

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

ONTARIO REGULATION

made under the

ONTARIO DRUG BENEFIT ACT

Amending O. Reg. 201/96

(GENERAL)

1. (1) Subsections 13 (2), (3) and (3.1) of Ontario Regulation 201/96 are revoked and the following substituted:

(2) For the purposes of paragraph 3 of subsection 6 (1) of the Act, the mark-up on the drug benefit price of a listed drug product is,

- (a) 10 per cent of the drug benefit price for a listed drug product that when supplied has a total drug cost less than or equal to \$100;
- (b) 8 per cent of the drug benefit price for a listed drug product that when supplied has a total drug cost greater than \$100 but less than or equal to \$200;
- (c) 6 per cent of the drug benefit price for a listed drug product that when supplied has a total drug cost greater than \$200 but less than or equal to \$500; and
- (d) 4 per cent of the drug benefit price for a listed drug product that when supplied has a total drug cost greater than \$500.

(3) In subsection (2),

“total drug cost” means the amount that is calculated by multiplying the drug benefit price of the drug product supplied by the quantity of the drug product supplied.

(2) Subsection 13 (4) of the Regulation is amended by striking out “Subject to subsection (6), for” at the beginning and substituting “For”.

(3) Subsection 13 (5) of the Regulation is amended by striking out “but subject to subsection (6)” in the portion before paragraph 1.

(4) Subsection 13 (6) of the Regulation is revoked.

2. Subparagraphs 3 i and ii of subsection 17 (1) of the Regulation are revoked and the following substituted:

- i. 10 per cent of the drug benefit price, if the total drug cost of the product supplied is less than or equal to \$100,
- ii. 8 per cent of the drug benefit price, if the total drug cost of the product supplied is greater than \$100 but less than or equal to \$200,
- iii. 6 per cent of the drug benefit price, if the total drug cost of the product supplied is greater than \$200 but less than or equal to \$500, and
- iv. 4 per cent of the drug benefit price, if the total drug cost of the product supplied is greater than \$500.

3. Section 18 of the Regulation is amended by adding the following subsections:

(1) The executive office shall not pay a dispensing fee to a long-term care home pharmacy service provider in respect of a listed drug product provided to an eligible person described in paragraph 5 of subsection 2 (1).

(1.1) In subsection (1),

“long-term care home pharmacy service provider” means the operator of a pharmacy that has been retained by the licensee of a long-term care home in accordance with section 119 of Ontario Regulation 79/10 (General) made under the *Long-Term Care Homes Act, 2007* and that is reimbursed by a payment method other than that provided under subsection 5 (1) of the *Ontario Drug Benefit Act*.

Commencement
[commencement]