



Governor's Advisory Council for Exceptional Citizens (GACEC) 516 West Lookerman St., Dover, DE 19904
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June 25, 2024

Planning and Policy Unit
Division of Medicaid and Medical Assistance
1901 North DuPont Highway/P O Box 906
New Castle, DE 19720-0906

RE: 27 DE Reg. 950 DHSS/DMMA Imported Drugs State Plan Amendment Regulations (June 1, 2024)]

To Whom It May Concern:

The Governor's Advisory Council for Exceptional Citizens (GACEC) has reviewed the Delaware Health and Social Services/Division of Medicaid and Medical Assistance (DHSS/DMMA) proposal to amend the Delaware Medicaid State Plan. The proposed amendment will allow access to the federal Medicaid financial match for FDA unapproved drugs that have been as determined by the FDA or the American Society of Health System Pharmacies (ASHP) to be in shortage. By amending the State Plan, Delaware can receive the federal Medicaid payment match when recipients are prescribed these drugs. Council **endorses** the proposed State Plan amendment since it will allow access to the federal match for these medications. Council would like additional information on how DMMA plans to act once it has the regulatory authority to do so.

Thank you for your time and consideration of our endorsement and request for additional information. Please feel free to contact Pam Weir or me should you have any questions on our comments.

Sincerely,

Ann C Fisher

Ann C. Fisher
Chairperson

ACF: kpc