

DEPARTMENT OF LABOR

DIVISION OF PAID LEAVE

Statutory Authority: 19 Delaware Code, Section 105 (19 **Del.C.** §105)
19 **DE Admin. Code** 1401

ERRATA

1401 Rules Defining and Regulating the Healthy Delaware Families Act, Family and Medical Leave Insurance Program and the Division of Paid Leave

*** Please Note:** The Department of Labor regulation, 14 **DE Admin. Code** 1401 *Rules Defining and Regulating the Healthy Delaware Families Act, Family and Medical Leave Insurance Program and the Division of Paid Leave*, was published as proposed in the *Delaware Register of Regulations*, 27 **DE Reg.** 954 (06/01/24). Subsections 8.2.4.4 and 13.1 were inadvertently published incorrectly.

Subsection 8.2.4.4 was published as:

8.2.4.4 If the employer pays any part of the covered individual's share of their health insurance premium while the covered individual is on leave, the employer may re-cover the covered individual's share of health insurance premium paid by the employer by any legal means.

Subsection 8.2.4.4 should have been published as:

8.2.4.4 If the employer pays any part of the covered individual's share of their health insurance premium while the covered individual is on leave, the employer may recover the covered individual's share of health insurance premium paid by the employer by any legal means.

Subsection 13.1 was published as:

13.1 A covered individual or employer may appeal to the Board ~~within 30 days from the date of the Division's or the private plan's internal review determination~~ as provided in the Act. At all times, a covered individual, employer, or witness ~~are~~ is required to keep all information related to the claim or appeal confidential and take reasonable steps to ensure confidentiality.

Subsection 13.1 should have been published as:

13.1 A covered individual or employer may appeal to the Board ~~within 30 days from the date of the Division's or the private plan's internal review determination~~ as provided in the Act. At all times, a covered individual, employer, or witness ~~are~~ is required to keep all information related to the claim or appeal confidential and take reasonable steps to ensure confidentiality.

This regulation is corrected and being published as a final regulation in the August 2024 *Register*.

28 DE Reg. 79 (08/01/24) (Errata)

