



Delaware House of Representatives House Majority Caucus

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GOVERNOR SIGNS BILL ALLOWING CIVIL SUITS AGAINST HEALTH CARE PROVIDERS FOR SEX ABUSE

HB 326 creates two-year 'look-back' provision for civil suits

LEWES – Governor Jack A. Markell signed legislation on Tuesday that would allow victims who are sexually abused by a health care provider to file suit any time after the abuse took place.

Sponsored by House Majority Leader Rep. Peter C. Schwartzkopf, Rep. John C. Atkins and Rep. Helene M. Keeley, House Bill 326 is modeled after Delaware's Child Victim's Act, which was passed in 2007. That legislation eliminated the civil statute of limitations for sexual abuse of children. Like the 2007 legislation, House Bill 326 creates a two-year "look-back" provision for sexual abuse victims to file a civil suit.

"This law, in addition to the other nine bills I signed at the end of June, will collectively improve our system and put into place better protections for our children and help families ease the pain of abuse," said Governor Jack Markell. "We want to give families the opportunity to seek judicial relief for abuse where appropriate and help them re-build their lives and those of their children."

The legislation comes at a time when former Lewes pediatrician Earl Bradley has been charged with hundreds of counts of sexually abusing his young patients. The case has left many Sussex County families worried and concerned about the safety of their children.

Governor Markell signed the bill Tuesday afternoon at Survivors of Abuse in Recovery's Lewes office, just a few miles from Bradley's offices, which is located in Rep. Schwartzkopf's district. SOAR provides mental health services for those who are affected by sexual abuse.

"The allegations of sexual abuse by this inhuman monster have horrified many of us throughout the state," said Rep. Schwartzkopf, D-Rehoboth Beach. "These are unspeakable crimes that in my 25-year career with the Delaware State Police, I have never seen before, and hope I never see again. While we can't undo what has happened, we can make sure that these and any other victims who are sexually abused by a health care provider can seek legal action."

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