

## DELAWARE PAID FAMILY MEDICAL LEAVE PRIVATE PLAN CHECKLIST

**Private plans may provide benefits greater than those required under 19 Del.C. Ch. 37.**

This checklist must be completed and submitted together with PFML policy filings via the System for Electronic Rate and Form Filing (SERFF).

PFML form filings must be submitted using the following category types in SERFF:

- H2 1 Health-Other Type of Insurance
- H2 1.000 Health-Other Sub-Type of Insurance

The following minimum standards are required to qualify to meet private plan PFML requirements under 19 **Del.C.** §3716:

Citation 19 Del.C.	<b>FAMILY CAREGIVING</b>	Provide pg. no. of where applicable coverage is listed in policy
§3702(a)(2): §3702(a)(4):	<u><b>Eligibility:</b></u> Caring for a family member with a serious health condition. Has a qualifying exigency.	
§3716(a)(1)a.1. §3716(a)(1)b.	<u><b>Duration of coverage:</b></u> 6 weeks in any 24-month period (aggregate number of weeks during which family caregiving leave benefits are payable in an application year).	
§3716(a)(1)f.	Provide a wage replacement rate during all covered leave of at least the amount required under §3704(a)(1) of Title 19.	
§3716(a)(1)g.	Provide a weekly benefit during all covered leave of at least the amount specified under §3704(a)(3) of Title 19.	
§3716(a)(1)h.	Provide a minimum weekly benefit during all covered leave of at least the amount specified under §3704(a)(2) of Title 19.	
§3716(a)(1)i.	Allow covered leave to be taken intermittently or on a reduced schedule as authorized under §3706 of Title 19.	
§3716(a)(1)k.	Allow employees who are eligible to take covered leave under 19 <b>Del.C.</b> Ch. 37 to take covered leave under the private plan.	
§3716(a)(2)(c)	Policy must be issued by an admitted insurer, as defined under §1904 of Title 18.	

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Citation 19 Del.C.	MEDICAL LEAVE	Provide pg. no. of where applicable coverage is listed in policy
§3702(a)(3)	<b><u>Eligibility:</u></b> Has a serious health condition that makes the covered individual unable to perform the functions of the covered individual's position.	
§3716(a)(1)a.2. §3716(a)(1)b.	<b><u>Duration of coverage:</u></b> 6 weeks in any 24-month period (aggregate number of weeks during which medical leave benefits are payable in an application year).	
§3716(a)(1)f.	Provide a wage replacement rate during all covered leave of at least the amount required under §3704(a)(1) of Title 19.	
§3716(a)(1)g.	Provide a weekly benefit during all covered leave of at least the amount specified under §3704(a)(3) of Title 19.	
§3716(a)(1)h.	Provide a minimum weekly benefit during all covered leave of at least the amount specified under §3704(a)(2) of Title 19.	
§3716(a)(1)i.	Allow covered leave to be taken intermittently or on a reduced schedule as authorized under §3706 of Title 19.	
§3716(a)(1)k.	Allow employees who are eligible to take covered leave under 19 Del.C. Ch. 37 to take covered leave under the private plan.	
§3716(a)(2)(c)	Policy must be issued by an admitted insurer, as defined under §1904 of Title 18.	

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Citation 19 Del.C.	PARENTAL LEAVE	Provide pg. no. of where applicable coverage is listed in policy
§3702(a)(1):	<b><u>Eligibility:</u></b> Because of a birth, adoption, or placement through foster care of a child, is caring for the child during the first year after the birth, adoption, or placement of the child.	
§3716(a)(1)a.3 §3716(a)(1)b.	<b><u>Duration of coverage:</u></b> 12 weeks of benefits payable in an application year.	
§3716(a)(1)f.	Provide a wage replacement rate during all covered leave of at least the amount required under §3704(a)(1) of Title 19.	
§3716(a)(1)g.	Provide a weekly benefit during all covered leave of at least the amount specified under §3704(a)(3) of Title 19.	
§3716(a)(1)h.	Provide a minimum weekly benefit during all covered leave of at least the amount specified under §3704(a)(2) of Title 19.	
§3716(a)(1)i.	Allow covered leave to be taken intermittently or on a reduced schedule as authorized under §3706 of Title 19.	
§3716(a)(1)k.	Allow employees who are eligible to take covered leave under 19 Del.C. Ch. 37 to take covered leave under the private plan.	
§3716(a)(2)(c)	Policy must be issued by an admitted insurer, as defined under §1904 of Title 18.	