SPONSOR: Rep. Minor-Brown & Rep. Bush & Sen. Poore & Sen. Townsend
Reps. Baumbach, Bolden, K. Johnson, Harris, Hilovsky; Sens. Hansen, Walsh, Buckson, Lockman, Pinkney, Sturgeon, Wilson

HOUSE OF REPRESENTATIVES
152nd GENERAL ASSEMBLY

HOUSE BILL NO. 432
AS AMENDED BY
HOUSE AMENDMENT NO. 1

AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE DELAWARE INSTITUTE OF MEDICAL EDUCATION AND RESEARCH.

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

Section 1. Amend § 9905, Title 16 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 9905. Findings.

(a) The General Assembly finds and declares that the purpose of the Delaware Institute of Medical Education and Research (DIMER), created in 1969 as an alternative to a state sponsored medical school, is sound and should be continued and strengthened. Delaware should continue to provide opportunities for Delaware residents to receive a medical ~~education, but it would not be a wise use of resources for the State to build and maintain a medical school.~~ education.

(b) The General Assembly finds and declares that the current arrangement between the State and ~~Jefferson Medical College of Thomas Jefferson University, which allows Jefferson to function as Delaware's medical school, is extremely valuable to the State and has produced benefits which far surpass the admission of 20 Delaware residents into Jefferson Medical College each year. The relationship with Jefferson Medical College through DIMER is built upon years of a solid working relationship and should be perpetuated.~~ Sidney Kimmel Medical College of Thomas Jefferson University (SKMC) and the Philadelphia College of Osteopathic Medicine (PCOM), which allows SKMC and PCOM to function as Delaware's medical schools, produces significant benefits to the State. Through DIMER, SKMC currently admits a minimum of 20 Delaware residents and PCOM admits a minimum of 10 Delaware residents. This program is built upon decades of solid working relationships and should be perpetuated.

(c) The General Assembly finds and declares that a new structure of the DIMER Board will more appropriately reflect DIMER's abilities to meet its responsibilities as outlined in this legislation.

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(d) The General Assembly finds and declares that placing administration of DIMER within the Delaware Health Care Commission will enhance its ability to accomplish its goals and ensure that DIMER's future functions will be focused on promoting medical education while helping the State to meet its health-care needs.

Section 2. Amend § 9906, Title 16 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 9906. Creation of a Board [Effective until July 17, 2028].

(a) There is hereby established the Board of Directors of the Delaware Institute of Medical Education and Research (Board), which shall serve as an advisory board to the Health Care Commission.

(b) The Board shall consist of ~~17 members,~~ 19 members as follows:

(1) Eighteen members appointed by the Governor as follows:

a. One member from the Delaware Health Care Commission.

b. Two members from the ChristianaCare Health System.

c. Six representatives from each institution with a Graduate Medical Education program, including ChistianaCare Health System, Bayhealth, Beebe Healthcare, TidalHealth, Nemours Children's Health, and Saint Francis Hospital.

d. One member from the Delaware Healthcare Association.

e. One member from the Delaware Higher Education Office.

f. Two members from the University of Delaware, 1 of which must be from the College of Health Sciences.

g. One member from Delaware State University.

h. One member from the Medical Society of Delaware.

i. One member from the Delaware Academy of Medicine Delaware Public Health Association.

j. One member from the First State Chapter of the National Medical Association.

k. An at-large member, who is a resident of Sussex County and who represents Federally Qualified Health Centers.

(2) The Director of the Division of Public Health, or the Director's designee, shall serve as an ex officio member of the Board.

~~1 of whom shall be a member of the Delaware Health Care Commission, to be appointed by the Delaware Health Care Commission; 3 of whom shall be appointed by the Christiana Care Health Services; 6 of whom shall be appointed by the Governor, consisting of 1 public member from each county and 1 public member from the City of Wilmington and 2~~

~~members representing medical residency programs in the State, other than those operated by the Christiana Care Health Services; 1 of whom shall be appointed by the Association of Delaware Hospitals to represent hospitals in Kent and Sussex Counties; 1 of whom shall be appointed by the Delaware Higher Education Office, subject to the approval of the Secretary of Education; 3 of whom shall be appointed by the University of Delaware, including representation from the College of Nursing; and 1 of whom shall be appointed by Delaware State University. The Director of the Division of Public Health or, if the Director is not a licensed physician or advanced practice registered nurse, a licensed physician or advanced practice registered nurse designated by the Director and employed by the Division, shall serve as an ex officio member.~~

(c) All members, other than the ex officio member, shall be appointed for terms of 3 ~~years, except that the present 9 members shall serve the remainder of their terms, and of the 6 new appointments, 2 shall be for 3 years, 2 shall be for 2 years and 2 shall be for 1 year, to allow for staggered terms.~~ years. Any member appointed to fill a vacancy shall be appointed only to fill that vacancy for the remainder of the term, but shall be eligible for re-appointment upon expiration of that term.

(d) No member of the Board shall receive compensation for that member's duties other than normal travel expenses incurred in carrying out the responsibilities as members.

(e) A majority of the ~~members of the Board shall constitute a quorum and shall be sufficient for any action by the Board.~~ total membership of the Board must be present at a Board meeting in order to have quorum and conduct official business. A vacancy on the Board is not counted for quorum.

(f) The Chair of the Board shall be ~~appointed by the Chair of the Delaware Health Care Commission.~~ elected by the Board. Candidates for Chair of the Board shall be reviewed by a nominating committee. Membership of the nominating committee and rules for nominating candidates shall be determined by the Board. The Chair shall be subject to a 3-year term with no more than 3 consecutive terms. A Vice Chair shall be established in the same manner and with the same term lengths and limits.

(g) The Board may establish working committees to assist in completing its work; however, it shall maintain a standing "Committee on Rural Health" to assure that the unique health needs of rural Delaware are addressed in DIMER activities.

(h) The Board members shall receive annual training on the importance of diversity in healthcare and how diversity in the medical field reduces health care disparities, optimizes care delivery, and increases access to care.

§ 9906. Creation of a Board [Effective July 17, 2028].

(a) There is hereby established the Board of Directors of the Delaware Institute of Medical Education and Research (Board), which shall serve as an advisory board to the Health Care Commission.

(b) The Board shall consist of ~~17 members,~~ 19 members as follows:

(1) Eighteen members appointed by the Governor as follows:

a. One member from the Delaware Health Care Commission.

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d. One member from the Delaware Healthcare Association.

e. One member from the Delaware Higher Education Office.

f. Two members from the University of Delaware, 1 of which must be from the College of Health Sciences.

g. One member from Delaware State University.

h. One member from the Medical Society of Delaware.

i. One member from the Delaware Academy of Medicine Delaware Public Health Association.

j. One member from the First State Chapter of the National Medical Association.

k. An at-large member, who is a resident of Sussex County and who represents Federally Qualified Health Centers.

(2) The Director of the Division of Public Health, or the Director's designee, shall serve as an ex officio member of the Board.

~~1 of whom shall be a member of the Delaware Health Care Commission, to be appointed by the Delaware Health Care Commission; 3 of whom shall be appointed by the Christiana Care Health Services; 6 of whom shall be appointed by the Governor, consisting of 1 public member from each county and 1 public member from the City of Wilmington and 2 members representing medical residency programs in the State, other than those operated by the Christiana Care Health Services; 1 of whom shall be appointed by the Association of Delaware Hospitals to represent hospitals in Kent and Sussex Counties; 1 of whom shall be appointed by the Delaware Higher Education Office, subject to the approval of the Secretary of Education; 3 of whom shall be appointed by the University of Delaware, including representation from the College of Nursing; and 1 of whom shall be appointed by Delaware State University. The Director of the Division of Public Health shall serve as an ex officio member.~~

(c) All members, other than the ex officio member, shall be appointed for terms of 3 ~~years, except that the present 9 members shall serve the remainder of their terms, and of the 6 new appointments, 2 shall be for 3 years, 2 shall be for 2~~

~~years and 2 shall be for 1 year, to allow for staggered terms.~~ years. Any member appointed to fill a vacancy shall be appointed only to fill that vacancy for the remainder of the term, but shall be eligible for re-appointment upon expiration of that term.

(d) No member of the Board shall receive compensation for that member's duties other than normal travel expenses incurred in carrying out the responsibilities as members.

(e) A majority of the ~~members of the Board shall constitute a quorum and shall be sufficient for any action by the Board.~~ total membership of the Board must be present at a Board meeting in order to have quorum and conduct official business. A vacancy on the Board is not counted for quorum.

(f) The Chair of the Board shall be ~~appointed by the Chair of the Delaware Health Care Commission.~~ elected by the Board. Candidates for Chair of the Board shall be reviewed by a nominating committee. Membership of the nominating committee and rules for nominating candidates shall be determined by the Board. The Chair shall be subject to a 3-year term with no more than 3 consecutive terms. A Vice Chair shall be established in the same manner and with the same term lengths and limits.

(g) The Board may establish working committees to assist in completing its work; however, it shall maintain a standing "Committee on Rural Health" to assure that the unique health needs of rural Delaware are addressed in DIMER activities.

(h) The Board members shall receive annual training on the importance of diversity in healthcare and how diversity in the medical field reduces health care disparities, optimizes care delivery, and increases access to care.

Section 3. Amend § 9907, Title 16 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 9907. Purposes of the Board.

The purpose of the Board shall be to initiate, encourage and promote:

(1) The relationship with ~~Jefferson~~ Sidney Kimmel Medical College of Thomas Jefferson University (SKMC) and the Philadelphia College of Osteopathic Medicine (PCOM) as Delaware's medical ~~school, including ensuring the admission of 20 bona fide Delaware residents into Jefferson Medical College on an annual basis.~~ schools, and ensure the annual admission of 20 bona fide Delaware residents into SKMC and 10 bona fide Delaware residents into PCOM.

(2) Expansion of opportunities for Delaware residents to obtain training at a reasonable cost in the health and health-related professions when such residents commit to practice their professions in Delaware.

(3) Incentives for qualified personnel in the health and health-related professions to practice in Delaware.

(4) Continued development of a coordinated program of premedical, medical and graduate education among state public institutions of higher learning, Delaware ~~hospitals and Jefferson Medical College.~~ hospitals, SKMC, and PCOM.

(5) Support of graduate and post-graduate medical and health-care training programs, including emphasis on those programs targeted to meet the State's health-care needs.

(6) Programs of education and training in the health fields and research in health and health-related fields, both basic and applied, including the vital areas of public health education, community health planning and health-care costs.

Section 4. Amend § 9908, Title 16 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 9908. Duties.

(a) The Board shall be responsible for overseeing implementation of policies designed to accomplish the purposes set forth in § 9907 of this title and shall report to the Commission on its ~~progress.~~ progress in an annual report. Its activities and responsibilities shall include:

(1) Developing a recruitment program for medical education in conjunction with local colleges and universities to encourage medical school applications from minorities and residents of rural counties and underserved areas of Delaware, in addition to other students interested in pursuing a medical education.

(2) Developing and maintaining statewide communications, publicity and marketing plans in cooperation with the Delaware Higher Education Office and other interested parties, which will promote awareness of the existence of DIMER and the ~~Jefferson Medical College as Delaware's alternative to a state sponsored medical school.~~ Sidney Kimmel Medical College of Thomas Jefferson University and the Philadelphia College of Osteopathic Medicine as Delaware's alternatives to state sponsored medical schools.

(3) Close monitoring of the relationship between the University of Delaware Medical Scholars Program and ~~Jefferson Medical College~~ all out-of-state admission slots reserved for Delaware residents.

(4) Developing recruitment programs aimed at attracting premedical students interested in community and rural medicine; provided, however, that the Delaware Health Care Commission shall be empowered to expand or replace this activity with other duties if required by the future health care needs of the State.

(5) Support, as appropriate, private sector provider recruitment efforts by consolidating information collection and dissemination efforts, such as statewide recruitment brochures.

(6) Advising the Delaware Higher Education ~~Office~~ Office, Division of Public Health, and Delaware Health Care Commission as it administers and monitors scholarships, loans and loan repayment programs:

a. Aimed at attracting graduates and residents in disciplines in which there is a shortage as determined by the Delaware Health Care Commission; and

b. Offered to Delaware residents in financial need who wish to pursue a health-related education and to practice health-related professions in Delaware.

The Board may develop working relationships and affiliation agreements with other institutions to facilitate carrying out the purposes of this chapter. Any such agreements shall be approved by the Delaware Health Care Commission, and the State shall be a signatory to any documents setting the terms of the agreements.

(b) In its annual report, the Board shall include progress made on increasing diversity in the DIMER program.

Section 5. Amend § 9903, Title 16 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

(c) The Commission shall be responsible for the administration of the Delaware Institute of Medical Education and Research (DIMER), which shall serve as an advisory board to the ~~Commission, and the Chair of the Health Care Commission shall appoint the Chair of DIMER.~~ Commission. The Commission shall have such other duties and authorities with respect to DIMER which are necessary to carry out the intent of the General Assembly as expressed in this chapter.