

## Orders in Council

Gouvernement du Québec

### O.C. 1795-2022, 7 December 2022

CONCERNING the amendment to the Community Pharmacy Access Program for Certain COVID-19 Pharmaceutical Treatments

WHEREAS, under paragraph *h* of section 3 of the Act respecting the Ministère de la Santé et des Services sociaux (chapter M-19.2), the Minister of Health is to promote the development and implementation of programs and services according to the needs of individuals, and families and other groups;

WHEREAS, under the first paragraph of section 2 of the Act respecting the Régie de l'assurance maladie du Québec (chapter R-5), the function of the Board (Régie) is to administer and implement the programs of the health insurance plan instituted by the Health Insurance Act (chapter A-29) and any other program entrusted to it by law or by the Government;

WHEREAS, under the fifteenth paragraph of section 3 of the Health Insurance Act, the Board assumes the cost of services and goods provided under the programs it administers by virtue of the first paragraph of section 2 of the Act respecting the Régie de l'assurance maladie du Québec according to the conditions and methods provided for under those programs;

WHEREAS, under the first paragraph of section 2.1 of the Act respecting the Régie de l'assurance maladie du Québec, the Board is to recover, from the Ministère de la Santé et des Services sociaux or body concerned, the cost of services and goods it assumes under a program entrusted to it by law or by the Government, to the extent provided for under that program;

WHEREAS, under Order in Council 318-2022 dated 16 March 2022, the Government of Québec entrusted the Board with the Community Pharmacy Access Program for Certain COVID-19 Pharmaceutical Treatments;

WHEREAS this Program was amended on 9 May 2022 by the Agreement #1 concerning the Community Pharmacy Access Program for Certain COVID-19 Pharmaceutical Treatments between the Minister and the Board in order to add a new pharmaceutical treatment to the Program;

WHEREAS this Program was also amended on 8 August 2022 by the Agreement #2 concerning the Community Pharmacy Access Program for Certain COVID-19 Pharmaceutical Treatments between the Minister and the Board in order to add a new unit format for Paxlovid™ (nirmatrelvir and ritonavir) to treat a person also suffering from kidney failure;

WHEREAS this Program was also amended on 5 December 2022 by the Agreement #3 concerning the Community Pharmacy Access Program for Certain COVID-19 Pharmaceutical Treatments between the Minister and the Board in order to amend the criteria for use and coverage of Paxlovid™, Evusheld™, and the maximum quantity of unit formats per service of this pharmaceutical treatment for the treatment of COVID-19;

WHEREAS it is expedient to expand the scope of this Program to include treatment for influenza;

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

THAT the Community Pharmacy Access Program for Certain COVID-19 Pharmaceutical Treatments, amended by the Agreement #1 concerning the Community Pharmacy Access Program for Certain COVID-19 Pharmaceutical Treatments and the Agreement #2 concerning the Community Pharmacy Access Program for Certain COVID-19 Pharmaceutical Treatments between the Minister of Health and Social Services and the Board, and by the Agreement #3 concerning the Community Pharmacy Access Program for Certain COVID-19 Pharmaceutical Treatments between the Minister of Health and the Board, be amended:

1° by adding in the title, after “COVID-19”, “and Influenza”;

2° in the second paragraph of section 1:

a) by replacing “to be entered into” with “entered into”;

b) by deleting “and Social Services”;

c) by inserting, after “COVID-19”, “and its subsequent amendments”;

3° in section 3, by replacing “and quantity of pharmaceutical treatments covered by this program” with “, quantity of pharmaceutical treatments covered by this program and conditions for the provision of the service”;

4° in section 4:

a) by deleting “and Social Services”;

b) by inserting, after “pharmaceutical treatments”, “and conditions for the provision of the service”;

c) by inserting, after “COVID-19”, “or influenza”;

5° by deleting “and Social Services” in section 6;

6° by deleting “and Social Services” in section 11;

7° by adding, at the end of Schedule A, the following:

**“C) Oseltamivir**

For the treatment of influenza.”

8° by adding, at the end of the table of Schedule B, the following:

“

Oseltamivir 75 mg	1 package containing 10 capsules	\$10.39	1
Oseltamivir 45 mg	1 package containing 10 capsules	\$8.07	1
Oseltamivir 30 mg	1 package containing 10 capsules	\$5.24	1

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YVES OUELLET  
*Clerk of the Conseil exécutif*

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