

Gouvernement du Québec

O.C. 1020-96, 14 August 1996

An Act respecting prescription drug insurance and amending various legislative provisions (1996, c. 32)

Regulation

— **Amendments**

Regulation to amend the Regulation respecting the application of the Act respecting prescription drug insurance and amending various legislative provisions

WHEREAS under section 112 of the Act respecting prescription drug insurance and amending various legislative provisions (1996, c. 32), the Government may, not later than 31 December 1996, make a regulation under section 78 or section 113 of that Act even if the regulation has not been published as required by section 8 of the Regulations Act (R.S.Q., c. R-18.1). Such a regulation shall come into force, notwithstanding section 17 of that Act, on the date of its publication in the *Gazette officielle du Québec* or on any later date fixed in the regulation. Such a regulation may, if it so provides, apply to any class of eligible persons it determines and from any date not prior to 20 June 1996;

WHEREAS under section 113 of that Act, the Government may make any transitional provision to prescribe, with regard to the persons or classes of persons referred to in Division I of Chapter III of the Act, for the reference period it determines:

(1) what is to be done with the contributions referred to in section 14.3 of the Health Insurance Act (R.S.Q., c. A-29), as it read before being repealed by section 92 of the Act respecting prescription drug insurance and amending various legislative provisions, paid by a beneficiary from a date determined in the Regulation;

(2) the date of the expiry of a proof of exemption issued by the Board during a period determined in the regulation in accordance with sections 14.7 and 14.8 of the Health Insurance Act, as they read before being repealed by section 92 of the Act respecting prescription drug insurance and amending various legislative provisions;

(3) the cases in which the Board shall issue proof of exemption and the validity period of such proof;

(4) the amount of and cases in which the Board shall effect a reimbursement to an eligible person referred to in section 15;

(5) the conditions to be met by a pharmacist to be entitled to remuneration from the Board for the pharmaceutical services and medications referred to in section 8 provided by the pharmacist;

(6) the percentage of the cost of pharmaceutical services and medications that remains chargeable to an eligible person and the amount of the maximum contribution payable by the person, and to provide for cases of exemption with or without conditions; the coinsurance percentage and the maximum contribution for a reference period may vary according to classes of persons and within classes of persons;

WHEREAS under the first paragraph of section 116 of the Act respecting prescription drug insurance and amending various legislative provisions, the Government may, by regulation, prior to 1 August 1997, make any other transitional provision to remedy any omission and ensure the implementation of the basic prescription drug insurance plan as soon as possible after the plan is established by the Act;

WHEREAS under the second paragraph of section 116 of the Act respecting prescription drug insurance and amending various legislative provisions, a regulation made under that section is not subject to the publication requirements set out in section 8 of the Regulations Act. It shall come into force on the date of its publication in the *Gazette officielle du Québec* or on any later date fixed in the regulation, notwithstanding section 17 of that Act. A regulation may, once published and where it so provides, apply from any date not prior to 1 August 1996;

WHEREAS under section 118 of the Act respecting prescription drug insurance and amending various legislative provisions, when ordering the coming into force of a provision of the Act, the Government may determine the date or dates on which the provision takes effect in respect of the classes of persons it determines;

WHEREAS by Order in Council 846-96 dated 3 July 1996, the Government made the Regulation respecting the application of the Act respecting prescription drug insurance and amending various legislative provisions;

WHEREAS it is expedient to amend that Regulation;

WHEREAS it is expedient to make the Regulation to amend the Regulation respecting the application of the Act respecting prescription drug insurance and amending various legislative provisions;

IT IS ORDERED, therefore, on the recommendation of the Minister of Health and Social Services:

THAT the Regulation to amend the Regulation respecting the application of the Act respecting prescription drug insurance and amending various legislative provisions, attached to this Order in Council, be made.

MICHEL CARPENTIER,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the application of the Act respecting prescription drug insurance and amending various legislative provisions

An Act respecting prescription drug insurance (1996, c. 32, ss. 78, 1st par., subpars. 3, 112, 113 and 116)

1. The Regulation respecting the application of the Act respecting prescription drug insurance and amending various legislative provisions, made by Order in Council 846-96 dated 3 July 1996, is amended in section 1:

(1) by adding the following at the end of clause *a* of subparagraph 1 of the first paragraph: “, except in the case provided for in section 1.1”; and

(2) by adding the following at the end of clause *b* of subparagraph 1 of the first paragraph: “, except in the case provided for in section 1.1”.

2. The following is inserted after section 1:

“**1.1** For the reference period extending from 1 August 1996 to 31 December 1996, an eligible person referred to in subparagraph 1 of the first paragraph of section 1 who suffers from a severe mental disease shall contribute to paying the cost of pharmaceutical services and medications covered under the basic prescription drug insurance plan and paid for by the Régie de l’assurance-maladie du Québec pursuant to section 22 of the Act, at the time of each filling or renewal of a prescription, by making a coinsurance payment equal to 25 % of the cost of those services and medications, up to the amount of a maximum contribution fixed at \$16.67 per month for all the medications provided to him, where that person obtains at least one of the following medications as part of the treatment for his mental disease:

- (1) zuclopenthixol acetate;
- (2) mesoridazine besylate;

- (3) lithium carbonate;
- (4) promazine hydrochloride;
- (5) thioridazine hydrochloride;
- (6) trifluoperazine hydrochloride;
- (7) fluphenazine hydrochloride;
- (8) chlorpromazine hydrochloride;
- (9) loxapine hydrochloride;
- (10) lithium citrate;
- (11) clozapine;
- (12) haloperidol decanoate;
- (13) flupenthixol decanoate;
- (14) zuclopenthixol decanoate;
- (15) fluphenazine decanoate;
- (16) flupenthixol dihydrochloride;
- (17) zuclopenthixol dihydrochloride;
- (18) fluphenazine enanthate;
- (19) fluspirilene;
- (20) haloperidol;
- (21) I-tryptophan;
- (22) loxapine;
- (23) prochlorperazine maleate;
- (24) thioproperazine mesylate;
- (25) prochlorperazine mesylate;
- (26) methotrimeprazine;
- (27) pipotiazine palmitate;
- (28) pericyazine;
- (29) perphenazine;
- (30) pimozone;

- (31) prochlorperazine;
- (32) risperidone;
- (33) loxapine succinate;
- (34) thiothixene.

Notwithstanding the foregoing, the percentage of the cost of the medications referred to in subparagraphs 11 and 32 of the first paragraph which remains chargeable to the Board shall be assumed by the Board, on the condition that an application for authorization prescribed under section 72 of the Health Insurance Act (R.S.Q., c. A-29) has been forwarded to it and that,

(1) in the case of clozapine, that medication is used for the symptomatic treatment of schizophrenia in patients with normal white cells and for whom appropriate treatment with antipsychotic drugs has proven ineffective or caused intolerable side effects preventing the administration of an effective dose. The white cell differential shall be checked once a week;

(2) in the case of risperidone, that medication is used for the symptomatic treatment of schizophrenia in patients for whom appropriate treatment with antipsychotic drugs has proven ineffective or caused intolerable side effects.”

3. Section 3 is amended

(1) by inserting the words “or in section 1.1” after the words “in section 1”; and

(2) by substituting the words “referred to in those sections” for the words “referred to in that section”.

4. Section 6 is amended by inserting the words “or in section 1.1” after the words “in section 1”.

5. Section 8 is amended by adding “or in section 1.1” at the end.

6. This Regulation has effect since 1 August 1996.

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Gouvernement du Québec

O.C. 1042-96, 21 August 1996

Hospital Insurance Act
(R.S.Q., c. A-28)

Regulation
— **Amendments**

Regulation to amend the Regulation respecting the application of the Hospital Insurance Act

WHEREAS under section 8 of the Hospital Insurance Act (R.S.Q., c. A-28), the Government may make regulations for the carrying out of that Act;

WHEREAS the Government made the Regulation respecting the application of the Hospital Insurance Act (R.R.Q., 1981, c. A-28, r. 1);

WHEREAS it is expedient to amend the Regulation;

WHEREAS in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the text of the Regulation attached to this Order in Council was published in Part 2 of the *Gazette officielle du Québec* of 3 July 1996 on page 2903, with a notice that it could be made by the Government upon the expiry of a 45-day period following that publication;

WHEREAS the period has expired and it is expedient to make the Regulation without amendment;

WHEREAS section 18 of the Regulations Act provides that a regulation may come into force on the date of its publication in the *Gazette officielle du Québec* or between that date and the fifteenth day following that date where the authority that has made it is of the opinion that the urgency of the situation requires it;

WHEREAS section 18 of that Act provides that the reason justifying a shorter period for the coming into force shall be published with the regulation;

WHEREAS the urgency due to the following circumstances justifies such a coming into force:

— the insurance has taken the necessary measures in order for travel insurance premiums for journeys abroad to be paid by persons travelling outside Canada be adjusted from 1 September 1996 in relation with the date of coming into force announced in the draft Regulation published in the *Gazette officielle du Québec* of 3 July 1996;