Delaware ranks 3rd highest per capita in health-care spending, with per capita health-care costs more than 27 percent above the U.S. average, behind only Alaska and Massachusetts. In response, in February 2018, Governor John Carney (D) signed an executive order to form an advisory group to set a benchmark that would help slow the state’s rising health care costs. The executive order comes five months after the passage of HJR 7 that gave DHSS authority to establish a benchmark that would link the growth rate of health-care spending to the state’s rate of economic growth.

In the 2017-2018 legislative session, Delaware introduced several legislation aimed at controlling prescription drug costs. Most notably, the legislature passed HB 425, a legislation that prevents pharmacist gag clause and allows substitution of therapeutically equivalent drugs to provide lower-cost alternatives for consumers.