

contract or employee benefit plan of an eligible person referred to in section 18 of the Act respecting prescription drug insurance and amending various legislative provisions. He is then presumed not to benefit from the coverage provided for by the basic prescription drug insurance plan, pursuant to his group insurance contract or his employment benefit plan.

12. Any eligible person of 65 years of age or over who receives the maximum amount of guaranteed monthly income supplement under the Old Age Security Act (R.S.C., 1985, c. O-9), or any eligible person to whom paragraph 2 or 3 of section 15 of the Act respecting prescription drug insurance and amending various legislative provisions applies and who suffers from severe mental illness shall, unless he is exempted therefrom, contribute to the payment of the cost of pharmaceutical services and medications covered by the basic prescription drug insurance plan paid by the Board in accordance with section 22 of that Act, for the filling or renewal of a prescription, up to the amount of the maximum monthly contribution referred to in the second paragraph, with respect to all the medications provided to him, where that person obtains for the treatment of his mental illness an antipsychotic medication entered on the list of medications drawn up by the Minister of Health and Social Services under section 60 of that Act and, where applicable, an antipsychotic medication referred to in a regulation made by the Government under subparagraph *u* of the first paragraph of section 69 of the Health Insurance Act and that continues to have effect in accordance with section 114 of the Act respecting prescription drug insurance and amending various legislative provisions.

The deductible amount of \$100 per year and the amount of the maximum contribution of \$200 per year provided for in sections 26 and 28 of that Act are divided into equal parts for each month.

13. Sections 30, 32 and 33 of that Act apply to the person referred to in section 12, *mutatis mutandis*.

14. A pharmacist shall remit to any beneficiary to whom he has provided pharmaceutical services and medications the coverage of which is paid by the Board, a receipt indicating, in particular, the following information with respect to each medication thus provided:

- (1) with respect to the cost:
 - (a) the cost of the prescription;
 - (b) the amount insured; and
 - (c) the uninsured surplus that may be required from the beneficiary, where applicable;

(2) with respect to the contribution to the payment of the cost of pharmaceutical services and medications exigible from the beneficiary:

- (a) the deductible amount;
- (b) the 25 % coinsurance amount;
- (3) the amount paid by the Board;
- (4) with respect to the state of the beneficiary's maximum contribution for the reference period:
 - (a) the amount of the contributions paid to date;
 - (b) the remaining amount of the maximum contribution he must pay;
- (5) the reference number awarded by the Board.

15. The maintenance period for the coverage of the basic plan provided for in section 49 of the Act respecting prescription drug insurance and amending various legislative provisions shall not apply to lockouts, strikes or other work stoppages which began before the date of coming into force of this Regulation.

16. This Regulation replaces the Regulation respecting the application of the Act respecting prescription drug insurance and amending various legislative provisions, made by Order in Council 646-93 dated 3 July 1996.

17. This Regulation comes into force on 1 January 1997.

1087

Gouvernement du Québec

O.C. 1520-96, 4 December 1996

Health Insurance Act
(R.S.Q., c. A-29)

Eligibility and registration of persons — Amendments

Regulation to amend the Regulation respecting eligibility and registration of persons in respect of the Régie de l'assurance-maladie du Québec

WHEREAS under subparagraph *a* of the first paragraph of section 69 of the Health Insurance Act (R.S.Q., c. A-29), the Government may, after consultation with the Board or upon its recommendation, prescribe anything that may be prescribed under that Act;

WHEREAS under subparagraph *j.2* of the first paragraph of section 69 of that Act, the Government may, in the same manner, determine the cases, conditions and circumstances in which a person who is a resident of Québec retains his status as a resident of Québec despite his absence;

WHEREAS by Order in Council 1470-92 dated 30 September 1992, the Government made the Regulation respecting eligibility and registration of persons in respect of the Régie de l'assurance-maladie du Québec;

WHEREAS it is expedient to amend that Regulation;

WHEREAS under section 12 of the Regulations Act (R.S.Q., c. R-18.1), a proposed regulation may be made without having been published pursuant to section 8 of that Act, if the authority making it is of the opinion that the urgency of the situation requires it;

WHEREAS under section 13 of that Act, the reasons justifying the absence of such publication shall be published with the regulation;

WHEREAS the Government is of the opinion that the urgency owing to the following circumstances justifies the absence of publication of the Regulation to amend the Regulation respecting eligibility and registration of persons in respect of the Régie de l'assurance-maladie du Québec, attached to this Order in Council;

— the basic prescription drug insurance plan will come into force on 1 January 1997;

— section 4 of the Regulation respecting the basic prescription drug insurance plan, made by Order in Council 1519-96 dated 4 December 1996, provides that an eligible person referred to in section 15 of the Act respecting prescription drug insurance and amending various legislative provisions (1996, c. 32) is exempt from payment of the premium for a calendar year where he stays outside Québec for the entire year and where he retains his status as a resident of Québec under the Health Insurance Act provided that he notifies the Régie de l'assurance-maladie du Québec of his absence;

— the measures proposed do not intend to require that the person return to Québec at least once every 12 months to retain his status as a resident of Québec so that he may benefit from the exemption of the premium is he is absent from Québec for an entire calendar year;

— the publication of the draft regulation would have the effect of delaying the application to a date later than

the date of coming into force of the provisions of section 4 of the Regulation respecting the basic prescription drug insurance plan making the provisions of that section inapplicable for the entire year 1997, since the current Regulation respecting eligibility and registration of persons in respect of the Board obliges such a person to return to Québec at least once every 12 months to retain his status as a resident of Québec;

WHEREAS the Régie de l'assurance-maladie du Québec has been consulted;

WHEREAS it is expedient to make the Regulation to amend the Regulation respecting eligibility and registration of persons in respect of the Régie de l'assurance-maladie du Québec;

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

THAT the Regulation to amend the Regulation respecting eligibility and registration of persons in respect of the Régie de l'assurance-maladie du Québec, attached to this Order in Council, be made.

MICHEL CARPENTIER,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting eligibility and registration of persons in respect of the Régie de l'assurance-maladie du Québec

Health Insurance Act
(R.S.Q., c. A-29, s. 69, 1st par., subpars *a* and *j.2*)

1. The Regulation respecting eligibility and registration of persons in respect of the Régie de l'assurance-maladie du Québec, made by Order in Council 1470-92 dated 30 September 1992, and amended by the Regulations made by Orders in Council 67-94 dated 10 January 1994, 533-95 dated 12 April 1995, 68-96 dated 16 January 1996 and 505-96 dated 24 April 1996, is further amended in section 7 by striking out, in subparagraph 5 of the first paragraph, the words "and returns to Québec at least once every 12 months".

2. This Regulation comes into force on 1 January 1997.