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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) Subsection 2 (1.1) of the Regulation is revoked.

(3) 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 drug products, including the provision of funding that could be used to pay for drug products, 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 3 (1) of the Regulation is amended by striking out “subsections 2 (1) and (1.1)” in the portion before paragraph 1 and substituting “subsection 2 (1)”.

3. 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

4. This Regulation comes into force on the later of April 1, 2019 and the day it is filed.