



Ontario Division

175 Bloor Street East
Suite 700, North Tower
Toronto, Ontario M4W 3R8
Telephone: (416) 922-6065
Fax: (416) 922-7538
Toll Free: 1-800-268-7582
www.mssociety.ca

**Presentation to the Standing Committee on Social Policy
Legislative Assembly of Ontario on Bill 102, An Act to amend the
Drug Interchangeability and Dispensing Fee Act and the
Ontario Drug Benefit Act**

Presented May 29, 2006

- Over all, the Multiple Sclerosis Society of Canada is pleased with many aspects of the proposed changes to the drug system as outlined by Minister of Health and Long-Term Care George Smitherman. We believe the views of the MS Society have been heard on many aspects of the proposed changes.
- We are very supportive of giving people affected by the drug program a direct say in the decision making about which drugs Ontarians will have available to improve and maintain their health. It is a very positive step forward to include two patient representatives as voting members of the Committee to Evaluate Drugs.
- The MS Society also supports the creation of a Citizens' Council to give the public a say in drug policy development. The government of Ontario is to be congratulated for this initiative.
- Likewise, it is an excellent initiative to have a more open and transparent approach to the status of drug reviews and the decisions of the committee by making them available on a website. For far too long, these decisions have been wrapped in secrecy.
- We also appreciate that the cumbersome Section 8 process will be removed and replaced – we most certainly hope -- by other mechanisms that won't involve the paperwork that currently face physicians who try to assist their patients in obtaining one of the MS therapies. Our strong recommendation is that these therapies be placed on the full formulary since we are convinced no one would take an injectable medication that causes significant side effects, just because it's there. They are being used properly.
- Indeed, there are many positive parts of the proposed reform of Ontario's drug system, however, most of them are not even contained in Bill 102. And some initiatives in the bill do give rise to a number of concerns -- concerns, which the MS Society hopes the members of this committee will help resolve.

- The MS Society recommends strongly that the language in the legislation regarding interchangeability of “similar” medications be clarified. When we asked staff of the Drug System Secretariat about interchangeability, we were told that it is not intended to allow therapeutic substitution but merely to allow greater interchangeability of brand and generic drugs and to prevent the practice of “evergreening”. This being the case, we urge that Bill 102 be amended to ensure this intent is realized.
- We have also been assured that physicians will retain the right to specify “no substitution” when they write prescriptions. This is an important aspect of the physician-patient relationship, and we urge this committee ensure there are no changes to this right.
- We have been told by Minister Smitherman and Drug System Secretariat staff that a key aspect of Bill 102 is that it will improve patient access to drugs by allowing rapid funding decisions to be made and by eliminating restrictive listing categories.
- This is commendable but the MS Society urges that this committee look at two possible amendments to the parts of the bill that are intended to speed access. We strongly recommend that a definition of “breakthrough drugs” be carefully defined and that quality of life be included as an important health outcome criteria. The legislation is silent on both of these issues right now, and we suggest it should provide guidance on these issues for the subsequent regulations.
- The main way that improved patient access goals are to be realized, it appears, is through the creation of a new Executive Officer position. We are concerned with the seemingly unfettered power of the executive officer to list and delist the drugs that will be included on the provincial drug formulary. Certainly, this position will exist with the usual checks and balances within the civil service, however, the MS Society does not believe that this is enough when dealing with decisions that literally could mean the difference of life or death to thousands of Ontarians.
- We recommend strongly that a formal appeal process be instituted so executive officer decisions on “no listing” or “delisting” drugs can be appealed. Not to include this important mechanism would be contradictory to the other goals of transparency and accountability.
- On behalf of the Multiple Sclerosis Society of Canada, we thank you for the opportunity to share our views with you on this very important issue.

APPENDIX

The Multiple Sclerosis Society of Canada, Ontario Division

The Multiple Sclerosis Society of Canada is a national organization with seven regional divisions, of which the Ontario Division is the largest. An estimated 55,000 to 75,000 Canadians, including 21,000 to 29,000 Ontarians, have the disease. Everyday in Canada, another three people are diagnosed as having this potentially disabling disease of the central nervous system.

The mission of the Multiple Sclerosis Society of Canada is to be a leader in finding a cure for multiple sclerosis and enabling people affected by MS to enhance their quality of life. We accomplish this mission by supporting research, services, education and advocacy programs.

For more information:

Deanna Groetzinger
Vice President, Government Relations & Policy

Multiple Sclerosis Society of Canada
175 Bloor Street East
Suite 700, North Tower
Toronto, Ontario
M4W 3R8

Tel: (416) 967-3007
deanna.groetzinger@mssociety.ca