

(n) evaluation of the need for the prescription of a medication when no diagnosis is required, in the cases and according to the terms and conditions determined by the Regulation respecting the prescription of a medication by a pharmacist, made by Order in Council 604-2013 dated 12 June 2013, except for the case referred to in item 6 of Schedule I to that regulation;

(o) evaluation of the need for the prescription of a medication for a minor condition, according to the terms and conditions determined by the Regulation respecting certain professional activities that may be engaged in by a pharmacist, made by Order in Council 606-2013 dated 12 June 2013;

The services referred to in subparagraphs (a) and (b) of the first paragraph must relate to a medication on the list of medications drawn up by the Minister under section 60 of the Act respecting prescription drug insurance (chapter A-29.01).

The services referred to in subparagraphs (c) and (e) of the first paragraph must relate to at least one medication on the list of medications drawn up by the Minister under section 60 of the Act respecting prescription drug insurance.”

2. This Regulation comes into force on 20 June 2015.

102168

Gouvernement du Québec

O.C. 506-2015, 10 June 2015

An Act respecting prescription drug insurance (chapter A-29.01)

An Act mainly to implement certain provisions of the Budget Speech of 4 June 2014 and return to a balanced budget in 2015-2016 (2015, chapter 8)

Basic prescription drug insurance plan — Amendment

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

WHEREAS, under subparagraph (1.2) of the first paragraph of section 78 of the Act respecting prescription drug insurance (chapter A-29.01) as introduced by subparagraph (1) of section 192 of the Act mainly to implement certain provisions of the Budget Speech of 4 June 2014 and return to a balanced budget in 2015-2016 (2015, chapter 8),

the Government may, after consulting with the Board, make regulations to determine, for the purposes of section 8, the services required for pharmaceutical reasons and provided by a pharmacist that are covered by the basic prescription drug insurance plan and to determine, among those whose payment is borne by the Board, the services that must relate to a medication on the list of medications drawn up by the Minister under section 60;

WHEREAS, under section (1.4) of the first paragraph of section 78 of the Act respecting prescription drug insurance as introduced by subparagraph (1) of section 192 of the Act mainly to implement certain provisions of the Budget Speech of 4 June 2014 and return to a balanced budget in 2015-2016, the Government may, after consulting with the Board, make regulations to determine, for the purposes of section 11, the pharmaceutical services for which no contribution is payable; these services may vary according to whether the coverage is provided by the Board or under a group insurance contract or an employee benefit plan;

WHEREAS, under subparagraph (2) of the first paragraph of section 78 of the Act respecting prescription drug insurance as amended by subparagraph (2) of section 192 of the Act mainly to implement certain provisions of the Budget Speech of 4 June 2014 and return to a balanced budget in 2015-2016, the Government may, after consulting with the Board, make regulations to determine, for the purposes of section 22, the other services required for pharmaceutical reasons and provided by a pharmacist whose cost is borne by the Board;

WHEREAS, under subparagraph (2.0.1) of the first paragraph of section 78 of the Act respecting prescription drug insurance as introduced by subparagraph (3) of section 192 of the Act mainly to implement certain provisions of the Budget Speech of 4 June 2014 and return to a balanced budget in 2015-2016, the Government may, after consulting with the Board, make regulations to determine, for the purposes of section 22, the other pharmaceutical services that must relate to a medication on the list of medications drawn up by the Minister under section 60;

WHEREAS, under section 204 of the Act mainly to implement certain provisions of the Budget Speech of 4 June 2014 and return to a balanced budget in 2015-2016, the first regulation made under subparagraphs (1.2), (1.4) and (2.0.1) of the first paragraph of section 78 of the Act respecting prescription drug insurance, enacted by section 192 of the Act mainly to implement certain provisions of the Budget Speech of 4 June 2014 and return to a balanced budget in 2015-2016, and the first regulation made on 21 April 2015 under subparagraph (2) of the first paragraph of section 78 of the Act respecting prescription drug insurance, as amended by section 192 of the

Act mainly to implement certain provisions of the Budget Speech of 4 June 2014 and return to a balanced budget in 2015-2016, are not subject to the publication requirement or the date of coming into force set out in sections 8 and 17 of the Regulations Act (chapter R-18.1). Such regulations come into force on the date of their publication in the *Gazette officielle du Québec* or on any later date specified;

WHEREAS, under subparagraph (1) of section 375 of the Act mainly to implement certain provisions of the Budget Speech of 4 June 2014 and return to a balanced budget in 2015-2016, the provisions of section 192 of that Act will come into force on 20 June 2015;

WHEREAS, the Board has been consulted;

WHEREAS, it is expedient to enact the regulation attached hereto;

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 approved.

JUAN ROBERTO IGLESIAS,
Clerk of the Conseil exécutif

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

An Act respecting prescription drug insurance (chapter A-29.01, s.78, first par., subpars. (1.2), (1.4), (2) and (2.0.1))

An Act mainly to implement certain provisions of the Budget Speech of 4 June 2014 and return to a balanced budget in 2015-2016 (2015, chapter 8, s. 192)

1. The Regulation respecting the basic prescription drug insurance plan (chapter A-29.01, r. 4) is amended by inserting, before section 2, the following:

“1.1 For the purposes of section 8 of the Act respecting prescription drug insurance (chapter A-29.01), the following services, when required for pharmaceutical reasons and provided by a pharmacist, are covered under the basic prescription drug insurance plan:

(1) filling and renewal of a prescription;

(2) extension of a physician’s prescription, so that the treatment prescribed by the physician to a patient shall not be interrupted, according to the terms and conditions referred to in subparagraph (6) of the second paragraph of section 17 of the Pharmacy Act (chapter P-10) as well as in the Regulation respecting the extension or adjustment of a physician’s prescription by a pharmacist and the substitution of a medication prescribed, made by Order in Council 605-2013 dated 12 June 2013;

(3) adjustment of a physician’s prescription, by modifying the dosage form, dose, quantity or dosage regimen of a prescribed medication, according to the terms and conditions determined by the Regulation respecting the extension or adjustment of a physician’s prescription by a pharmacist and the substitution of a medication prescribed, made by Order in Council 605-2013 dated 12 June 2013;

(4) replacement of a prescribed medication, where it is completely out of stock in Québec, with another medication of the same therapeutic sub-class, according to the terms and conditions determined by the Regulation respecting the extension or adjustment of a physician’s prescription by a pharmacist and the substitution of a medication prescribed, made by Order in Council 605-2013 dated 12 June 2013;

(5) administration of a medication orally, topically, subcutaneously, intradermally or intramuscularly, or by inhalation, in order to establish its appropriate usage, according to the terms and conditions determined by the Regulation respecting the administration of medication by pharmacists, made by Order in Council 601-2013 dated 12 June 2013;

(6) prescription of laboratory analyses for the purpose of the monitoring of a medicational therapy by a pharmacist practising in a community pharmacy, according to the terms and conditions determined by the Regulation respecting certain professional activities that may be engaged in by a pharmacist, made by Order in Council 606-2013 dated 12 June 2013;

(7) prescription of a medication when no diagnosis is required, in the cases and according to the terms and conditions determined by the Regulation respecting the prescription of a medication by a pharmacist, made by Order in Council 604-2013 (2013, *G.O.* 2, 1511), except for the case referred to in item 6 of Schedule I to that regulation;

(8) prescription of a medication for a minor condition, according to the terms and conditions determined by the Regulation respecting certain professional activities that may be engaged in by a pharmacist, made by Order in Council 606-2013 dated 12 June 2013;

(9) taking charge of the adjustment of a dose of a medication to attain a therapeutic target, according to the terms and conditions determined by the Regulation respecting the extension or adjustment of a physician's prescription by a pharmacist and the substitution of a medication prescribed, made by Order in Council 605-2013 dated 12 June 2013. The cost of tests performed in a pharmacy are not included in the pharmacist's remuneration for this service;

(10) evaluation of the need for the prescription of a medication when no diagnosis is required, in the cases and according to the terms and conditions determined by the Regulation respecting the prescription of a medication by a pharmacist, made by Order in Council 604-2013 dated 12 June 2013, except for the case referred to in item 6 of Schedule I to that regulation;

(11) evaluation of the need for the prescription of a medication for a minor condition, according to the terms and conditions determined by the Regulation respecting certain professional activities that may be engaged in by a pharmacist, made by Order in Council 606-2013 dated 12 June 2013;

The services referred to in subparagraph (1) of the first paragraph must, when coverage is provided by the Board, relate to a medication on the list of medications drawn up by the Minister under section 60 of the Act respecting prescription drug insurance (chapter A-29.01).".

2. Section 2 of that Regulation is amended:

(1) by replacing the text preceding subparagraph (1) with "In addition to the pharmaceutical services referred to in the first paragraph of section 8 of the Act respecting prescription drug insurance (chapter A-29.01), the other pharmaceutical services whose cost is borne by Board in accordance with section 22 of that Act are the following:";

(2) by adding, at the end, the following:

"(3) transmission of a medication profile;

(4) on-call service.

The service referred to in subparagraph (1) of the first paragraph must relate to a medication on the list of medications drawn up by the Minister under section 60 of the Act respecting prescription drug insurance.

The services referred to in subparagraphs (2) and (4) of the first paragraph must relate to at least one medication on the list of medications established by the Minister under section 60 of the Act respecting prescription drug insurance.".

3. This Regulation is amended by inserting, after DIVISION II, the following:

"DIVISION II.1

UNENFORCEABILITY OF THE CONTRIBUTION

3.1 For the purposes of section 11 of the Act respecting prescription drug (chapter A-29.01), no contribution shall be payable with regard to the following pharmaceutical services, whose cost is borne by the Board:

(1) refusal to fill a prescription;

(2) a pharmaceutical opinion;

(3) transmission of a medication profile;

(4) on-call service.".

4. This Regulation comes into force on 20 June 2015.

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