



Mainstay Insurance Brokerage Inc. Phone: (905)886-9203

In order to serve you better

To assist you with your employee benefit plan, we are continually updating our website. Located at:

www.mainstayinsurance.ca

The site provides easy access to many insurance company's websites and to the health and dental claim forms you utilize on a regular basis. We have also added links to the log on pages for members (employees) in order to provide quick access to other websites.

If you use a form that is not on our website and would like it added, please send us an e-mail at:

Dave@mainstayinsurance.ca

Did you know that...

...if you have a child under 25 on a high cost drug that may be covered by the Ontario EAP program, you are going to have to apply to the province or face having the drug claim declined due to the new OHIP+ legislation.

Please check the following site for drugs your child may be taking and which now must meet specific criteria and be applied for, to ensure payment.

http://www.health.gov.on.ca/en/pro/programs/drugs/pdf/frequently_requested_drugs.pdf

More on OHIP+ is located on their site at...

<http://www.health.gov.on.ca/en/pro/programs/drugs/ohiplus/-eap>

Employees Need to Know this about OHIP+ Drugs

OHIP+ is soon to be a reality. Ontario will be the first province in Canada that will provide 100% drug coverage for children under 25. That sounds like a pretty great thing, and while it is, it also comes with a lot of fine print.

FACT #1

The drugs provided by OHIP+ are those on the provinces Ontario Drug Benefit (ODB) formulary. There are over 4,400 drugs provided in this formulary of a total of almost 12,000 that are actually available by prescription.

These drugs will be paid at 100% coinsurance with no deductible and it will happen seamlessly at the point of sale (pharmacy).

What this also means is that two thirds of the drugs your doctor **could** prescribe are NOT covered by the ODB plan. These drugs will continue to be covered by your private drug coverage that you have in place through your employer, just as they always were.

FACT #2

There are over 85 drugs that are covered under the Ontario Exceptional Access Program (EAP). These drugs require an application to the province and the patient must meet certain criteria (there are over 180

different sets of criteria for the treatment of various conditions).

If you make the application and are **approved**, the province will cover the drug at 100% with no deductible.

If you make the application and are **declined**, the province will **not** cover the drug. At this point your employee benefit plan will provide coverage with any co-insurance, deductibles, formularies and limits as they did before the introduction of OHIP+.

If you **do not** make an application to the province, the province will not cover the drug and your private coverage/employee benefit plan will also **not** be able to pay for the drug.

For information on the listing of the Exceptional Access Programs (EAP) Frequently requested drugs and the criteria for coverage, please visit...

http://www.health.gov.on.ca/en/pro/programs/drugs/pdf/frequently_requested_drugs.pdf

If the drug your child takes is on the EAP list, it is imperative that you make application as soon as possible to avoid a delay in payment. More information on the program and how to apply is here.

<https://www.ontario.ca/page/apply-exceptional-access-program>

Your attending physician will be required to complete an application form and send it into the province on your behalf if your child is on one of these drugs.

FACT #3

If the drug your child is taking is NOT on the Ontario ODB or EAP formulary, then it will be paid for by your benefit plan the same as it always was. This means any exclusions, maximums, co-insurance, or deductibles will still be incurred as they had been before the introduction of OHIP+

While the program is a great next step for Ontario residents, people must realize that it does not cover all drugs as we've indicated and parts of the process the government is instituting is bureaucratic. This program is NOT the choice of your employer or the insurance company. They are required to work with the province to try to ensure that things run as smoothly as possible during the implementation of the program. A period of grace may be offered by insurers to provide time for those under 25 to have their EAP application processed during the transition

If you have questions, please do not hesitate to ask your doctor, pharmacist, your insurer or call us and we'll try and help.



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Note: This side of the newsletter is intended for you the plan administrator. The information on the 'front' is targeted more to your staff and can be copied and distributed for their reference.

Just in case you were wondering...

You must notify insurers of employee terminations immediately as they occur. All other changes such as; new hires, marriages, common law, loss of spousal benefits, salary updates, dependant changes, etc. must be made within 30 days of the change.

With mandatory enrolment plans, late applicants will be billed back to the new employees **proper** effective date which helps reduce employer liability but may cause back billing up to a years worth of premium costs.

This information is provided as a reference to clients of Mainstay Insurance Brokerage Inc. It is not intended as advice. Your situation and the contract provided by your insurer as well as any relevant legislation shall always take precedence. Always obtain appropriate legal, human resource or accounting advice.

Bill 148 –Fair Workplaces, Better Jobs Act is NOW LAW !

Bill 148 is now Law in Ontario and there is a lot in it that affects employers. While the most visible change is the minimum wage increase, but the changes extend much farther than that.

One of the first changes of this new bill is how independent contractors are handled. Mainstay has always believed that they should NOT be included in benefit plans for a variety of contract, tax and liability reasons. That rational has now expanded even further with these changes. The first part of this new legislation deals with employee "misclassification" which prohibits employers from misclassifying employees as "independent contractors".

With this change, when a dispute arises as to the status, the **employer** will now have the onus of proving that the individual is not an employee. Failing to do so could cause an employer to be subject to additional penalties including prosecution, monetary penalties and disclosure of a conviction.

Beginning Dec. 3rd, 2017 parental leave is increased from 35 to 63 weeks and employees qualify after working only 13 weeks. This leave is on top of the 17 weeks of maternity leave already provided meaning that staff may take up to 18 months total unpaid leave (though with EI benefits). Employers are also required to hold their positions open until their return and to maintain their benefits.

Effective January 1st the general minimum wage is rising from \$11.60 to \$14/hour and then rising again to \$15/hour in Jan. 2019. Students, servers and homeworkers will also see their minimum wage increase.

After 1 week of work employees will now be entitled to two paid days out of a total of 10 Personal Emergency Leave (PEL) days (8 unpaid annually). Employers are prohibited from asking for a physicians note for these absences making absences tougher to manage than in the past.

There are new legislated leave for domestic or sexual violence, miscarriage or stillbirths, family medical leave, and for the death of a child. These are in addition to the other already existing legislated leaves such as; jury duty, military duty, and bereavement leaves.

Starting April 1, 2018 there are changes to create "Equal Pay for Equal Work" in regards to full, part-time, casual, seasonal and temporary workers. This will mean that a temporary or part time employee that is doing the same work as a full time employee must now be paid the same amount.

This legislation also allows an employee to request a review of their wages and requires employers to show they are paid equal to full time staff with no reprisals applied as a result of the request being made.

Employees who are hired through temporary help agencies that were often

paid at reduced rates due to the short term nature of the role, must also be paid at the same rate as permanent employees working at your firm. There is no requirement for the agency to provide benefits at this time.

Beginning in January 2019, there are further changes coming into force such as the right to refuse to work if not scheduled at least 4 days in advance, pay being guaranteed if employees are sent home, or for employees who are on call.

Employers are going to have to ensure that they are on top of all these changes as fines for failing to comply with the new legislation have increased to \$350/employee for a first offence, \$700 for a second and \$1,500 for a third. For many of the provisions those fines are PER EMPLOYEE.

An additional 175 ESA inspectors have been hired to enforce this new legislation with mandatory audits being stepped up beginning in the New Year. There is a sample video to show what a very basic audit would look like and updated educational content is expected in the new year.

https://www.youtube.com/watch?v=BxqkBRbGB_8

We are in no way legislative experts but have employment lawyers and HR consultants contact info on the "Need Help" page of our website if you need assistance. Reach out to us or to the experts in this area if you need additional support.