

WHEREAS in accordance with sections 10 and 12 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Regulation attached to this Order in council was published in Part 2 of the *Gazette officielle du Québec* of 14 March 2001, with a notice that it could be made by the Government upon the expiry of 21 days following that publication;

WHEREAS the 21 days have expired;

WHEREAS under section 18 of the Regulations Act, a regulation may come into force on the date of its publication in the *Gazette officielle du Québec* when the authority that has made it is of the opinion the urgency of the situation requires it;

WHEREAS under section 18 of the Act, the reason justifying such a coming into force shall be published with the regulation;

WHEREAS the Government is of the opinion that the urgency due to the following circumstances justifies such a coming into force:

— the need to follow up on the commitments made by the partners during the Sommet de la forêt privée in 1995 which provided that the contribution of the industry paid to agencies would be \$8 M per year;

— the importance to reduce rapidly the rate fixed by regulation so that it applies as of the beginning of the next fiscal year of the agencies, considering that the surplus paid by the industry to the agencies are \$2.4 M and that they continue to accumulate;

WHEREAS it is expedient to make the Regulation;

IT IS ORDERED, therefore, upon the recommendation of the Minister of Natural Resources:

THAT the Regulation to amend the Regulation respecting the rate per cubic metre of timber applicable to the computation of the contribution payable to a regional agency for private forest development by holders of a wood processing plant operating permit, attached to this Order in Council, be made.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the rate per cubic metre of timber applicable to the computation of the contribution payable to a regional agency for private forest development by holders of a wood processing plant operating permit*

Forest Act
(R.S.Q., c. F-4.1, ss. 124.29, 124.30 and 172, par. 18.4)

1. Section 1 of the Regulation respecting the rate per cubic metre of timber applicable to the computation of the contribution payable to a regional agency for private forest development by holders of a wood processing plant operating permit is amended by substituting the amount “\$1.20” for the amount “1.45 \$” at the end of the section.

2. This Regulation comes into force on the date of its publication in the *Gazette officielle du Québec*.

4257

Gouvernement du Québec

O.C. 503-2001, 2 May 2001

Pharmaciens propriétaires — Determination of the conditions of remuneration provided for in the agreement

Determination of the conditions of remuneration provided for in the agreement entered into on 20 March 1997 by the Minister of Health and Social Services and the Association québécoise de pharmaciens propriétaires

WHEREAS under section 9 of the Act to provide for the maintenance of pharmaceutical services in Québec (2001, c. 1), the Government may determine by order what will stand in lieu of an agreement within the meaning of section 19 of the Health Insurance Act (R.S.Q., c. A-29) between the Minister of Health and Social Services and the Association québécoise de pharmaciens propriétaires;

* The Regulation respecting the rate per cubic metre of timber applicable to the computation of the contribution payable to a regional agency for private forest development by holders of a wood processing plant operating permit was made by Order in Council 1113-96 dated 4 September 1996 (1996, *G.O.* 2, 3979). The Regulation has not been amended since.

WHEREAS the provisions of the Order may have effect from 1 April 1998 to 31 March 2002;

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

THAT the Determination of the conditions of remuneration provided for in the agreement entered into on 20 March 1997 by the Minister of Health and Social Services and the Association québécoise de pharmaciens propriétaires, attached to this Order, be approved;

THAT this Order take effect on 1 June 2001.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Determination of the conditions of remuneration provided for in the agreement entered into on 20 March 1997 by the Minister of Health and Social Services and the Québec Pharmacists Owners Association

1. Rule 23 of Appendix II of the agreement is amended as follows:

“Rule 23

There is a reduction in the tariff after a set annual number of prescriptions has been paid to a pharmacy under the Agreement. The annual number is set at 24,300 prescriptions per period of 12 months, starting on January 1 each year, and is calculated on the basis of the date the services are provided; it includes each filling and refilling of a prescription, for a drug, a dietary supplement and a magistral preparation. From 1 January 2002, the annual number of prescriptions is set at 32,000 prescriptions per period of 12 months.

Pharmacy means any premises where the activities of a pharmacy are carried out within the meaning of the Pharmacy Act (R.S.Q., c. P-10) regardless of its owner or owners.”.

2. Appendix III of the agreement is amended as follows:

“APPENDIX III

A.1 Tariffs at June first 2001

| Type and volume of service | Tariff at 2001 06 01 |
|---|---------------------------------|
| 1) Filling or refilling a prescription | |
| - 24,300 prescriptions or less | 7.46 |
| - over 24,300 prescriptions | 6.97 |
| 2) Filling or refilling a prescription for a dietary supplement | |
| - 24,300 prescriptions or less | 5.76 |
| - over 24,300 prescriptions | 4.97 |
| 3) Refusal to fill or refill a prescription | 7.46 |
| - Falsified (valid) prescription | |
| - Allergy predating drug prescribed | |
| - Previous treatment failure with drug prescribed | |
| - Clinically significant interaction | |
| - Previous intolerance of product prescribed | |
| - Irrational choice of product | |
| - Dangerously high dose | |
| - Subtherapeutic dose | |
| - Irrational length of treatment | |
| - Ineffective product in view of the indications | |
| - Irrational quantity prescribed | |
| - Overconsumption | |
| - Duplication of treatment | |
| 4) Pharmaceutical opinion | 16.48 |
| - Medication to be interrupted because of allergy | |
| - Medication to be interrupted because of side effects | |
| - Medication to be interrupted because of interaction | |
| - Medication to be interrupted because of pregnancy or breast feeding | |
| - Drug dosage to be changed because of side effects | |
| - Drug dosage to be changed to ensure effectiveness | |
| - Product to be replaced by a substitute because of side effects or intolerance | |
| - Product to be replaced by a substitute because of interaction | |
| - Product to be replaced by a substitute to ensure effectiveness | |
| - Product to be replaced by a substitute because of pregnancy or breast feeding | |
| - Addition of required supplementary drug | |

| Type and volume of service | Tariff at 2001 06 01 | Type and volume of service | Tariff at 2001 06 01 |
|--|-------------------------|---|-------------------------|
| 5) Pharmaceutical opinion concerning inobservance of hypertension treatment | 16.48 | However, this supplement is not payable to a pharmacist whose pharmacy is open to the public during the hours or on the days referred to above. | |
| - Inobservance of treatment - overconsumption | | | |
| - Inobservance of treatment - underconsumption | | | |
| 6) Pharmaceutical opinion concerning pharmacotherapeutic profile of patient taking eight or more drugs | 16.48 | 11) Filling or refilling a prescription for drugs required for a chronic or prolonged illness, involving the use of a drug dispenser for a treatment period of less than 28 days (25% of the amount is paid every 7 days) | 14.63 (3.66) |
| - Pharmacotherapeutic profile (eight or more drugs) | | | |
| - Interaction with an uninsured product (proprietary medicine or other) | | | |
| 7) Pharmaceutical opinion concerning benzodiazepine drugs | 16.48 | 12) Special consideration (S.C.) The amount payable for insured services may be subject to special consideration : | |
| - Opinion and weaning schedule | | a) when the services are rendered under unusual circumstances ; | |
| | | b) when the services are not listed in the Tariff. | |
| 8) The amount payable for filling or refilling a prescription for a magistral preparation is the cost of the drugs , plus the cost of services | | In all such cases, the pharmacist has to provide the Régie with the necessary information. | |
| - 24,300 prescriptions or less | 11.87 | 13) Supply of disposable syringes and needles | 2.30 |
| - over 24,300 prescriptions | 11.05 | 14) Filling a prescription for the initial pharmacotherapy using a product listed in Appendix VI: | |
| 9) For filling or refilling a prescription for a magistral preparation involving a mixture of ready-made liquid preparations, excluding injectable preparations and ophthalmic solutions designed for parenteral or ophthalmic administration, the amount payable is the total cost of the drugs, plus the fee set for filling or refilling the prescription | | a) for the first 7 days : | |
| - 24,300 prescriptions or less | 7.46 | - 24,300 prescriptions or less | 7.46 |
| - over 24,300 prescriptions | 6.97 | - over 24,300 prescriptions | 6.97 |
| | | b) to complete the prescription, where necessary : | |
| | | - 24,300 prescriptions or less | 7.46 |
| | | - over 24,300 prescriptions | 6.97 |
| 10) Service on call | 23.97 | 15) Filling or refilling a prescription | Tariff per unit |
| A supplement for the first beneficiary, in addition to the cost of drugs and services, is payable every time a pharmacist has to leave his home between 10 p.m. and 8 a.m. the following day in response to a call received during those hours. | | a) Parenteral therapy : | |
| The same supplement is payable to a pharmacist who has to leave his home on any of the following days : Sunday, New Year's Day, January 2nd, Good Friday, Easter Monday, Dollard-des-Ormeaux Day, Saint-Jean-Baptiste Day, Canada Day (or, in the case of the last two mentioned holidays, the days chosen to replace them), Labour Day, Thanksgiving Day, Christmas Day and Boxing Day. | | With prior preparation | |
| | | - Infusion bag (gravity) | |
| | | First bag | 11.66 |
| | | Each following bag | 5.44 |
| | | - Infusion bag (pump) | |
| | | First bag | 15.55 |
| | | Each following bag | 7.77 |
| | | - 50 ml medication cassette | |
| | | First cassette | 11.66 |
| | | Each following cassette | 5.44 |

| Type and volume of service | Tariff at 2001 06 01 | Type and volume of service | Tariff at 2002 01 01 |
|--|---------------------------------|--|-------------------------|
| - 100 ml medication cassette | | 2) Filling or refilling a prescription for a dietary supplement | |
| First cassette | 15.55 | - 32,000 prescriptions or less | 5.90 |
| Each following cassette | 9.33 | - over 32,000 prescriptions | 5.09 |
| - Elastomeric infusion device | | 3) Refusal to fill or refill a prescription | 7.65 |
| First device | 15.55 | - Falsified (valid) prescription | |
| Each following device | 12.43 | - Allergy predating drug prescribed | |
| - Syringe | | - Previous treatment failure with drug prescribed | |
| First syringe | 5.44 | - Clinically significant interaction | |
| Each following syringe | 2.34 | - Previous intolerance of product prescribed | |
| Without prior preparation | | - Irrational choice of product | |
| - Infusion bag (gravity) | | - Dangerously high dose | |
| First bag | 10.11 | - Subtherapeutic dose | |
| Each following bag | 5.44 | - Irrational length of treatment | |
| - Infusion bag (pump) | | - Ineffective product in view of the indications | |
| First bag | 11.66 | - Irrational quantity prescribed | |
| Each following bag | 6.22 | - Overconsumption | |
| - 50 ml medication cassette | | - Duplication of treatment | |
| First cassette | 10.11 | 4) Pharmaceutical opinion | 16.89 |
| Each following cassette | 5.44 | - Medication to be interrupted because of allergy | |
| - 100 ml medication cassette | | - Medication to be interrupted because of side effects | |
| First cassette | 13.21 | - Medication to be interrupted because of interaction | |
| Each following cassette | 8.55 | - Medication to be interrupted because of pregnancy or breast feeding | |
| - Elastomeric infusion device | | - Drug dosage to be changed because of side effects | |
| First device | 11.14 | - Drug dosage to be changed to ensure effectiveness | |
| Each following device | 9.06 | - Product to be replaced by a substitute because of side effects or intolerance | |
| - Syringe | | - Product to be replaced by a substitute because of interaction | |
| First syringe | 4.66 | - Product to be replaced by a substitute to ensure effectiveness | |
| Each following syringe | 2.34 | - Product to be replaced by a substitute because of pregnancy or breast feeding | |
| b) Ophthalmic preparations | 13.21 | - Addition of required supplementary drug | |
| A.2 Tariffs at January first 2002 | | 5) Pharmaceutical opinion concerning inobservance of hypertension treatment | 16.89 |
| Type and volume of service | Tariff at 2002 01 01 | - Inobservance of treatment - overconsumption | |
| 1) Filling or refilling a prescription | | - Inobservance of treatment - underconsumption | |
| - 32, 000 prescriptions or less | 7.65 | 6) Pharmaceutical opinion concerning pharmacotherapeutic profile of patient taking eight or more drugs | 16.89 |
| - over 32,000 prescriptions | 7.15 | | |

| Type and volume of service | Tariff at 2002 01 01 | Type and volume of service | Tariff at 2002 01 01 |
|--|-------------------------|---|-------------------------|
| - Pharmacotherapeutic profile (eight or more drugs) - Interaction with an uninsured product (proprietary medicine or other) | | 11) Filling or refilling a prescription for drugs required for a chronic or prolonged illness, involving the use of a drug dispenser for a treatment period of less than 28 days (25% of the amount is paid every 7 days) | 15.00 (3.75) |
| 7) Pharmaceutical opinion concerning benzodiazepine drugs | 16.89 | 12) Special consideration (S.C.) | |
| - Opinion and weaning schedule | | The amount payable for insured services may be subject to special consideration: | |
| 8) The amount payable for filling or refilling a prescription for a magistral preparation is the cost of the drugs, plus the cost of services | | a) when the services are rendered under unusual circumstances; | |
| - 32,000 prescriptions or less | 12.17 | b) when the services are not listed in the Tariff. | |
| - over 32,000 prescriptions | 11.32 | In all such cases, the pharmacist has to provide the Régie with the necessary information. | |
| 9) For filling or refilling a prescription for a magistral preparation involving a mixture of ready-made liquid preparations, excluding injectable preparations and ophthalmic solutions designed for parenteral or ophthalmic administration, the amount payable is the total cost of the drugs, plus the fee set for filling or refilling the prescription: | | 13) Supply of disposable syringes and needles | 2.36 |
| - 32,000 prescriptions or less | 7.65 | 14) Filling a prescription for the initial pharmacotherapy using a product listed in Appendix VI: | |
| - over 32,000 prescriptions | 7.15 | a) for the first 7 days: | |
| | | - 32,000 prescriptions or less | 7.65 |
| | | - over 32,000 prescriptions | 7.15 |
| | | b) to complete the prescription, where necessary: | |
| | | - 32,000 prescriptions or less | 7.65 |
| | | - over 32,000 prescriptions | 7.15 |
| 10) Service on call | 24.57 | 15) Filling or refilling a prescription | Tariff per unit |
| A supplement for the first beneficiary, in addition to the cost of drugs and services, is payable every time a pharmacist has to leave his home between 10 p.m. and 8 a.m. the following day in response to a call received during those hours. | | a) Parenteral therapy | |
| The same supplement is payable to a pharmacist who has to leave his or her home on any of the following days: Sunday, New Year's Day, January 2nd, Good Friday, Easter Monday, Dollard-des-Ormeaux Day, Saint-Jean-Baptiste Day, Canada Day (or, in the case of the last two mentioned holidays, the days chosen to replace them), Labour Day, Thanksgiving Day, Christmas Day and Boxing Day. | | With prior preparation | |
| However, this supplement is not payable to a pharmacist whose pharmacy is open to the public during the hours or on the days referred to above. | | - Infusion bag (gravity) | 11.95 |
| | | First bag | 5.57 |
| | | Each following bag | |
| | | - Infusion bag (pump) | 15.94 |
| | | First bag | 7.97 |
| | | Each following bag | |
| | | - 50 ml medication cassette | 11.95 |
| | | First cassette | 5.57 |
| | | Each following cassette | |
| | | - 100 ml medication cassette | 15.94 |
| | | First cassette | 9.56 |
| | | Each following cassette | |

| Type and volume of service | Tariff at 2002 01 01 | Type and volume of service | Tariff at 2002 01 01 |
|--|-------------------------|--|-------------------------|
| - Elastomeric infusion device | 15.94 | 2) Filling or refilling a prescription for a dietary supplement : | |
| First device | 12.74 | - 24,300 prescriptions or less | |
| Each following device | | - over 24,300 prescriptions | |
| - Syringe | 5.57 | 3) Refusal to fill or refill a prescription | |
| First syringe | 2.39 | 4) Pharmaceutical opinion | |
| Each following syringe | | 5) Pharmaceutical opinion concerning inobservance of hypertension treatment | |
| Without prior preparation | | 6) Pharmaceutical opinion concerning pharmacotherapeutic profile of patient taking eight or more drugs | |
| - Infusion bag (gravity) | 10.36 | 7) Pharmaceutical opinion concerning benzodiazepine drugs | |
| First bag | 5.57 | 8) The amount payable for filling or refilling a prescription for a magistral preparation is the cost of the drugs , plus a service charge of | |
| Each following bag | | - 24,300 prescriptions or less | |
| - Infusion bag (pump) | 11.95 | - over 24,300 prescriptions | |
| First bag | 6.37 | 9) For filling or refilling a prescription for a magistral preparation involving a mixture of ready-made liquid preparations, excluding injectable preparations and ophthalmic solutions designed for parenteral or ophthalmic administration, the amount payable is the total cost of the drugs, plus the fee set for filling or refilling the prescription | |
| Each following bag | | - 24,300 prescriptions or less | |
| - 50 ml medication cassette | 10.36 | - over 24,300 prescriptions | |
| First cassette | 5.57 | 10) Service on call | |
| Each following cassette | | 11) Filling or refilling a prescription for drugs required for a chronic or prolonged illness, involving the use of a drug dispenser for a treatment period of less than 28 days (25% of the amount is paid every 7 days) | |
| - 100 ml medication cassette | 13.54 | 12) Special consideration (S.C.) | |
| First cassette | 8.77 | 13) Supply of disposable syringes and needles | |
| Each following cassette | | | |
| - Elastomeric infusion device | 11.42 | | |
| First device | 9.29 | | |
| Each following device | | | |
| - Syringe | 4.78 | | |
| First syringe | 2.39 | | |
| Each following syringe | | | |
| b) Ophthalmic preparations | 13.54 | | |
| B) Retroactivity | | | |
| To ensure the retroactive application of the new tariffs, the Régie de l'assurance maladie du Québec will pay pharmacists a retroactive amount in 3 instalments for each of the services listed below. | | | |
| Type and volume of service | | | |
| 1) Filling or refilling a prescription | | | |
| - 24,300 prescriptions or less | | | |
| - over 24,300 prescriptions | | | |

| Type and volume of service | Tariff at 2002 01 01 | Type and volume of service | Tariff at 2002 01 01 |
|---|-------------------------|---|------------------------------|
| 14) Filling a prescription for the initial pharmacotherapy using a product listed in Appendix VI: | | - 50 ml medication cassette First cassette Each following cassette | |
| a) for the first 7 days: | | - 100 ml medication cassette First cassette Each following cassette | |
| - 24,300 prescriptions or less | | | |
| - over 24,300 prescriptions | | | |
| b) to complete the prescription, where necessary: | | - Elastomeric infusion device First device Each following device | |
| - 24,300 prescriptions or less | | | |
| - over 24,300 prescriptions | | | |
| 15) Filling or refilling a prescription | | - Syringe First syringe Each following syringe | |
| a) Parenteral therapy | | | |
| With prior preparation | | b) Ophthalmic preparations | |
| - Infusion bag (gravity) First bag Each following bag | | The first retroactive instalment covers the period from 1 January 1999 to 31 December 2000 and will be paid within 30 days after the Order becomes effective. It is calculated by multiplying the cost of the services rendered in 1999 by 1.5% and multiplying the cost of the services rendered in 2000 by 4.04%. | |
| - Infusion bag (pump) First bag Each following bag | | The second retroactive instalment covers the period from 1 January 2001 to 31 March 2001 and will be paid within 90 days after the Order becomes effective. The third retroactive instalment covers the period from 1 April 2001 to 31 May 2001 and will be paid within 150 days after the Order becomes effective. They are calculated by multiplying the cost of the services rendered from 1 January 2001 to 31 May 2001 by 6.64%. | |
| - 50 ml medication cassette First cassette Each following cassette | | C) Owner-pharmacists are guaranteed an average tariff of \$7.47 for the period from 1 January 2002 to 31 December 2002. The tariff is calculated as the average of all the prescriptions filled at tariffs subject to the rate ceiling. | |
| - 100 ml medication cassette First cassette Each following cassette | | To verify whether an average tariff of \$7.47 has been attained, each service the tariff for which is subject to the rate ceiling, and the actual volume of prescriptions filled by service and by tariff level, will be taken into account. The data used will be the data observed from 1 January 2002 to 31 December 2002.” | |
| - Elastomeric infusion device First device Each following device | | 3. The tariff and retroactivity for the following services are as follows : | |
| - Syringe First syringe Each following syringe | | A) Tariff | |
| Without prior preparation | | | |
| - Infusion bag (gravity) First bag Each following bag | | | |
| - Infusion bag (pump) First bag Each following bag | | | |
| | | Type and volume of service | Tariff at |
| | | | 2001 06 01 2002 01 01 |
| | | 1) Preparation of placebo capsules (Standard approved by the Q.P.O.A.) | |
| | | 1 to 30 capsules | 8.68 8.90 |
| | | 31 to 60 capsules | 12.46 12.77 |
| | | 61 to 100 capsules | 16.60 17.02 |

TARIFF ESTABLISHED BY THE RÉGIE BY
ADMINISTRATIVE PROCEDURE

2) Preparation of pouches

| | | |
|--|-------|-------|
| 1 to 30 pouches | 8.68 | 8.90 |
| 31 to 60 pouches | 12.46 | 12.77 |
| 61 to 100 pouches | 16.60 | 17.02 |
| Over 100 pouches: number of pouches multiplied by \$0.16 per pouch | | |

3) Insulin syringe filling

Less than 17 syringes: at 2001-06-01:
\$8.68 + \$2.30 for an insulin mixture;
at 2002-01-01: \$8.90 + \$2.36 for an
insulin mixture

17 syringes and over: at 2001-06-01:
number of syringes multiplied by \$0.53
per syringe + \$2.30 for an insulin mixture;
at 2002-01-01: number of syringes
multiplied by \$0.54 per syringe + \$2.36
for an insulin mixture

4) Preparation of capsules

| | | |
|--|-------|-------|
| 1 to 30 capsules | 8.68 | 8.90 |
| 31 to 60 capsules | 12.46 | 12.77 |
| 61 to 100 capsules | 16.60 | 17.02 |
| Over 100 capsules: number of capsules multiplied by \$0.16 per capsule | | |

5) Supply of a spacer

| | |
|------|------|
| 2.30 | 2.36 |
|------|------|

B) Retroactivity

The Régie de l'assurance maladie du Québec will pay pharmacists a retroactive amount in 3 instalments for each of the services listed below:

- preparation of placebo capsules
- preparation of pouches
- insulin syringe filling
- preparation of capsules
- supply of a spacer.

The first retroactive instalment covers the period from 1 January 1999 to 31 December 2000 and will be paid within 30 days after the Order becomes effective. It is calculated by multiplying the cost of the services rendered in 1999 by 1.5% and multiplying the cost of the services rendered in 2000 by 4.04%.

The second retroactive instalment covers the period from 1 January 2001 to 31 March 2001 and will be paid within 90 days after the Order becomes effective. The third retroactive instalment covers the period from 1 April 2001 to 31 May 2001 and will be paid within 150 days after the Order becomes effective. They are calculated by multiplying the cost of the services rendered from 1 January 2001 to 31 May 2001 by 6.64%.

4. Section 14 of the Agreement is amended as follows:

“Coming into force and duration

14.01 This Agreement comes into force on 1 June 2001 and terminates on 31 March 2002. Appendices I, II, III, IV, V and VI form an integral part of the Agreement.”.

The Order takes effect on 1 June 2001.

4258

Gouvernement du Québec

O.C. 552-2001, 9 May 2001

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 Régie de l'assurance maladie du Québec or upon its recommendation, prescribe anything that may be prescribed under the Act;

WHEREAS, under subparagraph *j* of the first paragraph of section 69 of the Act, the Government may, in the same way, determine, for the purposes of section 5, the conditions to be met by a person referred to therein and the time at which and the conditions subject to which a person becomes a resident of Québec and the time at which and the conditions subject to which a person ceases to be a resident of Québec, and determine the classes of persons referred to in subparagraph 5 of the first paragraph of that section;