

1977 Bill 219

Third Session, 18th Legislature, 26 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 219

THE PRESCRIPTION DRUGS ACT

MR. NOTLEY

First Reading

Second Reading

Third Reading

Bill 219
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1977

THE PRESCRIPTION DRUGS ACT

(Assented to _____, 1977)

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of Alberta, enacts as follows:

1. In this Act,

- (a) "drug" means a drug within the meaning of *The Pharmaceutical Association Act*, which is listed in the formulary;
- (b) "formulary" means the formulary prepared pursuant to section 3;
- (c) "fund" means the fund designated under section 7, subsection (1);
- (d) "Minister" means the member of the Executive Council who is charged with the administration of this Act by the Lieutenant Governor in Council;
- (e) "pharmacy" means a pharmacy within the meaning of *The Pharmaceutical Association Act* with which, or operated by a person with whom the Minister makes an agreement pursuant to section 4;
- (f) "resident" means a person legally entitled to remain in Canada and who is ordinarily resident in Alberta, or any other person declared by the Lieutenant Governor in Council to be resident within the meaning of this Act.

2. The Minister may establish a program for providing financial support to residents in purchasing drugs necessary for preventative, diagnostic or therapeutic purposes and for providing any other form of support the Minister considers advisable to assist residents in purchasing such drugs and without limiting the generality of the foregoing, the Minister may

- (a) pay to a pharmacist all or part of the cost of a drug or the cost of dispensing a drug;
- (b) acquire and package drugs and make arrangements for the distribution of drugs by such means as he considers advisable;

Explanatory Notes

1. Definitions.

2. Authorizes the Minister to establish financial support programs for the supply of drugs.

- (c) contract, negotiate or enter into arrangements with manufacturers, wholesalers, pharmacists, hospitals or any other persons necessary for achieving any of the purposes mentioned in clauses (a) or (b) or any purpose related thereto;
- (d) subject to the approval of the Lieutenant Governor in Council, participate or enter into an agreement with the Government of Canada or the government of any other province, or any agency of the Government of Canada or any other provinces for any of the purposes mentioned in clauses (a) or (b) or any purpose related thereto;
- (e) do such other things as may be prescribed by the Lieutenant Governor in Council which are necessary for the execution of the purposes of this Act.

3. (1) The Minister shall cause to be prepared a formulary which shall list those drugs to which this Act shall relate.

(2) The Minister may make such provision as he considers advisable for distributing and publishing the formulary.

4. The Minister may enter into an agreement with any person operating a pharmacy, and the agreement may include provision for:

- (a) the amount to be paid by the Minister to the person operating the pharmacy for any drug;
- (b) the amount of the dispensing fee that may be charged by a pharmacist in the pharmacy for providing professional services in the dispensing of any drug;
- (c) payment by the Minister for all or any part of the dispensing fee being charged by a pharmacist in the pharmacy, in the dispensing of any drug;
- (d) the amount that may be charged to a resident for the purchase of a drug;
- (e) the person operating the pharmacy to provide such information to the Minister as he may require for the purposes of the agreement;
- (f) the person operating the pharmacy, to provide such information as may be stated in the agreement to a resident purchasing any drug by providing such information on the label of the container in which the drug is dispensed.

5. (1) The Minister may make payment in such amounts and in accordance with such terms and conditions as he considers advisable to a resident who has received any drug from a pharmacy outside Alberta.

3. Provides for a formulary.

4. Agreements with pharmacies.

5. Payments to residents.

(2) The Minister may not make payment to a resident in respect of a drug that has been dispensed to him in a pharmacy in Alberta.

6. No resident is eligible to obtain the benefit of any program established under this Act unless he has been registered pursuant to *The Alberta Health Care Insurance Act*.

7. (1) Moneys appropriated by the Legislature for the purpose of this Act shall be credited to a fund designated by the Provincial Treasurer for the purposes of this Act.

(2) Any payment to be made by the Minister under this Act or for the administration of a program established under this Act, shall be made from the fund mentioned in subsection (1).

(3) Where the Provincial Treasurer has under subsection (1), designated a fund other than the General Revenue Fund:

- (a) the fiscal year of the fund shall be the period commencing on the first day of April in one calendar year and ending on the last day of March in the next calendar year;
- (b) the Minister shall, at the end of each fiscal year, pay into the General Revenue Fund any surplus remaining from the appropriations made to the fund during the fiscal year;
- (c) the Provincial Auditor shall annually audit the accounts and financial statement of the fund;
- (d) the Minister shall cause to be prepared a report and financial statement on the administration of the fund for the immediately preceding fiscal year; and
- (e) the Minister shall lay before the Legislative Assembly the report and statement prepared pursuant to clause (d), when it is complete if the Legislative Assembly is then sitting and if it is not then sitting within 15 days of the commencement of the next ensuing sitting.

8. The initiation of any program pursuant to this Act shall be contingent on the appropriation of funds therefor by separate vote of the Legislative Assembly.

9. This Act comes into force on a date to be fixed by Proclamation which shall not be earlier than the effective date of the appropriation referred to in section 8.

6. Beneficiaries to be Alberta Health Care Insurance Commission members.

7. Provides for creation, audit and report on a fund.