



**HOUSE USE ONLY**

**CHAIR:**

WITH  / WITHOUT

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1st SESSION, 67th GENERAL ASSEMBLY  
Province of Prince Edward Island  
2 CHARLES III, 2024

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(Bill No. 49)

**An Act to Amend the Drug Cost Assistance Act**

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Hon. Mark McLane  
Minister of Health and Wellness

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GOVERNMENT BILL

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Andrea MacRae  
Acting King's Printer  
Charlottetown, Prince Edward Island





## AN ACT TO AMEND THE DRUG COST ASSISTANCE ACT

BILL NO. 49

2024

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BE IT ENACTED by the Lieutenant Governor and the Legislative Assembly of the Province of Prince Edward Island as follows:

1. **Section 1 of the *Drug Cost Assistance Act* R.S.P.E.I. 1988, Cap. D-14.1, is amended**
  - (a) **in clause (c), by the addition of the words “, except where otherwise specified” after the word “benefit”; and**
  - (b) **in clause (m), by the addition of the words “, except where otherwise specified” after the word “Plan”.**
2. **Section 5 of the Act is repealed and the following substituted:**
5. **Payor of last resort**

Where, in respect of a benefit, an eligible person is covered by third-party insurance or a prescribed benefit plan or program not established under this Act, the Plan shall be the payor of last resort.
3. **Section 6 of the Act is amended by the deletion of the words “A person is not eligible” and the substitution of the words “Except where otherwise provided in the regulations, a person is not eligible”.**
4. **Section 21 of the Act is amended by the addition of the following after clause (d):**
  - (d.1) prescribing a benefit plan or program not established under this Act for the purpose of section 5;

## EXPLANATORY NOTES

**SECTION 1** amends the definitions of “claim” and “program” to provide for their use in reference to coverage for benefits under third-party insurance or a plan or program not established under the Act.

**SECTION 2** repeals and replaces section 5 of the Act to establish the Plan as the payor of last resort in respect of a benefit for which an eligible person is covered by third-party insurance or a prescribed benefit plan or program not established under the Act.

**SECTION 3** amends section 6 of the Act to reflect that the regulations may coordinate benefits between the Plan and a prescribed benefit plan or program not established under the Act.

**SECTION 4** adds a regulation-making power to section 21 of the Act for the purpose of the new section 5.



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<i>STAGE:</i>	<i>DATE:</i>
<i>1st Reading:</i>	February 27, 2024
<i>2nd Reading:</i>	
<i>To Committee:</i>	
<i>Reported:</i>	
<i>3rd Reading and Pass:</i>	
<i>Assent:</i>	

**SIGNATURES:**

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Honourable Antoinette Perry, Lieutenant Governor

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Honourable Darlene Compton, Speaker

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Joseph Jeffrey, Clerk

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Hon. Mark McLane  
Minister of Health and Wellness

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GOVERNMENT BILL

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