

## DRAFT BILL 179 REGULATION- ONTARIO COLLEGE OF PHARMACISTS

1. This Part is subject to the provisions of the *Controlled Drugs and Substances Act* (Canada) and the regulations thereunder.

2. In this Part,

“adapt” means to alter the dose, dosage form, regimen or route of administration of a drug that has been previously prescribed for a patient;

“extend” means to prescribe an additional quantity of a drug that has been previously prescribed for a patient;

“initiate” means to prescribe a drug specified in the regulations under the authority provided by paragraph 3 of subsection 4(1) of the Act; and

“original prescriber” means the regulated health professional who authorized the prescription that a member adapts or extends.

3. (1) No pharmacist listed in Part A of the register shall prescribe a drug, administer a substance by injection or inhalation, or perform a procedure on tissue below the dermis, except in accordance with the provisions of this Part.

(2) No registered pharmacy student or intern shall prescribe a drug, administer a substance by injection or inhalation, or perform a procedure on tissue below the dermis, except,

(a) in accordance with the provisions of this Part, and

(b) i. in the case of a registered pharmacy student,

A. while under the direct supervision of a pharmacist listed in Part A of the register, or,

B. where a program or any education or training provided for in subsection 10(1) includes a clinical component in a premises that is not a pharmacy, while under the direct supervision of a member of a College within the meaning of the *Regulated Health Professions Act, 1991* who has been approved for this purpose by the faculty that provides the program, education or training, and

ii. in the case of an intern,

A. when practising in a pharmacy to which the *Drug and Pharmacies Regulation Act* applies, while under the direct supervision of a pharmacist listed in Part A of the register, or

B. in all other cases, while under the supervision of a pharmacist listed in Part A of the register.

(3) No pharmacy technician shall perform a procedure on tissue below the dermis, however nothing in this Part shall prevent a pharmacy technician from performing such a procedure under delegation from a pharmacist listed in Part A of the register who is authorized to perform it.

(4) No pharmacy technician shall prescribe a drug or administer a substance by injection or inhalation.

(5) No pharmacist listed in Part B of the register shall prescribe a drug, administer a substance by injection or inhalation, or perform a procedure on tissue below the dermis.

4. For the purpose of paragraph 3 of subsection 4 (1) of the Act, the following categories of drugs are designated:

- (a) any drug that may be lawfully purchased without a prescription; and
- (b) the categories of drugs listed in Appendix "A".

5. (1) A member shall not initiate a prescription for a drug unless the requirements set out in subsection (2) are met.

(2) The following are the requirements referred to in subsection (1):

- 1. The member has the knowledge, skill and judgment with regard to the drug, and the condition for which the member is prescribing it, to prescribe the drug safely and effectively.
- 2. The member determines that it is appropriate to prescribe the drug to the patient, having considered the known risks and benefits to the patient of prescribing the drug, and other relevant factors specific to the situation.

6. A member who initiates a prescription for a drug shall provide the prescription to the patient upon request.

7. A member shall not refuse to initiate a prescription for a drug because the patient or his or her agent refuses to purchase the drug from the member or from the pharmacy where the member is engaged in the practice of pharmacy.

8. (1) For the purpose of paragraph 4 of subsection 4(1) of the Act, a member may prescribe a drug in the following circumstances:

1. The member may adapt a prescription.
2. The member may extend a prescription.

(2) A member shall not prescribe a drug under the authority provided by paragraph 4 of subsection 4(1) of the Act unless the requirements set out in subparagraph (3) are met.

(3) The following are the requirements referred to in subsection (2):

1. The member either,
  - i. is in possession of the prescription that is to be adapted or extended,
  - ii. receives a copy of the prescription directly from the pharmacy where the prescription was originally dispensed,
  - iii. is satisfied based on verbal confirmation from a pharmacist at the pharmacy where the prescription was originally dispensed as to the existence and details of the prescription, or
  - iv. has access to the medical record that contains documentation of the prescription; and
2. The member determines that it is appropriate to adapt or extend the prescription, having considered the known risks and benefits to the patient of adapting or extending the prescription, and other relevant factors specific to the situation.

(4) Where a member extends a prescription, the member shall not prescribe a quantity of the drug that exceeds the lesser of,

- (a) the quantity that was originally prescribed, including any refills that were authorized by the original prescriber, and
- (b) a six months' supply.

**9.** A member shall take reasonable steps to notify the original prescriber (if any) and, if known to the member and different from the original prescriber, the patient's primary health care provider, within a reasonable time after the member has,

- (a) initiated a prescription for a drug from one of the categories of drugs listed in Appendix "A";
- (b) extended a prescription; or

(c) adapted a prescription where, in the member's professional judgment, the adaptation is clinically significant or the notification is otherwise necessary to support the patient's care.

**10.** Where a member prescribes a drug, the member shall prepare a written prescription that includes the following:

- (a) the name of the person for whom the drug is prescribed,
- (b) the name, strength [where applicable] and quantity or amount of the prescribed drug,
- (c) the directions for the use of the drug including its dose, frequency, route of administration and any special instructions respecting the use of the drug,
- (d) the name, address, telephone number and registration number as issued by the College of the member issuing the prescription,
- (e) the signature of the member,
- (f) the date of the prescription,
- (g) where applicable, reference to the prescription that the member adapted or extended, including the name and contact details of the original prescriber, and
- (h) the number of refills that the member has authorized, if applicable.

**11.** Where a member prescribes a drug, the member shall maintain a patient record, which shall include:

- (a) where applicable, reference to the prescription that the member adapted or extended, including the name and contact details of the original prescriber,
- (b) the prescription or a copy thereof, which, where applicable, shall be kept together with, or linked to, the prescription that the member adapted or extended or a copy thereof,
- (c) details respecting the member's rationale for the prescribing decision,
- (d) the results of laboratory or other tests that the member has considered in making the prescribing decision,

- (e) if applicable, the date on which the original prescriber was notified that the member adapted or extended the prescription and the method of notification, and
- (f) documentation of the patient's voluntary and informed consent or that of the patient's substitute decision maker.

**12.** For the purpose of paragraph 2 of subsection 4 (1) of the Act, the following categories of substances are designated: the categories of substances listed in Appendix "B" and Appendix "C".

**13.** (1) A member shall not administer a substance by injection or inhalation under the authority provided by paragraph 2 of subsection 4(1) of the Act unless the requirements set out in subsection (2) are met.

(2) The following are the requirements referred to in subsection (1):

~~1. The member administers the substance only for the purpose of demonstrating how to do so.~~

2. The member administers the substance in an environment that is clean, safe, private and comfortable for the patient.

3. The member has appropriate infection control procedures in place.

4. The member has the knowledge, skill and judgment with regard to the substance, and the condition for which the member is administering it, to administer the substance safely.

5. The member determines that it is appropriate to administer the substance to the patient, having considered,

i. the known risks and benefits to the patient of administering the substance;

ii. the safeguards and resources available in the circumstances to safely manage the outcome of administering the substance; and

iii. other relevant factors specific to the situation.

**14.** Where a member administers a substance by injection or inhalation, the member shall document the circumstances of doing so, and shall maintain a patient record which shall include documentation of the patient's voluntary and informed consent or that of the patient's substitute decision maker.

**15.** (1) A member may perform a procedure on tissue below the dermis only in the following circumstances:

1. The member may pierce a patient's dermis with a lancet to obtain blood, for any of the following purposes:

- A. to demonstrate the proper use of self-care devices,
- B. to demonstrate the proper use of monitoring tools,  
or
- C. for chronic disease monitoring.

(2) A member shall not perform a procedure on tissue below the dermis under the authority of paragraph 5 of subsection 4(1) of the Act unless the requirements set out in subparagraph (3) are met.

(3) The following are the requirements referred to in subsection (2):

- 1. The member performs the procedure in an environment that is clean, safe, private and comfortable for the patient.
- 2. The member has appropriate infection control procedures in place.
- 3. The member has the knowledge, skill and judgment with regard to the proper techniques for performing the procedure, to do so safely and effectively.
- 4. The member determines that it is appropriate to perform the procedure.

**16.** Where a member performs a procedure on tissue below the dermis, the member shall document the circumstances of doing so and shall maintain a patient record which shall include,

- (a) the results of the procedure and any other relevant information, and
- (b) documentation of the patient's voluntary and informed consent or that of the patient's substitute decision maker.

**17.** Where a member is required by this Part to document a decision and maintain a patient record, the member shall complete the documentation in a timely manner, and shall ensure that the patient record,

- (a) is accurate, concise and legible, and
- (b) is recorded using a format and manner that facilitates use, sharing and ready retrieval.