

Reasons for Decision:

Order # AP1819-0534

On <date removed>, <name removed> filed an appeal of the Director's decision to deny coverage for CBD oil an THC Vape. The date of the decision was <date removed>.

The decision letter sent to <name removed> stated coverage was denied because CBD oil and THC Vape are not covered under the Provincial Drug Program.

The Department told the Board that if a medication is not covered by the Pharmacare program, the worker responsible for the file sends a request to Provincial Services to determine if exceptional coverage will be granted.

The Department stated Provincial Services denied the request because it did not meet the criteria for Exceptional Drug Status set out by the Provincial Drug Program in the Department of Health.

To be eligible for Exceptional Drug Status, the doctor requesting coverage must demonstrate that the patient meets the coverage criteria set out by the program, that alternative therapies have been tried, and that the side effects of those therapies outweigh the benefits of the therapies.

The Department stated <name removed>'s doctor did not provide any evidence that alternative therapies had been tried.

<name removed> told the Board that medical cannabis has been legal in Canada for at least ten years. Other provinces have included medical cannabis on their versions of the Exceptional Drug Status list, and it is available to social assistance recipients in those provinces.

<name removed> stated they did not understand why the Manitoba Government would choose to contest appeals rather than accept medical cannabis.

<name removed> stated medical cannabis was prescribed to them by two different doctors to treat their <health conditions removed>, and they did not understand why the Department would not cover a legal drug prescribed by a licensed physician.

<name removed> told the Board they have tried traditional <medication removed>, and they make them <text removed>. The appellant described <text removed>. When they tried CBD, they felt better almost immediately.

<name removed> stated the cost of their medication is <amounts removed> dollars per

month. The appellant stated they have not been able to afford it since <date removed>.

<name removed> stated the prescribing doctor was not their family doctor. The prescribing doctor is a natural health doctor, who works at the Natural Health Services clinic. <name removed> stated they are the only natural health doctor in Winnipeg, so it is difficult to get an appointment to see them.

In response to a question from the Board, <name removed> confirmed the prescribing doctor did take their medical history, including previous prescriptions. The appellant stated the appointment only lasted a few minutes.

The Board noted the prescribing doctor stated that CBD oil and THC Vape were necessary for their <conditions removed>. The doctor made no mention of <health conditions removed> when requesting Exceptional Drug Status. <name removed> maintained they told the doctor they needed it for <health conditions removed>, and the doctor must not have been listening to them.

In response to a question from the Board, <name removed> stated they took traditional <medication removed> for only one or two months each time they were prescribed, because they did not like the side effects.

When requesting Exceptional Drug Status, the onus is on the appellant to demonstrate that conventional therapies had been attempted and were unsuccessful or harmful. The Board agrees with the Department that <name removed>'s doctor did not provide any evidence that conventional therapies had been attempted.

Furthermore, the prescribing doctor had one brief meeting with <name removed>, and prescribed the medication for a condition <name removed> was not claiming. The Board has doubts about the thoroughness of the prescribing doctor's analysis of the appellant's medication needs. !

<name removed> told the Board that they had tried conventional <medication removed>, and they did not work. The Board notes that each time they were prescribed <medication removed>, they stopped taking them after a short period of time. It can take several weeks, or even months, for <medication removed> to begin working effectively, and it appears <name removed> stopped taking them before their doctor stabilized the dosage.

After careful consideration of the written and verbal evidence submitted to it, the Board determined that the Department assessed <name removed>'s application correctly based on the information it had before it, in accordance with the legislation and regulations. The Board confirmed the Director's decision to deny funding for CBD oil and THC Vape for the appellant.

DISCLAIMER

These are electronic copies of the Reasons for Decision issued by the Social Services Appeal Board. These written reasons have been edited to protect the personal information of individuals by removing personal identifiers.