

THE RETAIL SALES TAX ACT

DRUGS, MEDICAL EQUIPMENT AND SUPPLIES FOR HUMAN USE

This bulletin outlines the Retail Sales Tax (RST) exemptions that are allowed on drugs, equipment for physically disabled persons and certain medical supplies. It also provides examples of taxable items.

Section 1 – DEFINITIONS

- Practitioner**
- A practitioner is a person who is entitled under the laws of Manitoba to practice the profession of medicine or dentistry.
- Prescription**
- A prescription means a written or verbal order, given to a pharmacist or health care facility by a practitioner, directing that a stated amount of any drug or mixture of drugs specified in the order be dispensed for the individual named in the order.

Section 2 – DRUGS AND MEDICAMENTS

- Tax exempt drugs and other items**
- THE FOLLOWING DRUGS AND OTHER ITEMS USED EXCLUSIVELY FOR HUMANS ARE EXEMPTED FROM RST:
- A drug dispensed by a practitioner to an individual for the personal consumption or use of the individual or a person related to the individual.
 - A drug dispensed on the prescription of a practitioner to an individual named in the prescription for the personal consumption or use of the individual.
 - A drug dispensed by, or on the prescription of, a practitioner for the personal consumption or use of an individual patient in a hospital or other health care facility.
 - Radiopharmaceuticals included in Schedule C to the Food and Drugs Act (Canada).
 - Biologic drugs such as blood, vaccines and other drugs included in Schedule D to the Food and Drugs Act (Canada).

Note: Revisions to contents of previous Bulletin (December 2002) have been identified by shading ().

- Insulin and other drugs that may be purchased without a prescription included in Schedule D to the Food and Drugs Act (Canada).
- Antibiotics, hormones, tranquilizers and other drugs sold to consumers by prescription that are included in Schedule F to the Food and Drug Regulations made under the Food and Drugs Act (Canada).
- Stimulants, sedatives and other drugs or substances included in the schedule to Part G of the Food and Drug Regulations made under the Food and Drugs Act (Canada).
- A drug containing a substance that is included in the schedule to the Narcotic Control Regulations made under the Controlled Drugs and Substances Act (Canada) and is sold to consumers by prescription.
- Drugs used to treat life-threatening conditions, namely
 - digoxin,
 - digitoxin,
 - prenylamine,
 - deslanoside,
 - erythryl tetranitrate,
 - isosorbide dinitrate,
 - nitroglycerine,
 - quinidine & its salts,
 - medical oxygen,
 - epinephrine & its salts.
- A drug authorized by the regulations under the Food & Drugs Act (Canada) to be supplied for use in emergency treatment. This exemption applies to drugs which are authorized by Health Canada to be imported under the Emergency Drug Release Program.
- Glucose used by diabetics for the treatment of shock.
- **Human sperm**
- I.V. solutions, e.g. saline and glucose.

**Taxable drugs
and other
items**

DRUGS AND OTHER ITEMS NOT LISTED ABOVE ARE TAXABLE INCLUDING THE FOLLOWING:

- Non-prescription and proprietary drugs, e.g. pain relievers, cold remedies, enema solutions, cosmetics, vitamins, deodorants, shampoos and any other items that can be purchased over-the-counter without a prescription.

Please note: Non-prescription drugs may be purchased tax exempt by a medical facility for treating patients, as in these facilities all drugs are considered to be dispensed by, or on the order of, a medical practitioner.

- Drugs used for analysis, testing or research in a laboratory or similar facility.

Section 3 – EXEMPTION FOR MEDICAL EQUIPMENT AND SUPPLIES WITHOUT A PRESCRIPTION

THE FOLLOWING ITEMS ARE EXEMPTED FROM RST WITHOUT A PRESCRIPTION:

Diabetic supplies

- The following items qualify for the diabetic supplies exemption:
 - Hypodermic needles and syringes.
 - Insulin infusion pumps and pouches designed solely for carrying these devices.
 - Lancets and lancing devices.
 - Blood glucose monitors and meters, including control solutions and replacement batteries designed solely for these devices.

Testing strips, reagents or tablets

- Blood-sugar, blood-ketone, urinary-sugar, and urinary-ketone testing strips, reagents or tablets that are self administered. These items are typically used by diabetics for self-testing.

Sanitary napkins and tampons

- Sanitary napkins, tampons, belts and pads.

Artificial limbs

- Artificial limbs and prosthetic covers.

Orthopaedic appliances

- Orthopaedic appliances, including body support braces that are specially designed to correct or compensate for physical deformities, orthopaedic seating devices, back rest supports and orthopaedic pillows, but not including general use comfort products.

Hearing aids

- The exemption for hearing aids includes:
 - Replacement batteries designed for and sold for hearing aids.
 - Alarm devices and attachments to telephones and televisions that are specially designed and sold for use by persons with a hearing impairment. The tax exemption applies to T.V. telecaption adapters specially designed for persons with a hearing impairment, but the television set is not exempted even if purchased as a unit together with the telecaption adapter.
 - Hearing ear dogs.

Equipment for blind person

- Equipment that is designed solely for the use of blind persons. This exemption includes:
 - Guide dogs and harnesses.
 - Other navigational equipment.
 - Braille writing supplies.
 - Special guides and indicators for household appliances or recreational equipment.
 - Communications equipment such as specially designed tape recorders used by blind persons to read books, readers that translate text into braille (General use tape recorders, tapes, CD's and computers are taxable).
 - Low vision aids.

Other equipment and supplies for physically disabled person

- Equipment and supplies designed solely for the use of physically disabled persons or chronic invalids. This exemption includes:
 - Alternating pressure pads.
 - Ambulifts and replacement parts
 - Anti-embolism stockings.
 - Aquamatic k-pad, pressure relieving overlay and accessories.
 - Arterial grafts.
 - Artificial breathing apparatus including oxygen tents and iron lungs that are specially designed for use by a person with a respiratory disorder.
 - Bath-a-lift and replacement parts.
 - Bedfast rinser and hair wash basin.
 - Bedpans (disposable and non-disposable).
 - Bed ladders (apparatus to assist a disabled person in and out of bed).
 - Cannulas.
 - Cardiac pulse generators.
 - Catheters, including stopcocks for catheters.
 - Cell saver, including aspiration assembly, cell saver pack and high speed cell saver pack.
 - Cervical collars and splints, but not including general use comfort products such as inflatable neck supports.
 - Collapsed uterus support devices.
 - Commodes, raised toilet seats, urinals and sitz-baths specially designed for physically disabled persons.
 - Compensating brassieres for patients following mastectomy.
 - Crutches, canes and invalid walkers and grips and tips for these devices.
 - Cutlery items that are specially designed for use by physically disabled persons.
 - Cystic fibrosis therapy vest systems.
 - Drainage tubes for patients.
 - Equipment controls which are activated by blowing air through a tube and are specially designed for physically disabled persons.
 - Feeding and stomach tubes and pumps.
 - Gastric banding systems for obese persons.
 - Grab bars.
 - Growth guidance chair designed for physically disabled children.
 - Gurneys.
 - Hernia and abdominal supports, trusses and sacroiliac belts.
 - Hospital beds and beds that are specially designed for physically disabled persons purchased by health care facilities, including footstools, bedside rails, monkey bars, overbed tables, mattresses, mattress covers and pads, and air cushions.
 - Implants (natural or artificial) including artificial limbs, eyes, nose, ear, chin and penile implants and joint replacements.
 - Incontinent pads, pants, diapers and liners (but not including general use disposable diapers designed for babies or young children).
 - Infant incubators.
 - Iron lung machines.
 - I.V. poles.
 - Kidney dialysis units, including all related apparatus, e.g. blood and fluid monitors, electronic scales and read outs and water conditioners that are installed solely for the operation of the kidney dialysis unit.
 - Laryngeal speaking aids.
 - Microvascular anastomatic systems (implanted devices only).

- Mecanoids and replacement parts.
- Ostomy sets, including ileostomy and colostomy sets, and supplies.
- Oxygen concentrators, including oxygen masks, oxygen cannulas and oxygen transportation devices.
- Pacemakers including pacemaker leads.
- Patient-lifts and replacement parts.
- Percussors (mechanical) for postural drainage treatment.
- Peritoneal dialysis units, including all related apparatus that are installed solely for the operation of the peritoneal dialysis units.
- Plaster of paris, stockingettes and alternative materials for treating fractures.
- Pressure bandages specially designed for burn patients.
- Pressure lines used in cardiology operating theatres.
- Prolapse pessary supports (mechanical).
- Prosthetic covers used with casts.
- Pump/table lines for heart and lung machines.
- Reaching aids, including prone boards and wheelchair mounted assistive robots, specially designed for physically disabled persons.
- Replaceable parts for heart and lung machines that are only used for one patient, such as oxygenators, caridotomy reservoirs, filters (gas and blood), blood cardioplegia sets (patient lines), hemoconcentrators (ultrafiltrator kit), st.-y-reducers, thermodilution catheters, temperature probes, nasal – rectal - myocardial, cannulas (arterial, venous and cardioplegia).
- Resuscitation bags and masks.
- Shunt systems.
- Silicone punctal plugs.
- Sleep apnea therapy sets, including replacement parts.
- Speech generating devices used by persons who are unable to communicate verbally (e.g. Chat Box).
- Stairway elevators designed solely for physically disabled persons.
- Stents used with catheters in angioplasty surgery.
- Steri-strip skin closures (used in lieu of sutures).
- Stretchers including replacement parts for stretchers.
- Stocking aid (tool to help physically disabled persons put on stockings).
- Surgical glue, nails, plates, screws, steel wires and sutures.
- Therabite (jaw motion rehabilitation system).
- Tissue repair patches (e.g. Dura-Guard, Peri-Guard).
- Trachea tubes.
- Traction apparatus, weights, cords and footboards.
- Transducers (individual, kits or trifurcated, cardiac inspector valves).
- Tubigrip for physically disabled persons.
- Ultrafiltration kit (hemoconcentrator).
- Urinary drainage tubes, other drainage tubes, collection bags, pouch clamps and attachments.
- Vehicle controls specially designed for and sold to physically disabled persons, but the vehicle chassis does not qualify for tax exemption.
- Ventilators (respirators) which are connected to patients by a trachea tube to facilitate breathing (including airway pressure and airflow monitors and alarms, humidifiers designed to be connected to ventilators, tubing, filters and other accessories which are an integral part of a stand-alone ventilator).
- Walkers, including grips and tips.
- Wheelchairs and electric powered scooters designed and sold for use

by physically disabled persons, including geriatric chairs and arthritic chairs.

- Wheelchair accessories (e.g. restraining devices, head rests, cushions, trays, bags and pouches).
- Wheelchair batteries.
- Wheelchair elevators, ramps and lifts designed solely for physically disabled persons.
- Wheelchair lifts installed in vehicles and modifications to a vehicle to specifically accommodate such lifts. (The vehicle chassis does not qualify for tax exemption).
- X-ray contrast media taken orally or injected into a patient (e.g. barium and baros granules).

Section 4 – EXEMPT EQUIPMENT AND SUPPLIES WITH A PRESCRIPTION

THE FOLLOWING ITEMS ARE EXEMPTED FROM RST WITH A PRESCRIPTION:

Exempt items with a prescription

- Aerosol chambers and metered dose inhalers used by asthmatics.
- Bathtubs and whirlpools specially designed for the physically disabled, including installation.
- Beds similar to hospital beds that are designed for persons with special needs including footstools, bedside rails, monkey bars, overbed tables, mattresses, mattress covers and pads, and air cushions (but not including decorative or detachable headboards and bedding).
- Computer accessories designed for the physically disabled (e.g. joystick, keyguard and mouse).
- Corrective footwear and surgical stockings.
- Dental appliances, including dentures, filling materials and materials incorporated into dentures – See Bulletin No. 007 – Dentists, Denturists and Dental Laboratories for additional information.
- Elastic compression hosiery to support varicose veins.
- Epi-pen.
- Lift chairs and recliners.
- Nerve stimulators (biometric or electric) designed to relieve pain.
- Optical appliances, including eye glasses and contact lenses – See Bulletin No. 034 – Optometrists and Opticians for additional information.
- Page turners designed for the physically disabled.
- Pneumatic pumps for lymphedema.
- Wigs for cancer patients.
- Writing aids specially designed for the physically disabled, such as pen holders or overhead easels for persons confined to a bed.

Section 5 – TAXABLE EQUIPMENT AND SUPPLIES

THE FOLLOWING ARE EXAMPLES OF ITEMS THAT DO NOT QUALIFY FOR THE ABOVE EXEMPTIONS AND ARE SUBJECT TO TAX:

Taxable items

- Acupuncture needles, equipment and instruments.
- Anaesthetic equipment or apparatus to apply anaesthetics.
- Aspirators, and suction units, including replacement parts.

- Autopsy tables.
- Baby bottles (including collars, disks, rings, hoods, nipples, liners and inserts) and cups, glasses, drinking spouts, dishes and spoons that are used to feed babies or to train babies to eat.
- Baby pacifiers, soothers and teethers.
- Blood collection units, transfer packs, sets to deliver the blood, blood warmers, blood filters and cell separators.
- Blood pressure units.
- Bone densitometer machines.
- Breast pumps and nipple shields.
- Cautery tip cleaners.
- Cleaning supplies and disinfectants.
- Compressors, including replacement parts
- Contact lens sold over the counter without a prescription.
- Contact lens fluid.
- Defibrillator, fetal heart monitor and other similar equipment used by the health care giver to care for the patient.
- Dental equipment and instruments used by dentists in treating their patient and the equipment used to manufacture or repair dentures – See Bulletin No. 007 – Dentists, Denturists and Dental Laboratories for further information.
- Diagnostic reagents and chemicals that are used in laboratories.
- Drainage systems used in surgery.
- Dressings and bandages, excluding pressure bandages specially designed for burn patients.
- Disposable diapers designed for babies or young children.
- Douche syringes.
- Empty plasma containers.
- Endoscopic kittner and fog inhibitor.
- Enema administration sets.
- Exercise equipment.
- Eye-wash fountain.
- First aid kits.
- General purpose polyethylene tubing and polyvinylchloride tubing.
- Gauze.
- Guide wires used in surgery.
- Hot water bottles and heating pads.
- Humidifiers, including replacement parts.
- Infusion pumps and related equipment used by the health care giver to care for the patient.
- Insufflators and inflators.
- Internal vessel occluders.
- Intubating stylets.
- Intravenous sets, accessories and syringes for these sets used by the health care giver to care for the patient.
- Irrigation sets, accessories and syringes for these sets used by the health care giver to care for the patient.
- Laboratory equipment.
- Lead aprons worn by medical technicians and patients for protection from X-rays.
- Lens cleaners.
- Light handles and adapters for surgery.

- Lubricating gels and jellies.
- Medical tape and cotton and other synthetic materials used in lieu of cotton.
- Medicine cups.
- Microwave endometrial ablation unit for treatment of menorrhagia.
- Narcotic counters and dispensers.
- Nebulizers used by the health care giver to care for the patient.
- Needle disposal boxes.
- Needles, syringes, equipment or apparatus used in the administration of drugs and medicines (except hypodermic needles and syringes purchased and used by diabetics for the injection of insulin).
- Operating tables.
- Optical equipment and lenses used to test the vision of a patient and the equipment used to manufacture or repair optical appliances – See Bulletin No. 034 – Optometrists and Opticians for additional information.
- Patient shirts, pyjamas, bed socks and other apparel (except clothing exempted for children subject to the \$150 limit).
- Pregnancy tests.
- Probes.
- Protective clothing and footwear such as gowns, gloves and masks.
- Regulators and oxygen flowmetres, including replacement parts.
- Retrieval systems used to retrieve tissue during surgery.
- Scissors.
- Scopes and scope warmers.
- Sheaths.
- Sheets, towels, pillow cases and blankets.
- Snares (e.g. tonsil or nasal snares).
- Sponges.
- Stethoscopes.
- Strait-jackets.
- Surgical instruments (e.g. clamps, clips, scalpels, forceps and suture boots).
- Surgical markers.
- Tensor bandages, wrist straps and body supports (unless specially designed and used to correct or compensate for physical deformities).
- Thermometers.
- Tongue depressors.
- Trays for surgical and other medical procedures (e.g. introducer trays and epidural trays).
- Trocar systems including obturators and seals.
- Uniforms.
- Urine specimen collection apparatus, bottles and kits.
- Vacutainers used to collect blood for analysis.
- Vacuum delivery kit used for delivering babies.
- Vapourizers, including replacement parts.
- Vessel loops.
- Vials and similar containers.
- Wipes (medicated and non-medicated).
- Wound retractor systems.
- X-ray film, and any other film, for medical or dental purposes.
- X-ray and other imaging equipment (e.g. CT scanners and fluoroscopy equipment), including parts and accessories.

FURTHER INFORMATION

This bulletin is intended to serve as a guideline and is not all-inclusive. For the specific wording of the law, please refer to the Acts and Regulations stated below. Further information may be obtained from:

Winnipeg Office

Manitoba Finance
Taxation Division
101 - 401 York Avenue
Winnipeg, Manitoba R3C 0P8
Telephone (204) 945-5603
Manitoba Toll Free 1-800-782-0318
Fax (204) 948-2087
E-mail: MBTax@gov.mb.ca
Web Site: www.gov.mb.ca/finance/taxation

Westman Regional Office

Manitoba Finance
Taxation Division
349, 340 - 9th Street
Brandon, Manitoba R7A 6C2
Telephone (204) 726-6153
Manitoba Toll Free 1-800-275-9290
Fax (204) 726-6763

**Principal
References in
Legislation:**

*The Retail Sales Tax Act of Manitoba (C.C.S.M. c. R130) and Manitoba Regulation (75/88R);
The Food and Drugs Act (Canada) and the Food and Drug Regulations made under that Act; The Narcotic Control Regulations made under the Controlled Drugs and Substances Act (Canada).*