



NATIONAL ASSEMBLY

FIRST SESSION

FORTY-FIRST LEGISLATURE

Bill 81
(2016, chapter 16)

**An Act to reduce the cost of certain
medications covered by the basic
prescription drug insurance plan by
allowing calls for tenders**

**Introduced 24 November 2015
Passed in principle 17 May 2016
Passed 9 June 2016
Assented to 10 June 2016**

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EXPLANATORY NOTES

This Act amends the Act respecting prescription drug insurance to allow the Minister of Health and Social Services to issue a call for tenders in order to enter into a contract with an accredited drug manufacturer for the purpose of establishing the price of a medication or supply and the conditions for its entry on the list of medications.

The Act also allows the Minister to issue a call for tenders in order to enter with an accredited wholesaler into a contract establishing the conditions for the supply of the medication or supply to owner pharmacists and the wholesaler's profit margin.

Such contracts will grant the selected manufacturer and the selected wholesaler exclusivity as regards the medication or supply.

Under the Act, calls for tenders must be issued in accordance with the conditions and mechanics determined by ministerial regulation.

LEGISLATION AMENDED BY THIS ACT:

- Act respecting prescription drug insurance (chapter A-29.01).

Bill 81

AN ACT TO REDUCE THE COST OF CERTAIN MEDICATIONS COVERED BY THE BASIC PRESCRIPTION DRUG INSURANCE PLAN BY ALLOWING CALLS FOR TENDERS

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. The Act respecting prescription drug insurance (chapter A-29.01) is amended by inserting the following sections after section 60:

“60.0.0.1. The Minister may, for the purposes of the list of medications, issue a call for tenders to enter with an accredited manufacturer into a contract establishing the price of a medication or supply and the conditions for its entry on the list. The medication or supply that is the subject of such a contract is entered on the list and all other medications or supplies covered by the call for tenders are excluded from the list. However, the Minister may, where applicable, include the brand-name medication in the list, in which case it is entered as an exceptional medication.

“60.0.0.2. The Minister may, for the purposes of the supply to owner pharmacists of a medication or supply that is the subject of a contract referred to in section 60.0.0.1, issue a call for tenders to enter with an accredited wholesaler into a contract establishing the supply conditions and the profit margin. Such a contract grants the wholesaler exclusivity for the supply of the medication or supply to owner pharmacists, who may procure it from the wholesaler only.

“60.0.0.3. A call for tenders under sections 60.0.0.1 and 60.0.0.2 is issued in accordance with the conditions and mechanics the Minister determines by regulation.”

2. Section 80 of the Act is amended by inserting “, 60.0.0.3” after “60” in the introductory clause.

3. This Act comes into force on 10 June 2016.

