

FINAL

**7.** This program comes into force on 14 December 2020.

104748

Gouvernement du Québec

**O.C. 1300-2020, 2 December 2020**

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

**Basic prescription drug insurance plan  
— Amendment**

CONCERNING the 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 (chapter A-29.01) the Government may, in addition to the regulatory powers conferred on it by that Act and after consultation with the Régie de l'assurance maladie du Québec, make a regulation to determine, for the purposes of sections 13.1 and 28.1 of that Act, the rules pursuant to which the rates of adjustment are to be fixed annually and specify the categories of persons to which they apply;

WHEREAS, the Government made the Regulation respecting the basic prescription drug insurance plan (chapter A-29.01, r. 4);

WHEREAS it is expedient to amend that Regulation;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation amending the Regulation respecting the basic prescription drug insurance plan was published in Part 2 of the *Gazette officielle du Québec* of 16 September 2020 with notice that it may be made by the Government upon expiry of the 45-day period following that publication;

WHEREAS the Régie de l'assurance maladie du Québec has been consulted with respect to this draft regulation;

WHEREAS it is expedient to make that Regulation with amendments;

IT IS ORDERED therefore, upon 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.

YVES OUELLET,  
*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 para., subpara. (7))

**1.** The Regulation respecting the basic prescription drug insurance plan (chapter A-29.01, r. 4) is amended by replacing sections 6.1 and 6.2 with the following:

“**6.1.** The rate of adjustment of the maximum amount of the annual premium will be established on the basis of the experience of the months of April to March of the preceding fiscal year, while taking into account the following factors:

(1) the increase in the costs of the plan to the persons referred to in paragraph 4 of section 15 of the Act respecting prescription drug insurance (chapter A-29.01);

(2) the costs anticipated from changes to coverage under the plan, particularly by the introduction of new medications to the list of medications;

(3) the insufficiency of contributions to the plan where, in the application of the provisions of section 6.2 and 6.2.1, the rates of adjustment fixed do not allow for maintaining the proportion of the gross costs assumed by the persons referred to in the first and second paragraphs of section 28 of the Act respecting prescription drug insurance;

(4) any other factor having a direct effect on the costs of the plan.

**6.2.** The rates of adjustment of the maximum contribution, coinsurance and deductible to be assumed by the persons referred to in the first and second paragraphs of section 28 of the Act respecting prescription drug insurance (chapter A-29.01) will be determined on the basis of the experience of the months of April to March of the preceding fiscal year and by taking into account the increase in the costs of the plan to those categories of persons so as to maintain the proportion of the gross costs assumed by those persons.

However, the rate of adjustment of the coinsurance may not exceed zero where the percentage set out in section 27 if the Act respecting prescription drug insurance is more than 35%.

**6.2.1.** Notwithstanding the provisions of section 6.2, the rates of adjustment of the maximum contribution and deductible may not exceed the rate of increase in the Pension index established under the Act respecting the Québec Pension Plan (chapter R-9) applicable on January 1 of the year where the adjustment takes place, which rate is:

(1) for the maximum contribution:

(a) reduced by 0.5% in regard to the persons referred to in the first paragraph of section 28 of the Act respecting prescription drug insurance (chapter A-29.01);

(b) increased by 0.5%, in regard to the persons referred to in the second paragraph of section 28 of the Act respecting prescription drug insurance;

(2) for the deductible, increased by 0.5%.

The rate of adjustment of the deductible may however be less than that established in accordance with the provisions of the first paragraph of this section and the first paragraph of section 6.2, where the amount of the deductible is equivalent to more than 20% of the amount of the maximum contribution in the case of the persons referred to in the second paragraph of section 28 of the Act respecting prescription drug insurance.”

**2.** The following is inserted before section 6.3:

**“DIVISION IV.2**

**SPECIAL RULES APPLYING FOR THE PERIOD OF 1 JULY 2020 TO 30 JUNE 2021”.**

**3.** Section 6.3 is amended by replacing, in the first and second paragraphs, “and 6.2” by “to 6.2.1”.

**4.** For the period of 1 January 2021 to 30 June 2021, the Board has fixed the rates of adjustment of the maximum amount of the annual premium, deductible and maximum contribution, as well as the percentage of the coinsurance, in accordance with the rules derived from this Regulation.

**5.** This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

104747

## Notice

### **Agreement dated 4 December 2020 between the Minister of Justice and the Barreau du Québec respecting the tariff of fees and expenses of advocates rendering services in criminal and penal matters and the dispute settlement procedure**

An Act respecting legal aid and the provision of certain other legal services (chapter A-14)

Notice is hereby given that the Agreement between the Minister of Justice and the Barreau du Québec respecting the tariff of fees and expenses of advocates rendering services in criminal and penal matters and the dispute settlement procedure, appearing below, was entered into on 4 December 2020.

In accordance with section 83.21 of the Act respecting legal aid and the provision of certain other legal services (chapter A-14), the Agreement has force of law and takes effect on the date of its publication in the *Gazette officielle du Québec*.

SIMON JOLIN-BARRETTE,  
*Minister of Justice*

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### **Agreement dated 4 December 2020 between the Minister of Justice and the Barreau du Québec respecting the tariff of fees and expenses of advocates rendering services in criminal and penal matters and the dispute settlement procedure**

An Act respecting legal aid and the provision of certain other legal services (chapter A-14, s. 83.21)

**1.** This Agreement establishes the tariff of fees applicable to advocates in private practice who render services in criminal and penal matters to persons who receive legal aid or other legal services under the Act respecting legal aid and the provision of certain other legal services (chapter A-14), except advocates who have entered into a professional services contract with the Commission des services juridiques.

The Agreement also establishes rules dealing with expenses and dispute settlement.