

1999 BILL 218

Third Session, 24th Legislature, 48 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 218

CHRONIC DISEASE PRESCRIPTION DRUG ACT

MR. DICKSON

First Reading

Second Reading

Committee of the Whole

Third Reading

Royal Assent

BILL 218

1999

CHRONIC DISEASE PRESCRIPTION DRUG ACT

(Assented to , 1999)

- Preamble
- WHEREAS the promotion of good health and the availability of appropriate treatment are priorities of the Government of Alberta;
- WHEREAS appropriate pharmaceutical treatment prevents the deterioration of an individual's health; and
- WHEREAS pharmaceutical costs can be a barrier to appropriate treatment:
- THEREFORE HER MAJESTY, by and with the advice and consent of the Legislative Assembly of Alberta, enacts as follows:
- Definitions
- 1** In this Act,
- (a) "benefit plan" means the Chronic Disease Drug Benefit Plan established under section 5;
 - (b) "chronic disease" means a health condition marked by long duration or frequent recurrence that is
 - (i) listed in the Schedule, or
 - (ii) designated by the Minister;
 - (c) "Committee" means the Alberta Chronic Disease Drug Benefit Committee established under section 3;
 - (d) "drug" means a recognized therapeutic agent, access to which is controlled or restricted by either the *Food and Drugs Act* (Canada) or the *Controlled Drugs and*

Substances Act (Canada);

- (e) “eligible beneficiary” means a person who
 - (i) suffers from a chronic disease, and
 - (ii) is eligible for benefits under the Alberta Health Care Insurance Plan;
- (f) “formulary” means a list of approved drugs and medical supplies;
- (g) “Minister” means the Minister of Health.

No restriction
on benefits

2 This Act in no way limits or restricts any benefits available to Alberta residents under any other enactment.

Committee

3(1) There shall be established a committee called the “Alberta Chronic Disease Drug Benefit Committee” consisting of not fewer than 5 and not more than 9 members.

(2) At least one member of the Committee shall be appointed by each of the following:

- (a) the Minister;
- (b) the ABC Benefits Corporation;
- (c) Her Majesty’s loyal opposition;
- (d) the Alberta Medical Association;
- (e) the Alberta Pharmaceutical Association.

Duties of
Committee

4(1) The Committee shall

- (a) establish a formulary for each chronic disease,
- (b) monitor the development of new drugs,
- (c) update the formulary for each chronic disease on a semi-annual basis, and
- (d) administer the benefit plan.

(2) In developing a formulary, the Committee shall give due consideration to input received from eligible beneficiaries.

Drug benefits

5(1) Provided that money is appropriated for such purpose from the General Revenue Fund, there shall be established a benefit plan called the “Chronic Disease Drug Benefit Plan”.

(2) Under the benefit plan, eligible beneficiaries are entitled to reimbursement for drugs and medical supplies included in the formulary established by the Committee.

Application for benefits

6(1) Subject to subsection (2), an eligible beneficiary is entitled to a benefit under this Act upon receipt of the following by an official appointed by the Minister:

- (a) an application form designated for that purpose, and
- (b) certification from a physician that the eligible beneficiary has a chronic disease.

(2) Prior to applying for a benefit under this Act, eligible beneficiaries must seek compensation for drugs under employment benefit plans or other similar plans under which they are entitled to receive benefits of this nature.

(3) If an eligible beneficiary receives partial reimbursement for the cost of a drug pursuant to benefits under another plan, the eligible beneficiary is entitled to apply for reimbursement for the balance of the cost of the drug under this Act.

SCHEDULE

Chronic Diseases

The following diseases are designated as chronic diseases for the purposes of this Act:

- (a) acquired immune deficiency syndrome;
- (b) amyotrophic lateral sclerosis;
- (c) Alzheimer's disease;
- (d) arthritis;
- (e) asthma;
- (f) cancer;
- (g) cerebral palsy;
- (h) chronic obstructive lung disease;
- (i) Crohn's disease;
- (j) cystic fibrosis;
- (k) diabetes;
- (l) heart disease;
- (m) hepatitis;
- (n) hypertension;
- (o) multiple sclerosis;
- (p) muscular dystrophy;
- (q) Parkinson's disease;
- (r) renal disease;
- (s) schizophrenia;
- (t) ulcerative colitis.