Dear [Name],


On January 30, 2018, the Department of Health and Community Services (the Department) received requests for access to the following records:

HCS/009/2018

“All email correspondence and written correspondence regarding the Council of Independent Community Pharmacy Owners (CICPO)”

HCS/010/2018

“All email or written correspondence regarding generic drug pricing.”

HCS/011/2018

“All written and email correspondence regarding the Pharmacists' Association of Newfoundland and Labrador (PANL)”

HCS/012/2018

“Any email or written correspondence regarding Apotex”

HCS/013/2018

“All written or email correspondence regarding the Newfoundland and Labrador Pharmacy Board (NL)”
HCS/014/2018
“any email or written correspondence regarding Sue Kelland-Dyer or Suzanne Kelland-Dyer please note this search should be for the time-frame of January 2013 to present and include all employees of the Department.”

HCS/015/2018
“All email or written correspondence regarding Lawton's Drugs, Shopper's Drug Mart, The Drugstore, Dominion, Sobeys, The Empire Group, Costco, WalMart, McKesson, Guardian Drugs, ESI, Express Scripts regarding drug pricing, pharmacy operation, NLPDP agreement, Insurance, pharmacist, tariffs, pharmacy regulatory, mail-order pharmacy, Newfoundland and Labrador Pharmacy Network from January 2012 to present.”

HCS/016/2018
“All email and written correspondence related to the legalization of marijuana or cannabis, any regulatory information, and any agreements with the NLPDP regarding medical marijuana between the Department and Shopper's Drug Mart, Lawton's Drugs, Dominion, Sobeys the Empire Group, the Pharmacists' Association of Newfoundland and Labrador, the Newfoundland and Labrador Pharmacy Board, between January 2014 to present.”

Please be advised that a decision has been made by the Deputy Minister for the Department of Health and Community Services, with approval from the Information and Privacy Commissioner, to disregard your request in accordance with section 21(1)(a) and of the Access to Information and Protection of Privacy Act, 2015 which provides that:

21. (1) The head of a public body may, not later than 5 business days after receiving a request, apply to the commissioner for approval to disregard the request where the head is of the opinion that
(a) the request would unreasonably interfere with the operations of the public body

Please be advised that you may appeal directly to the Supreme Court Trial Division within 15 business days after you receive the decision of the public body, pursuant to section 52 of the Act (a copy of this section of the Act has been enclosed for your reference).

If you have any further questions, please contact me by telephone at 709-729-7010, or by email at MichaelCook@gov.nl.ca.
Sincerely,

[Signature]

Michael Cook
ATIPP Manager
/Enclosures
Direct appeal to Trial Division by an applicant

52. (1) Where an applicant has made a request to a public body for access to a record or correction of personal information and has not filed a complaint with the commissioner under section 42, the applicant may appeal the decision, act or failure to act of the head of the public body that relates to the request directly to the Trial Division.

(2) An appeal shall be commenced under subsection (1) not later than 15 business days

(a) after the applicant is notified of the decision of the head of the public body, or the date of the act or failure to act; or

(b) after the date the head of the public body is considered to have refused the request under subsection 16 (2).

(3) Where an applicant has filed a complaint with the commissioner under section 42 and the commissioner has refused to investigate the complaint, the applicant may commence an appeal in the Trial Division of the decision, act or failure to act of the head of the public body that relates to the request for access to a record or for correction of personal information.

(4) An appeal shall be commenced under subsection (3) not later than 15 business days after the applicant is notified of the commissioner’s refusal under subsection 45 (2).