

TRINIDAD NAVARRO
COMMISSIONER



STATE OF DELAWARE
DEPARTMENT OF INSURANCE

DOMESTIC/FOREIGN INSURERS BULLETIN NO. 43 (Updated)

TO: ALL HEALTH INSURERS

RE: PROHIBITION OF POST-CLAIM RESCISSION

DATED: June 9, 2011
UPDATED: April 6, 2017
UPDATED: April 8, 2021

Pursuant to the Federal Health Care Reform, the Delaware Legislature enacted HB 420 to create Chapter 61 of Title 18 of the Delaware Code (effective September 23, 2010). Chapter 61 prohibits rescissions based on post-claims underwriting of any health insurance policy except in the case of fraud or intentional misrepresentation of material fact.

The purpose of the original version of this bulletin was to alert health insurers of the enactment of HB 420. The purpose of the subsequent revisions is to update the Department's address and the location from which the on-line application may be downloaded.

Any carrier seeking to rescind a health insurance policy must complete the application that is now attached to this bulletin and send it, together with all supporting information, to:

Delaware Department of Insurance
Attn: Consumer Services
1351 West North Street, Suite 101
Dover, DE 19904

Questions regarding this bulletin should be directed to consumer@delaware.gov.

This Bulletin shall be effective immediately and shall remain in effect unless withdrawn or superseded by subsequent law, regulation, or bulletin.


Trinidad Navarro
Insurance Commissioner

NOTE: This Bulletin is intended solely for informational purposes. It is not intended to set forth legal rights, duties, or privileges, nor is it intended to provide legal advice. Readers should consult applicable statutes and rules and contact the Delaware Department of Insurance if additional information is needed.

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