



DOMESTIC AND FOREIGN INSURERS BULLETIN NO. 168

**TO: HEALTH INSURANCE CARRIERS, HEALTH SERVICE CORPORATIONS,
MANAGED CARE ORGANIZATIONS, PHARMACY BENEFITS MANAGERS
AND OTHER ENTITIES PROVIDING PRESCRIPTION DRUG COVERAGE IN
DELAWARE**

**RE: ASSISTANCE FOR FAMILIES IMPACTED BY THE FIRE AT LULU M. ROSS
ELEMENTARY SCHOOL**

DATED: October 29, 2026

The Delaware Department of Insurance ("Department") was notified by Secretary of Education Cindy Marten that a fire at Lulu M. Ross Elementary School in Milford on October 25, 2026, destroyed medications maintained on-site for students. As families seek to replace these essential medications, some may encounter delays or barriers due to refill timing restrictions, prior authorization requirements, quantity limits, or other utilization management practices.

In requesting assistance for affected families, Secretary Marten emphasized that ***"Our shared goal is simple: no child should go without needed medication because it was destroyed in a school fire."*** The Department shares this goal and strongly encourages carriers, pharmacy benefit managers, and other entities administering prescription drug benefits to exercise flexibility and urgency in addressing requests for replacement medications.

The Department urges all carriers and entities administering prescription drug benefits to take all reasonable and appropriate steps to ensure that affected students and their families have timely access to replacement medications. Such steps may include:

- Expedite coverage determinations and claims processing.
- Allow early/out-of-cycle refills, including overrides of refill timing restrictions.
- Waive or expedite prior authorization requirements and quantity limits when appropriate.
- Communicate appropriate processing instructions to network pharmacies, pharmacy help desks, customer service personnel, and other relevant parties to ensure prompt and consistent handling.
- Work collaboratively with pharmacies, prescribing providers, and affected families to facilitate uninterrupted access to medically necessary treatment.
- Utilize exception processes to promptly resolve issues involving replacement medications.
- Use reasonable discretion in evaluating requests for replacement medications and avoid imposing unnecessary documentation requirements that could delay access to medically necessary treatment.

The Department recognizes that affected families may require immediate access to replacement medications and that uninterrupted access to prescribed medications is essential to the health, safety, and well-being of affected students. Accordingly, the Department encourages carriers, pharmacy benefit managers, and other entities administering prescription drug benefits to process requests associated with this incident as expeditiously as possible, exercise flexibility and compassion in addressing these extraordinary circumstances, and take all reasonable measures to prevent treatment disruptions for affected children.

The Department appreciates Delaware's health insurance community for its cooperation and support of families affected by this incident.

Questions, comments, or requests for clarification about this Bulletin should be emailed to compliance@delaware.gov.

This Bulletin is effective immediately and shall remain in effect for sixty (60) days from the date of issuance.

A handwritten signature in blue ink, reading "Trinidad Navarro", is positioned above a horizontal line.

Trinidad Navarro
Delaware Insurance Commissioner

NOTE: This Bulletin is intended solely for informational purposes. It is not intended to set forth legal rights, duties, or privileges, nor is it intended to provide legal advice. Readers should consult applicable statutes and rules and contact the Delaware Department of Insurance if additional information is needed