

**EC2021-659**

**HEALTH AND DENTAL SERVICES COST ASSISTANCE ACT  
HEALTH AND DENTAL SERVICES COST  
ASSISTANCE REGULATIONS  
AMENDMENT**

Pursuant to section 19 of the *Health and Dental Services Cost Assistance Act* R.S.P.E.I. 1988, Cap. H-1.21, Council made the following regulations:

**1. The *Health and Dental Services Cost Assistance Act* Health and Dental Services Cost Assistance Regulations (EC728/20) are amended by the addition of the following after section 12:**

**PART 3 - PROVINCIAL DENTAL CARE PROGRAM**

- 13.** (1) In this Part
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|--|-----------------------|
|  | Definitions           |
| (a) “assured income” means assured income as defined in the <i>Supports for Persons with Disabilities Act</i> R.S.P.E.I. 1988, Cap. S-9.2;   | assured income        |
| (b) “dependant” means a child of a person or the person’s spouse, who  | dependant             |
| (i) is under 19 years of age and does not have a spouse, or  |                       |
| (ii) is 19 years of age or over but under 25 years of age, is a full- time student and does not have a spouse;   |                       |
| (c) “family income” means the total income of the persons in a family unit, other than any dependents;   | family income         |
| (d) “family unit” means a person, the person’s spouse, if the person has a spouse, and any dependants;   | family unit           |
| (e) “financial assistance” means financial assistance as defined in the <i>Social Assistance Act</i> R.S.P.E.I. 1988, Cap. S-4.3;  | financial assistance  |
| (f) “income” means, in respect of an individual, the amount shown on line 23600 of the individual’s income tax return for the most recent taxation year for which the filing deadline has passed, as filed with and verified by the Canada Revenue Agency; | income                |
| (g) “market basket measure” or “MBM” means a measure of low income by family size and geographic area calculated by Statistics Canada;   | market basket measure |
| (h) “Program” means the Provincial Dental Care Program established in this Part.   | Program               |
- (2) For the purpose of this Part, no person may be enrolled as part of more than one family unit and spouses shall be considered part of the same family unit unless the administrator is satisfied they are separated in accordance with section 4.
- 14.** (1) The Provincial Dental Care Program is established in this Part as a program under the Plan.
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|--|--|
|  | Provincial Dental Care Program established in Schedule |
|--|--|
- (2) The benefits under the Program are the payment of a percentage of the cost of the dental services, supplies, products, drugs and expenses set out in Schedule 1, less any reimbursement from third-party insurance.
- (3) The percentage of the cost covered under subsection (2) is the percentage of the cost in the second column of the following table opposite the applicable range of family income in the first column of the following table in which the eligible person’s family income falls.
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|--|----------------------------|
|  | Percentage of cost covered |
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Family Income	Percentage of Cost Covered
< MBM	100%

MBM to MBM + 10%	80%
> MBM + 10% to MBM + 20%	60%
> MBM + 20% to MBM + 30%	40%
> MBM + 30% to MBM + 40%	20%
> MBM + 40%	0%

- (4) The program year commences July 1 in a year and ends June 30 in the following year. Program year
- (5) Notwithstanding subsection (4), the first program year commences on the date these regulations come into force. First program year
- 15.** (1) One application shall be made on behalf of all persons in a family unit for enrollment in the Program. One application per family unit
- (2) A resident is eligible for enrollment in the Program if Eligibility
- (a) the resident is entitled to basic health services under the *Health Services Payment Act* and insured services under the *Hospital and Diagnostic Services Insurance Act*; and
- (b) the resident's family income is not more than the market basket measure plus 40%.
- (3) An eligible person ceases to be eligible for benefits under the Program on the earliest day the person Eligibility ceases
- (a) leaves the province to establish residence in another province or country; or
- (b) ceases to meet an eligibility requirement set out in subsection (2).
- 16.** Notwithstanding subsection 14(3) and section 15, a resident who is or is deemed to be in receipt of financial assistance or assured income, or for whom financial assistance or assured income is or is deemed to be provided, is eligible for 100% of the cost covered in subsection 14(2), without application and enrollment. Eligibility through social programs
- PART 4 – ORTHODONTIC TREATMENT FOR CLEFT PALATE PROGRAM**
- 17.** (1) In this Part Definitions
- (a) “dependant” means a child of a person or the person’s spouse, who assured income
- (i) is under 19 years of age and does not have a spouse, or
- (ii) is 19 years of age or over but under 25 years of age, is a full- time student and does not have a spouse; dependant
- (b) “family income” means the total income of the persons in a family unit, other than any dependents; family income
- (c) “family unit” means a person, the person’s spouse, if the person has a spouse, and any dependants; family unit
- (d) “income” means, in respect of an individual, the amount shown on line 23600 of the individual’s income tax return for the most recent taxation year for which the filing deadline has passed, as filed with and verified by the Canada Revenue Agency; income
- (e) “orthodontic treatment” means orthodontic services, supplies, products, drugs and expenses required following surgery to repair a cleft palate; orthodontic treatment
- (f) “Program” means the Orthodontic Treatment for Cleft Palate Program established under section 18. Program
- (2) For the purpose of this Part, no person may be considered to be part of more than one family unit and spouses shall be considered part of the same family unit unless the administrator is satisfied they are separated in accordance with section 4. One family unit
- 18.** (1) The Orthodontic Treatment for Cleft Palate Program is established in this Part as a program under the Plan. Orthodontic Treatment for Cleft Palate Program established Benefits in Schedule
- (2) The benefit under the Program is the payment of a percentage of the cost of orthodontic treatment, less any reimbursement from third-party insurance, not exceeding the maximum benefit of \$5,000.
- (3) The percentage of the cost of orthodontic treatment covered under subsection (2) is the percentage of the cost stated in the third column of the table in Schedule 2 opposite the applicable range of family income in the second column of the table in Schedule 2 in which the eligible person’s family income falls based on the size of the family unit. Percentage of cost covered
- 19.** (1) A resident is eligible for enrollment in the Program if Eligibility

- (a) the resident is entitled to basic health services under the *Health Services Payment Act* and insured services under the *Hospital and Diagnostic Services Insurance Act*; and  
 (b) the resident is diagnosed with a cleft palate by a medical practitioner; and  
 (c) the provision of orthodontic treatment under the Program commences before the resident turns 17 years of age.

(2) An eligible person ceases to be eligible for benefits under the Program on the day the person leaves the province to establish residence in another province or country. Eligibility ceases

**2. The regulations are amended by the addition of Schedule 1 and Schedule 2 as set out in the Schedule to these regulations.**

**3. These regulations come into force on July 31, 2021.**

## SCHEDULE

### SCHEDULE 1

#### Provincial Dental Care Program Benefits

Diagnostic Services	Specifications
Dental examination and diagnosis	- one examination per program year - emergency examinations as required
Radiographs	- six periapical radiographs per program year - two bitewing radiographs per program year - one panoramic radiograph per program year

Preventative Services	Specifications
Polishing	- one unit per program year - person 18 years of age or over only
Scaling	- one unit per program year - person 18 years of age or over only

Restorative Services	Specifications
Restorations, amalgam (bonded and non-bonded) primary molars	- one restoration per tooth per program year
Restorations, amalgam (bonded and non-bonded) permanent bicuspid and anteriors, permanent molars	- one restoration per tooth per program year
Restorations, tooth-coloured, primary anterior, bonded technique	- one restoration per tooth per program year
Root canals	- incisor and canine teeth only - person is not wearing a denture - person does not require extraction of more than one tooth in the same arch

Extraction Services	Specifications
Extraction of tooth	- as required
Alveoloplasty, with or without an extraction	- as required

Dentures	Specifications
New dentures (full or partial)	- one acrylic-based dental prosthesis every 10 years - person is required to pay associated laboratory fees unless in receipt of financial assistance or assured income
Denture repair	- as required - person is required to pay associated laboratory fees unless in receipt of financial assistance or assured income

Adjunctive Services	Specifications
Emergency treatment of dental pain,	- as required

minor procedure	
Referral to hospital for dental care	- as required
Nitrous oxide sedation (in clinic)	- as required
Laboratory procedures (in clinic)	- as required

## SCHEDULE 2

### Percentage of Cost of Orthodontic Treatment for Cleft Palate Covered

Size of Family Unit	Family Income	Percentage of Cost Covered
1 or 2 persons	< \$22,000	100%
	\$22,000 to \$34,000	75%
	> \$34,000	50%
3 persons	< \$26,000	100%
	\$26,000 to \$38,000	75%
	> \$38,000	50%
4 persons	< \$32,000	100%
	\$32,000 to \$44,000	75%
	> \$44,000	50%
5 persons	< \$38,000	100%
	\$38,000 to \$50,000	75%
	> \$50,000	50%
6 persons	< \$42,000	100%
	\$42,000 to \$54,000	75%
	> \$54,000	50%

## EXPLANATORY NOTES

**SECTION 1** adds a new Part 3 to the regulations to establish a Provincial Dental Care Program and a new Part 4 to the regulations to establish the Orthodontic Treatment for Cleft Palate Program.

The proposed section 13 defines terms used in Part 3.

The proposed section 14 establishes the Provincial Dental Care Program, sets out the benefits of the program in conjunction with Schedule 1 and sets out a program year from July 1 to June 30.

The proposed section 15 requires that one application be made for all members of a family unit, sets out eligibility requirements for the Provincial Dental Care Program and circumstances in which eligibility ceases.

The proposed section 16 provides that a resident who is in receipt of financial assistance or assured income, or for whom financial assistance or assured income is provided, is automatically eligible for 100% of the cost of benefits under the Provincial Dental Care Program without application or enrollment.

The proposed section 17 defines terms used in Part 4.

The proposed section 18 establishes the Orthodontic Treatment for Cleft Palate Program and sets out the benefits of the program in conjunction with Schedule 2.

The proposed section 19 sets out eligibility requirements for the Orthodontic Treatment for Cleft Palate Program and circumstances in which eligibility ceases.

**SECTION 2** adds Schedule 1 to the regulations setting out the benefits provided through the Provincial Dental Care Program and Schedule 2 setting out the percentage of the cost of orthodontic treatment provided through the Orthodontic Treatment for Cleft Palate Program based on size of family unit and family income.

**SECTION 3** provides for the commencement of these regulations.