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The following Advisory Opinion is to advise the reader of the current position of the Kentucky Department of Insurance on the specified issue. The Advisory Opinion is not legally binding on either the Department or the reader.

- TO: ALL INSURERS, PRODUCERS, AND ADJUSTERS TRANSACTING INSURANCE BUSINESS IN THE FOLLOWING COUNTIES WITHIN THE COMMONWEALTH OF KENTUCKY: LAUREL, PULASKI, RUSSELL, AND CLAY
  FROM: SHARON P. CLARK, COMMISSIONER KENTUCKY DEPARTMENT OF INSURANCE
  RE: INSURER, PRODUCER, AND ADJUSTER ACTIVITIES DURING THE
- **RE:** INSURER, PRODUCER, AND ADJUSTER ACTIVITIES DURING THE ACUTE EMERGENCIES FOLLOWING THE STORMS ON MAY 16 AND 17, 2025
- **DATE:** MAY 20, 2025

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The Kentucky Department of Insurance recognizes that insurers are working hard to address the issues their customers face after the devastating storms that swept through Kentucky on May 16 and 17, 2025. This guidance is issued with respect to questions that may arise in relation to prescription drug refills.

Pursuant to Executive Order 2025-305, whenever prescription drug coverage exists for insured citizens of the Commonwealth of Kentucky, insurers are required to allow insured individuals to obtain refills of their prescriptions—even if the prescription was recently filled—consistent with approval from the patients' health care providers and/or pharmacists.

Although still generally applicable throughout the Commonwealth, this directive is of the utmost importance in Laurel, Pulaski, Russell, and Clay Counties, which experienced significant storm damage on May 16 and 17, 2025.

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As further inquiries or additional information is received, the Department may publish additional guidance. If you have any questions about this published guidance, please contact Shaun Orme at <u>Shaun.Orme@ky.gov</u> or by letter delivered to:

Attn: Shaun Orme Commissioner's Office Kentucky Department of Insurance P.O. Box 517 Frankfort, Kentucky 40602

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Sharon P. Clark, *Commissioner* Kentucky Department of Insurance On this 20th day of May 2025.

