

AUG 28 2008

August 19, 2008

Randy Stephanchew
President, Council of the Manitoba Pharmaceutical Association
187 St Mary's Road
Winnipeg, Manitoba
R2H 1J2

Dear Mr. Stephanchew

I am pleased to report that the Inducement Sub-Committee has completed its meetings and has developed a proposal to the Regulation 73 – Inducements.

The Sub-Committee met for the first time on July 7, 2008 following the orientation meeting at the Victoria Inn. At that time the members in attendance set some basic framework for their meetings. I, Quinton Didyk, was elected to chair the Sub-Committee. The members agreed to the following framework:

- a) Quorum would consist of 33% of the members listed on the Sub-Committee Volunteer list;
- b) Majority for votes would be set at 50% plus 1;
- c) The Sub-Committee chair would only vote in the event of a tie.

The Sub-Committee met on Monday July 14, 2008 and Tuesday July 15, 2008. Please see the attached Participant Logs and Scribe notes for further details.

The Sub Committee voted 11 – 3 in favor of the following regulation to be forwarded to Council for consideration.

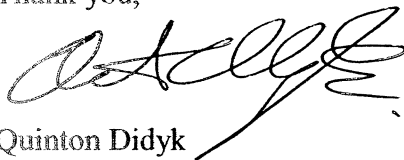
With the exception of the retail sale of a drug not pursuant to a prescription, a member or owner must not offer or provide a patient or his or her agent any of the following in the course of performing any activity described under section 2(1) of the Act:

- a) points, loyalty points, bonus points events, coupons, or rewards redeemable for cash, goods or services
- b) prescription delivery is exempt from this regulation.

The Sub-Committee felt strongly that prescription delivery service was not an inducement and that it should be clearly identified as exempt from this regulation. The Sub-Committee also felt strongly that regardless of who is paying, third party or patient, that the inducement regulation should apply.

Should you have any further questions please contact myself at sec73@mts.net.

Thank you,



Quinton Didyk

Inducement Sub-Committee Meeting

July 14, 2008

Attending Participants

Print Name Quinton Didyk
S. Kathy Hunter
STEPHEN YOUNGER
Erwin Wiche
GAYLE ROMANETZ
TOBI TSE
JAY RICH
Scott McFeeters
KYALL MEYERS
Roland Vilar
WILLIAM REGELIK
SANDI WAREING
Stuart Bellingham
Mike DiDomenico
Cecile Dumesnil

Sign Name Quinton Didyk
S. Kathy Hunter
Stephen Younger
Erwin Wiche
Gayle Romanetz
Tobi Tse
Jay Rich
Scott McFeeters
Kyall Meyers
Roland Vilar
William Regelik
Sandi Wareing
Stuart Bellingham
Mike DiDomenico
Cecile Dumesnil

Teleconference Participants

Print Name Roland Vilar

Inducement Sub-Committee Meeting

July 14/08 Norwood Hotel

10 people present – quorum achieved

Discussion of opinions on why the membership voted section 73 down.

- it was determined that there was no definitive reason and resolved that our subcommittee could come up with something more direct and easily understood by the membership.

Gayle Romanetz put forward that we need a definition for inducements.

Much discussion followed without a lot of agreement.

Motion put forward by Gayle Romanetz that section 73 of the proposed regulations be removed and forwarded back to council for consideration as a practice directive.

Motion seconded by Scott McFeetors.

Motion defeated. 3 in favor, 9 opposed, 2 abstentions

The subcommittee therefore determined to go forward and pursue a recommendation with respect to the regulation.

Mr. Chair brought up a request by a member of the subcommittee to have Cameron McKay from the CACDS be present at the next meeting.

Various queries were put forth regarding drawing upon additional resources to help the committee make the recommendation.

Motion put forward by Erwin Wiebe asking for a vote whether we need to bring new people to the table for added information with the condition that they be available within a week. If unavailable, the committee proceeds without.

Motion seconded by Kathy Hunter

Motion carried. 8 in favor, 5 opposed, 1 abstention

Motion put forward by Scott McFeetors to adjourn until tomorrow.

Motion defeated.

The committee determined to proceed with definition of inducement.

Motion put forward by Mike DiDomenicantinio to use section 2.14 as definition of inducement as set out by NIHB for pharmacies as a starting point to determine what an inducement is for the purposes of this subcommittee.

Motion seconded by Kathy Hunter

Motion carried.

It was suggested by the chair that the committee take a look at the NIHB definition before the next meeting and be ready to discuss.

Motion put forward by Scott McFeetors to adjourn until Tuesday evening.

Motion carried.

Adjournment.

Inducement Sub-Committee Meeting

July 15/08 Norwood Hotel

14 members present – quorum achieved

Cameron McKay from CACDS also present.

No response was received from MPhA/council representative or from Manitoba Health to invitation to attend.

Cameron McKay spoke about CACDS' position.

- They feel there is too much dissent and lack of clarity in this section and would like it removed and reconsidered at a later date.

- Their formal response – “in the absence of hard evidence, normal business practices should prevail”

- Whatever decision is made must be evidence based.

Motion proposed by Mike DiDomenicantinio to have section 73 read as is, excluding the cash payer portion. (i.e. no inducements redeemable for cash or goods)

Motion seconded by Bill Regier.

Motion not voted on.

Erwin Wiebe proposed an amendment to the motion to include cash, goods or services.

Seconded by Bill Regier.

Amended motion carried.

Stuart Bellingham proposed an amendment to the motion to specifically exclude delivery.

Lyle Meyers seconded motion.

Second amended motion carried.

The Amended Motion carried as a recommendation to council is as follows:

With the exception of the retail sale of a drug not pursuant to a prescription, a member or owner must not offer or provide a patient or his or her agent any of the following in the course of performing any activity described under Section 2 (1) of the Act:

- a) points, loyalty points, bonus point events, coupon, or reward redeemable for cash or goods or services, specifically excluding delivery.