



STATE OF DELAWARE  
STATE COUNCIL FOR PERSONS WITH DISABILITIES

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The Honorable John Carney,  
Governor

John McNeal, Director  
SCPD

## MEMORANDUM

DATE: June 20, 2024

TO: Delaware Department of Health and Social Services/Planning & Policy Unit/Attn:  
Regulation Review

FROM: Susannah Eaton-Ryan, Chairperson  
State Council for Persons with Disabilities

A handwritten signature in black ink that reads "Susannah Eaton-Ryan".

RE: DHSS Proposed State Plan Amendment Related to Imported Drugs, 27 DE Register  
of Regulations 950 (June 1, 2024)

DHSS seeks to amend the Delaware Medicaid State Plan to allow access to the federal Medicaid financial match for FDA unapproved drugs that have been 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.

**The SCPD endorses this amendment to allow access to the federal match for these medications.**

Thank you for considering our comments. Please do not hesitate to contact the SCPD if you have any questions or comments regarding our observations.

cc: Marissa Band, Esq., DLP