

2005 Bill 206

First Session, 26th Legislature, 54 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 206

ALBERTA PHARMACEUTICAL SAVINGS COMMISSION ACT

MR. MASON

First Reading

Second Reading

Committee of the Whole

Third Reading

Royal Assent

BILL 206

2005

ALBERTA PHARMACEUTICAL SAVINGS COMMISSION ACT

(Assented to _____, 2005)

WHEREAS prescription drugs are an essential component of Alberta's health care system;

WHEREAS the cost of prescription drugs is rising dramatically and the Government has not taken adequate measures to limit the cost increases or the consequent economic hardship imposed on Albertans; and

WHEREAS a person's ability to pay should not be a precondition to obtaining prescription drugs that Albertans require for their continued health and well-being;

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) "APSA" means the Alberta Pharmaceutical Savings Agency;
- (b) "Commission" means the Commission to establish the Alberta Pharmaceutical Savings Agency appointed under section 2;
- (c) "Minister" means the Minister determined under section 16 of the *Government Organization Act* as the Minister responsible for this Act.

Commission

2(1) The Commission to establish the Alberta Pharmaceutical Savings Agency is hereby established.

(2) Within 3 months of the day this Act comes into force, the Lieutenant Governor in Council must appoint no fewer than 12 people to serve on the Commission.

(3) The people appointed to the Commission must consist of

- (a) a chair who must be
 - (i) a judge or retired judge of any court in Alberta, or
 - (ii) a person whose stature and qualifications are, in the opinion of the Lieutenant Governor in Council, similar to that of a judge;
- (b) one person who is not a Member of the Legislative Assembly nominated by the Leader of Her Majesty's Loyal Opposition;
- (c) one person who is not a Member of the Legislative Assembly nominated by the leader of a second opposition party in the Legislative Assembly;
- (d) one person nominated by the Alberta College of Pharmacists;
- (e) one person nominated by a certified union representing health care workers in Alberta;
- (f) the dean or other faculty member of a Faculty of Medicine in Alberta;
- (g) one person nominated by the Consumers' Association of Canada, Alberta chapter;
- (h) one person nominated by the Alberta Branch of the Canadian Mental Health Association;
- (i) one person nominated by the ABC Benefits Corporation;
- (j) 3 people nominated by groups representing the interests of seniors, post-secondary students, persons with disabilities, persons with mental illness and recent immigrants to Canada.

(4) Persons appointed under subsection (2) must be Canadian citizens or permanent residents, residents of Alberta and at least 18 years of age.

(5) If there is not a second opposition party represented in the Legislative Assembly, then a second person may be appointed to the Commission on the nomination of the Leader of Her Majesty's Loyal Opposition pursuant to subsection 2(b).

Function

3(1) The function of the Commission is to investigate and report on how the Alberta Pharmaceutical Savings Agency should be established and how the objectives in subsection (2) can be accomplished.

(2) The role of APSA will be to

- (a) co-ordinate purchasing of prescription medications distributed by regional health authorities and pharmacies;
- (b) implement strategies for achieving savings through reference-based pricing and least-cost alternatives;
- (c) implement public education programs aimed at prescription drug users about the appropriate use of pharmaceuticals;
- (d) investigate proven, science-based alternatives to prescription drugs;
- (e) develop strategies to reduce direct marketing to physicians by pharmaceutical companies.

(3) In performing its functions, the Commission must consider the best practices used in Canada and internationally in achieving the objectives for APSA.

(4) The Commission must hold public hearings throughout Alberta prior to issuing its report.

(5) In performing its functions, the Commission may use any means of electronic communication to communicate with the public.

Report

4(1) Not later than 8 months after the members of the Commission are appointed under section 2, the Commission must complete its work and provide a report to the Minister.

- (2) Upon receipt of the Commission's report, the Minister must immediately make it public by
- (a) if the Assembly is sitting, tabling it in the Assembly, or
 - (b) if the Assembly is not sitting,
 - (i) providing it to the Clerk of the Assembly for distribution to every Member of the Assembly, and
 - (ii) making it available to the public.
- (3) Within 6 months of the receipt of the Commission's report by the Minister or the next ensuing sitting of the Assembly, a member of the Executive Council must introduce a Bill in the Assembly to create APSA.
- (4) The Government must take all reasonable steps to ensure that the Bill introduced under subsection (3) is promptly moved at all stages of debate so that if it passes all stages, it can come to a vote in the Assembly at third reading 30 days after introduction.