

Issue Brief

Protecting Canadians from Unsafe Drugs Act (Vanessa's Law)

2015

Background

Vanessa's Law is named in honour of Conservative MP Terence Young's daughter, Vanessa. The 15-year-old died in 2000 after suffering complications while taking the drug Prepulsid, which was prescribed for gastrointestinal symptoms. The medication was later found to be unsafe and pulled from the market.

Facts

The legislation, known as Vanessa's Law:

- Requires reporting of adverse drug reactions by healthcare institutions;
- Allows Health Canada to recall unsafe products;
- Imposes tough new penalties for unsafe products, including jail time and new fines of up to \$5-million per day instead of the current \$5,000;
- Provides the courts with discretion to impose even stronger fines if violations were caused intentionally;
- Compels drug companies to revise labels to clearly reflect health risk information, including updates for health warnings for children; and
- Compels drug companies to do further testing on a product, including when issues are identified with certain at-risk populations such as children.

HealthCareCAN Action

In October 2014, HealthCareCAN appeared before the Senate Standing Committee on Social Affairs, Science and Technology and expressed strong support for the legislation, pointing out that the legislation would enhance patient and public safety. We also expressed concern that the legislation not result in an undue increased administrative burden on an already stressed healthcare system.

Issue

Protecting Canadians from Unsafe Drugs Act (Vanessa's Law) is one of the most significant changes to the Food and Drug Act in 50 years. This legislation, which received Royal Assent in November 2014, is designed to better protect Canadians from harmful drugs and medical devices. It has direct relevance to healthcare organizations, including HealthCareCAN Members, and those working within the health system, and contains measures to strengthen the regulation of therapeutic products and improve the reporting of adverse reactions by healthcare institutions.



In January 2015, at HealthCareCAN's request, Health Canada convened a meeting of key stakeholders where we expressed our concerns regarding some aspects of the law.

Shortly after, HealthCareCAN convened the Vanessa's Law Ottawa Working Group which represents several health professional associations (namely, the Canadian Nurses Association, Canadian Pharmacists Association, Canadian Society of Hospital Pharmacists, the Canadian Medical Association and HealthCareCAN, including representation from the HealthCareCAN Member organization, the Ontario Hospital Association). The objective of the group is to ensure the successful implementation of Vanessa's Law, striking the right balance between the needs of the public and the capacity of the system.

In June 2015, the group put forward a joint submission on Health Canada's Amendments to the Food and Drugs Act: Guide to New Authorities.

In May and July 2015, HealthCareCAN also hosted two popular webinars aimed at dissecting the different aspects of the law from a legal and feasibility point of view.

Recommendation:

HealthCareCAN is supportive of Vanessa's Law, but wants to ensure that there is not an undue increase in administrative burden on an already stressed healthcare system.

HealthCareCAN would like to see clarification on:

- Definition of who are "prescribed health care institutions";
- Prescribed manner for reporting on critical incidents, including timing; and
- Who is responsible for responding – and how quickly – to reports of adverse events.

HealthCareCAN will continue to be consulting regularly and working closely with Member organizations to ensure that their views and interests are front and centre throughout the process to develop regulations under Vanessa's Law. This is expected to be a multi-year process.

Who We are

HealthCareCAN is the national voice of healthcare organizations across Canada. We foster informed and continuous, results-oriented discovery and innovation across the continuum of healthcare. We act with others to enhance the health of the people of Canada; to build the capability for high quality care; and to help ensure value for money in publicly financed, healthcare programs.

Our Vision:

Improved health for the people of Canada through an evidence-based and innovative healthcare system.

Our Mission:

To advance an integrated, innovative, sustainable and accountable healthcare system that provides the people of Canada with a world-leading health system by:

- Being the collective voice of Canada's healthcare organizations;
- Enhancing pathways to innovation;
- Supporting service excellence across the continuum of care; and,
- Developing the health leaders of today and tomorrow.

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