



**DOMESTIC AND FOREIGN BULLETIN NO. 161**

**TO: ALL INSURANCE CARRIERS DOING BUSINESS IN DELAWARE**

**RE: IMPLEMENTATION OF HOUSE SUBSTITUTE 1 FOR HOUSE BILL 55  
(HB 55)- PROHIBITED DISCRIMINATION ON THE BASIS OF  
MILITARY STATUS**

**DATED: October 31, 2025**

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This Bulletin provides industry guidance regarding [House Substitute 1 for House Bill 55](#) (the “Act”), enacted by the 153rd General Assembly. This Act strengthens Delaware’s anti-discrimination framework by designating “military status” as a protected class. This designation supplements existing federal protections and extends to Delaware’s laws governing public accommodations, housing, insurance, education, and employment.

**Background**

Effective July 23, 2025, the Act amended Title 18 of the Delaware Code to prohibit unfair discrimination on the basis of military status in the business of insurance. Specifically, 18 *Del. C.* § 2304 now includes “military status” among the enumerated protected classes subject to anti-discrimination enforcement.

**Applicability**

The Act applies across all lines of insurance regulated by the Delaware Department of Insurance (Department), including but not limited to:

- Health
- Disability (short-term and long-term)
- Life
- Property and Casualty
- Supplemental products

Under the Act, carriers may not deny, cancel, exclude, or modify coverage terms based solely on an individual’s military status. This protection applies to active-duty service members, reservists, veterans, and their dependents.

Exceptions to this prohibition are limited to instances where differential treatment is legally required or expressly authorized. The following examples are illustrative and not exhaustive:

- When required or permitted by federal or state law or regulation, such as TRICARE coordination-of-benefits rules, exclusions under state workers' compensation laws, or limits on receiving both U.S. Department of Veterans Affairs (VA) disability compensation and other federal benefits; or
- When required by the terms of a government contract, including but not limited to eligibility criteria for TRICARE supplement plans, Federal Employees Health Benefits (FEHB) programs, or defense-related insurance arrangements.

### **Compliance Expectations**

To ensure alignment with the Act, carriers are expected to:

- Review and update all relevant operational materials (e.g., underwriting guidelines, occupation classification guides, policy forms, rating methodologies, eligibility criteria, etc.) to identify and remove any exclusions, limitations, or adverse terms based solely on an individual's military status. This includes eliminating blanket exclusions in health and disability products unless a specific exemption is explicitly authorized by applicable law or government contract. Any remaining distinctions must be legally defensible.
- Maintain thorough documentation for any permissible distinction based on military status, including clear references to legal authority or contractual obligation that justifies such differential treatment. This documentation should be readily available for the Department to review and incorporate into internal compliance protocols.
- Ensure that all marketing, sales, and claims handling practices are consistent with the Act's anti-discrimination provisions.

Questions about this Bulletin should be emailed to [compliance@delaware.gov](mailto:compliance@delaware.gov).

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



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Trinidad Navarro

Delaware 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.*