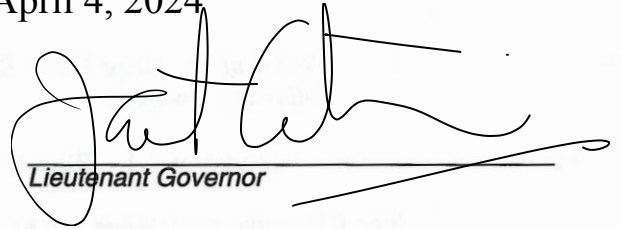


PROVINCE OF BRITISH COLUMBIA

ORDER OF THE LIEUTENANT GOVERNOR IN COUNCIL

Order in Council No. 161

, Approved and Ordered April 4, 2024

  
Lieutenant Governor

Executive Council Chambers, Victoria

On the recommendation of the undersigned, the Lieutenant Governor, by and with the advice and consent of the Executive Council, orders that, effective April 4, 2024, the Drug Plans Regulation, B.C. Reg. 73/2015, is amended as set out in the attached Schedule.



Minister of Health



Presiding Member of the Executive Council

(This part is for administrative purposes only and is not part of the Order.)

Authority under which Order is made:

Act and section: *Pharmaceutical Services Act*, S.B.C. 2012, c. 22, ss. 59 (b) and 65 (5)

Other: OIC 231/2015

R10745403

## SCHEDULE

- 1 Part 4 of the Drug Plans Regulation, B.C. Reg. 73/2015, is amended by adding the following Division:*

### **Division 1.1 – Plan C (Income Assistance and Family Services)**

#### **Plan C (Income Assistance and Family Services)**

- 35.1** (1) In this Division,
- (a) “**CFCS Act**” means the *Child, Family and Community Service Act*, and
  - (b) the following terms have the same meaning as in the CFCS Act:
    - (i) child in care;
    - (ii) director;
    - (iii) Indigenous authority;
    - (iv) Indigenous child;
    - (v) Indigenous child and family services;
    - (vi) interim order;
    - (vii) parent;
    - (viii) specified adult;
    - (ix) temporary custody order.
  - (2) The drug plan known as “Plan C” is established for the purposes of the Act.
  - (3) A person is eligible to enrol in Plan C if the person meets the criteria set out in any of the following:
    - (a) section 35.2 [*Plan C (Employment and Assistance)*];
    - (b) section 35.3 [*Plan C (Child, Family and Community Services)*];
    - (c) section 35.4 [*Plan C (Indigenous Child and Family Services)*];
    - (d) section 35.5 [*Plan C (Other Assistance)*].

#### **Plan C (Employment and Assistance)**

- 35.2** (1) For the purposes of section 35.1 (3) (a) [*Plan C (Income Assistance and Family Services)*], a person is eligible to enrol in Plan C if the person is one of the following:
- (a) a person who receives income assistance, disability assistance or hardship assistance under
    - (i) the *Employment and Assistance Act*, or
    - (ii) the *Employment and Assistance for Persons with Disabilities Act*;
  - (b) a person who is described as being eligible for health supplements under
    - (i) Division 5 of Part 5 of the *Employment and Assistance Regulation*, unless the person is eligible for benefits under only section 76 of that Division, or

- (ii) Division 4 of Part 5 of the Employment and Assistance for Persons with Disabilities Regulation, unless the person is eligible for benefits under only section 69 of that Division;
  - (c) a person who is a member of a family unit, within the meaning of the *Employment and Assistance Act* or the *Employment and Assistance for Persons with Disabilities Act*, of a person described in paragraph (a) or (b) of this subsection.
- (2) The enrolment in Plan C of an eligible person under this section begins on the date the minister receives notice of the person's eligibility from the ministry of the minister responsible for the administration of whichever of the following applies:
- (a) the *Employment and Assistance Act*;
  - (b) the *Employment and Assistance for Persons with Disabilities Act*.

**Plan C (Child, Family and Community Services)**

- 35.3** (1) For the purposes of section 35.1 (3) (b) [*Plan C (Income Assistance and Family Services)*], a person is eligible to enrol in Plan C if the person is one of the following:
- (a) a child in care;
  - (b) a child who is the subject of an agreement made under section 8 of the CFCS Act;
  - (c) a youth who is a party to an agreement made under section 12.2 of the CFCS Act;
  - (d) a specified adult who is
    - (i) a party to an agreement made under section 12.3 of the CFCS Act, or
    - (ii) the subject of an agreement made under section 12.4 of the CFCS Act;
  - (e) a person who
    - (i) is not in the custody of the person's parent but is in the custody of another person, and
    - (ii) is under the supervision of a director under an interim order or a temporary custody order;
  - (f) a person who is a dependent child of a person described in any of paragraphs (a) to (e) of this subsection.
- (2) The enrolment in Plan C of an eligible person under this section begins on the date the minister receives notice of the person's eligibility from a director.

**Plan C (Indigenous Child and Family Services)**

- 35.4** (1) For the purposes of section 35.1 (3) (c) [*Plan C (Income Assistance and Family Services)*], a person is eligible to enrol in Plan C if all of the following conditions are met:
- (a) the person is or was an Indigenous child;
  - (b) the person is receiving services from an Indigenous authority that are

- (i) Indigenous child and family services, or
  - (ii) services that a specified adult would be eligible to receive under the CFCS Act;
- (c) the minister is satisfied that the services being received are equivalent to services received by a person referred to in any of section 35.3 (1) (a) to (e).
- (2) For the purposes of subsection (1) (c), the minister must
  - (a) consult the Indigenous authority that is providing the Indigenous child and family services, and
  - (b) consider both the nature and the purpose of the services.
- (3) For the purposes of section 35.1 (3), a person is eligible to enrol in Plan C if the person is a dependent child of a person described in subsection (1) of this section.
- (4) The enrolment in Plan C of an eligible person under this section begins on the date the minister receives notice of the person's eligibility from the Indigenous authority that is providing services to the person, in the form and manner required by the minister.

**Plan C (Other Assistance)**

- 35.5** (1) For the purposes of section 35.1 (3) (d) [*Plan C (Income Assistance and Family Services)*], a person is eligible to enrol in Plan C if the person is a medicare beneficiary who
- (a) is deemed to be a resident of British Columbia under section 2 (b.1) of the Medical and Health Care Services Regulation [*admitted to Canada under a Canada-Ukraine authorization for emergency travel*], or
  - (b) is a dependent child of a person described in paragraph (a).
- (2) The enrolment in Plan C of an eligible person under this section
- (a) begins on the date the minister receives notice of the person's eligibility in the form and manner required by the minister, and
  - (b) ends, without limiting section 10 [*when drug plan enrolment ends*], on the date that is one year after the date of enrolment.

**2**     *The heading to Division 2 of Part 4 is repealed and the following substituted:*

**Division 2 – Plans D, F, P, S, W, X and Z .**

**3**     *Section 36 is repealed.*