-Wide (DHSS – Multiple Divisions)

- **HB 5 – Regulation Sunset Process**
Creates an automatic expiration for agency regulations unless reviewed and renewed by a new legislative committee. Aims to increase accountability and reduce outdated rules.
- **HB 78 – Expands Public Access to Meeting Recordings**
Requires public bodies to post digital recordings of meetings online within 7 business days and keep them up for a year. Applies to school boards and other state entities.
- **HB 140 – End-of-Life Options Law**
Allows terminally ill adults to request and self-administer life-ending medication with extensive safeguards, oversight, and DHSS reporting. Implementation set for 2026. Honors advocates Ron Silverio and Heather Block.



Division of Health Care Quality (DHCQ)

- **SB 67 – Updates Background Checks for Home Care**
Sets a 3-year validity period for criminal background checks and requires DHSS to use the FBI's Rap Back system to notify employers of any new offenses.



Division of Medicaid & Medical Assistance (DMMA)

- **HB 56 – Requires Coverage for Medically Necessary Skin Removal**
Ensures Medicaid, state employee plans, and private insurers cover procedures like panniculectomies when excess skin poses health risks after major weight loss or surgery.
- **SJR 2 – Study Medicaid Coverage for Community Health Workers**
Directs DHSS to explore adding Community Health Worker services to Medicaid, including a draft state plan amendment by 2026.



Division of Public Health (DPH)

- **HB 46 – [Parental Consent for Abortion in Minors](#)**
Requires parental or court consent for abortions for minors under 16, with exceptions for medical emergencies or abuse cases. Replaces older notice-based rules.
- **HB 70 – [Lead Safety in Older Rental Units](#)**
Mandates certification that rental units built before 1978 are lead-free or lead-safe, with grants for remediation and strong tenant protections. Phased implementation begins in 2028.
- **HJR 1 – [Small Restaurant Regulatory Reform Task Force](#)**
Establishes a task force to review and reduce burdensome health regulations on small restaurants. Recommendations are due by June 2026.
- **SB 41 – [Bans Red Dye 3 in Food](#)**
Prohibits sale of food with Red Dye 3—a petroleum-based additive linked to cancer and behavioral issues—starting January 2027. Follows federal revocation.
- **SB 72 – [PFAS \("Forever Chemicals"\) in Drinking Water](#)**
Requires a new public website showing PFAS levels in drinking water. Water companies must notify residents when PFAS levels exceed safety thresholds.



Division of Social Services (DSS))

- **HJR 2 – [Explore Restaurant Meals Program for SNAP](#)**
Directs DHSS to evaluate joining the federal program that allows SNAP recipients who are elderly, disabled, or unhoused to buy hot prepared meals at restaurants.
- **SB 65 – [Withdraws Delaware from RGGI](#)**
Removes Delaware from the Regional Greenhouse Gas Initiative. The state already exceeded CO₂ goals, but the program was driving up energy costs. This aims to improve affordability and growth.
- **HB 50 – [LIHEAP+](#)**
Creates the Delaware Energy Fund to help low- and moderate-income households (under 350% of the federal poverty level) afford rising energy costs.



THANK YOU

