Ontario

Ministry of Health
Drugs and Devices Division

Frequently Asked Questions: Regulatory Amendments relating to Recordkeeping Requirements for Pharmacies and Dispensing Physicians under the Ontario Drug Benefit Program

Question 1: What has changed?

Before these regulatory amendments, section 29 of Ontario Regulation 201/96 (the Regulation) under the *Ontario Drug Benefit Act* (ODBA) set out various records that pharmacies and dispensing physicians were required to retain and the retention time periods for each type of record.

Pharmacies and dispensing physicians were also required to follow the Ontario Drug Programs Reference Manual (Manual), which includes recordkeeping requirements for certain types of claims for payment.

The Ontario government amended the Regulation to reduce the number of records with specific requirements and added a general requirement that **pharmacies and dispensing physicians retain the records relating to claims for payment or claim reversals as specified in the Manual for the period of time specified in the Manual**.

Question 2: Why was the change made?

These amendments have been made to reduce regulatory burden for dispensers by streamlining most recordkeeping requirements into one document (i.e. the Manual) to provide clarity to dispensers on recordkeeping requirements, including retention periods.

Question 3: How would this change impact ODB recipients?

The regulatory amendments will have no impact on ODB recipients.

Question 4: Are there any impacts to business with the changes?

The amendments to the Regulation will provide clarity to dispensers on documentation requirements for most records related to claims for payment and claim reversals by making those requirements available in one accessible document (the Manual).

The ministry will endeavor to update the Manual on a periodic basis to reflect modifications to recordkeeping requirements relating to Ontario Public Drug Programs. However, in some cases, pharmacies will still be required to follow recordkeeping requirements outlined in Executive Officer notifications, until such time as those recordkeeping requirements are reflected in the Manual.

Question 5: What are the retention periods in the Manual?

To align with O Reg 264/16 (under the Drug and Pharmacies Regulation Act), for most records, the Manual has been updated to specify a retention period of at least 10 years from the last recorded pharmacy service provided to the patient, or 10 years after the day on which the patient reached or would have reached the age of 18 years, whichever is longer. For invoices, the retention period in the Manual is two years from the day the invoice was received. The Manual also includes retention periods for statements of daily transaction totals, summary remittance statements, and reject statements.

The updates to the Manual do not create any new requirements or additional burden to pharmacies and are intended to reduce confusion and create alignment with other retention periods that are already applicable to certain types of records.