

Provincial Health Care Plans to Include Services Provided by Non-Physician Health Professionals

Health | Health Law | Health Services | Healthcare | Litigation | Litigation & Dispute Resolution

14 January 2025

On 10 January 2025, the Federal Minister of Health released a long-awaited [letter](#) to Provincial and Territorial Ministers of Health outlining a new interpretation of the Canada Health Act, which will require public health care plans to provide payment for medically necessary, primary care services rendered by nurse practitioners, pharmacists, and midwives.

To clarify, the new interpretation, which will come into effect on 1 April 2026, means that if a service is covered if provided by a physician, it will now also be covered if provided by another health professional who is authorized to perform the service. As such, the interpretation does not increase the scope of services to be provided by these non-physician health professionals, but rather provides them with public payment for the services that they are already authorized to perform.

The interpretation letter is a response to the recent expansion in scopes of practice for various health professionals and an attempt to provide improved access to primary care services, which is much needed given the current shortage of family physicians.

It is also a response to concerns about private clinics requiring patients to pay out-of-pocket for medically necessary services rendered by non-physician health professionals. The interpretation letter confirms that moving forward, any such practices would be viewed as extra-billing and user charges, which are contrary to law and carry significant penalties.

The changes will be especially relevant for nurse practitioners, who are authorized to practice autonomously, and are becoming the sole primary care provider for many Canadians, especially in rural and remote communities. Ostensibly, the changes should result in an increase in nurse practitioner-led clinics, which would improve access to primary care.

In my view, the new changes are long overdue as patients should not be forced to pay for medically necessary health care services simply because they are rendered by non-physician health professionals. On a similar note, it seems unfair that non-physician health professionals could not bill the public health care plans, even though they were providing the same authorized services as their physician counterparts.

It will be interesting to see if there are any hurdles encountered regarding the implementation of the recent directive from the Federal Minister of Health, as it will require changes to public health care plans and an overall increase in payments to health professionals. A PDF version is available to download [here](#).

For more information please contact: **Lad Kucis** at **416.864.3114** or lkucis@grllp.com

About the Author

Lad Kucis is certified by the Law Society of Ontario as a specialist in health law and provides advice and representation to regulated health professionals and other health providers in respect of all types of regulatory matters.

(This blog is provided for educational purposes only, and does not necessarily reflect the views of Gardiner Roberts LLP).

Author



Lad Kucis

Partner

416.864.3114

lkucis@grllp.com



Bay Adelaide Centre — East Tower
22 Adelaide Street West, Suite 3600
Toronto, ON M5H 4E3

Phone: 416.865.6600
Fax: 416.865.6636
contactGR@grllp.com