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## Regulations and other acts

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Gouvernement du Québec

### O.C. 620-2003, 28 May 2003

An Act respecting prescription drug insurance  
(R.S.Q., C. a-29.01)

#### Basic prescription drug insurance plan — Amendments

Regulation to amend the Regulation respecting the basic prescription drug insurance plan

WHEREAS, under subparagraph 7 of the first paragraph of section 78 of the Act respecting prescription drug insurance (R.S.Q., c. A-29.01), amended by sections 28 and 31 of chapter 27 of the Statutes of 2002, the Government may, after consulting the Régie de l'assurance maladie du Québec, make regulations to determine, for the purposes of sections 13.1 and 28.1 of the Act, the rules pursuant to which the adjustment rates of the premium, the deductible amount, the coinsurance or the annual contribution are to be fixed annually and specify the class of persons to which each rate is applicable, where that is the case;

WHEREAS, by Order in Council 1519-96 dated 4 December 1996, the Government made the Regulation respecting the basic prescription drug insurance plan and it is expedient to amend the Regulation;

WHEREAS the Régie de l'assurance maladie has been consulted on the amendments;

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

WHEREAS, under sections 13 and 18 of that Act, the reason justifying the absence of prior publication and such coming into force shall be published with the regulation;

WHEREAS, in the opinion of the Government, the urgency owing to the following circumstances justifies the absence of prior publication and such coming into force:

— the Act to amend the Act respecting prescription drug insurance and other legislative provisions (2002, c. 27), assented to on 13 June 2002, provides that the contribution parameters applicable to the purchase of medications and those used in the calculation of the amount of the premium payable for prescription drug insurance are adjusted on 1 July each year according to the rates determined by the Régie de l'assurance maladie du Québec, those parameters having to be fixed under the rules established by regulation;

— the determination of the rules must be based on an impact analysis which requires using the most recent data. The data required, namely the data at 31 March, were available only last April. The legal requirement to fix new parameters for 1 July requires raising the urgency of the situation so that the normal publication procedure for a draft regulation may be waived;

WHEREAS it is expedient to make the Regulation;

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

THAT the Regulation to amend the Regulation respecting the basic prescription drug insurance plan, attached to this Order in Council, be made.

ANDRÉ DICAIRE,  
*Clerk of the Conseil exécutif*

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## Regulation to amend the Regulation respecting the basic prescription drug insurance plan\*

An Act respecting prescription drug insurance (R.S.Q., c. A-29.01, s. 78, 1st par., subpar. 7; 2002, c. 27, ss. 28 and 31)

**1.** The heading of Division IV.1 of the Regulation respecting the basic prescription drug insurance plan is replaced by the following: “Premium and contribution”.

**2.** Section 6.1 is amended

(1) by replacing “section 23 of the Act respecting prescription drug insurance, amended by section 1 of chapter 23 of the Statutes of 2000”, in the portion of the first paragraph preceding subparagraph 1 by “section 28.1 of the Act respecting prescription drug insurance, introduced by section 11 of chapter 27 of the Statutes of 2002”;

(2) by replacing subparagraph 1 of the first paragraph by the following:

“(1) the amount of the annual premium shall be adjusted on 1 July, on the basis of the experience of the months of April to March of the preceding fiscal year, taking into account the increase in the costs of the plan to persons referred to in paragraph 4 of section 15 of the Act respecting prescription drug insurance;”.

**3.** The following is inserted after section 6.1:

“**6.2.** The rules pursuant to which the Board, in accordance with sections 13.1 and 28.1 of the Act respecting prescription drug insurance, introduced respectively by sections 4 and 11 of chapter 27 of the Statutes of 2002, fixes annually the rates of adjustment of the deductible amount, of the coinsurance and of the maximum annual contribution, and the classes of persons to which they apply are as follows:

(1) for persons referred to in the second and third paragraphs of section 28 of the Act respecting prescription drug insurance, the deductible amount, the coinsurance and the maximum annual contribution are adjusted on 1 July, so as to allow for the proportion of the gross costs assumed by those classes of persons to be maintained, on the basis of the experience of the months of April to March of the preceding fiscal year, taking into account the increase in the costs of the plan to those persons;

(2) in the application of the preceding paragraph, however, the rate of adjustment of the maximum contribution may not exceed

(a) the rate of increase in the Pension Index, established under the Act respecting the Québec Pension Plan (R.S.Q., c. R-9) and that applies on 1 January of the year of the adjustment, reduced by 0.5%, in regard to the persons referred to in the second paragraph of section 28 of the Act respecting prescription drug insurance;

(b) the rate of increase in the Pension Index, established under the Act respecting the Québec Pension Plan (R.S.Q., c. R-9) and that applies on 1 January of the year of the adjustment, increased by 0.5%, in regard to the persons referred to in the third paragraph of section 28 of the Act respecting prescription drug insurance.”.

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

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Gouvernement du Québec

## Agreement

An Act respecting elections and referendums in municipalities (R.S.Q., c. E-2.2)

AGREEMENT CONCERNING NEW METHODS OF VOTING USING “PERFAS-MV” BALLOT BOXES

AGREEMENT ENTERED INTO

BETWEEN

The MUNICIPALITY OF POINTE-CALUMET, a legal person established in the public interest, having its head office at 300, Basile-Routhier Avenue, Pointe-Calumet, Province of Québec, represented by the mayor, Mr Jacques Séguin, and the clerk or secretary-treasurer, Mrs Chantal Pilon, under a resolution bearing number 03-03-45, hereinafter called

\* The Regulation respecting the basic prescription drug insurance plan, made by Order in Council 1519-96 dated 4 December 1996 (1996, G.O. 2, 4941), was last amended by the regulation made by Order in Council 1405-2000 dated 6 December 2000 (2000, G.O. 2, 5569). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2003, updated to 1 March 2003.