

**Caution:**

This consultation draft is intended to facilitate dialogue concerning its contents. Should the decision be made to proceed with the proposal, the comments received during consultation will be considered during the final preparation of the regulation. The content, structure, form and wording of the consultation draft are subject to change as a result of the consultation process and as a result of review, editing and correction by the Office of Legislative Counsel.

CONSULTATION DRAFT

**CONFIDENTIAL**  
Until filed with the  
Registrar of Regulations

**REG2018.0316.e**  
**4-RA**

**ONTARIO REGULATION**

made under the

**ONTARIO DRUG BENEFIT ACT**

Amending O. Reg. 201/96

(GENERAL)

**1. (1) Paragraph 3.1 of subsection 2 (1) of Ontario Regulation 201/96 is revoked and the following substituted:**

3.1 Persons who are under 25 years of age and who do not have a private plan.

**(2) Section 2 of the Regulation is amended by adding the following subsections:**

(2.1) For the purposes of paragraph 3.1 of subsection (1),

“private plan” means an employer, group or individual plan, program or account, however described, that could provide coverage for, including the provision of funding that could be used to pay for, any drug product, regardless of the following:

1. Whether the drug product that could be eligible for coverage under the private plan is a drug product that has been prescribed for the person who has the plan and which the person is asking to be dispensed.
2. Whether the person who has the private plan or any other person is required to pay a premium, co-payment, deductible or other expense.
3. Whether the person who has the private plan has exhausted their entitlement under the plan.

(2.2) For the purposes of paragraph 3.1 of subsection (1), a person is considered to have a private plan if they are in any way captured by the plan, including, without being limited to, being captured as a named insured, an unnamed insured or an additional insured.

**2. Subsection 20.1 (1.1) of the Regulation is revoked and the following substituted:**

(1.1) Despite subsection (1), the maximum co-payment that the operator of a pharmacy or a physician may charge a person in respect of supplying a listed drug product for an eligible person who is under 25 years of age is \$0, unless the person is an eligible person described in subsection 3 (1).

**Commencement**  
**[commencement]**