Draft Regulations

Draft Regulation

Medical Act
(chapter M-9)

Physicians
— Certain professional activities that may engaged in by a pharmacist

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation respecting certain professional activities that may be engaged in by a pharmacist, made by the board of directors of the Collège des médecins du Québec, may be submitted to the Government which may approve it, with or without amendment, on the expiry of 45 days following this publication.

The draft Regulation determines, among the professional activities that may be engaged in by physicians, those that, under the conditions and procedures to be determined, may be engaged in by a pharmacist, that is, the prescription of medication for certain minor conditions and the prescription of certain laboratory analyses for a pharmacist practising in a community pharmacy.

The draft Regulation has no impact on enterprises, including small and medium-sized businesses.

Further information may be obtained by contacting Linda Bélanger, Legal Advisor, Collège des médecins du Québec, 2170, boulevard René-Lévesque Ouest, Montréal (Québec) H3H 2T8; telephone: 514 933-4441 or 1 888 633-3246; fax: 514 933-5374.

Any person having comments to make is asked to send them, before the expiry of the 45-day period, to the Chair of the Office des professions du Québec, 800, place D'Youville, 10e étage, Québec (Québec) G1R 5Z3. The comments will be forwarded by the Office to the Minister of Justice and may also be sent to the professional order that made the Regulation, and to interested persons, departments and bodies.

JEAN PAUL DUTRISAC,
Chair of the Office des professions du Québec

Regulation respecting certain professional activities that may be engaged in by a pharmacist

Medical Act
(chapter M-9, s. 19, 1st par., subpar. *b*)

DIVISION I
GENERAL PROVISION

1. The purpose of this regulation is to determine which, amongst the professional activities that physicians may engage in, those which, according to the terms and conditions it determines, may be engaged in by a pharmacist.

DIVISION II
PRESCRIBE A MEDICATION

2. A pharmacist may prescribe a medication for one of the minor conditions provided in Schedule I when:

(1) the patient has already received a diagnosis for this condition and a physician has prescribed a medication for the patient;

(2) the condition of the patient has already been evaluated by a specialized nurse practitioner who has prescribed a medication for him.

The pharmacist must prescribe the medication in accordance with the provisions of the Regulation respecting the standards regarding prescriptions made by a pharmacist, approved by Order-in-Council No. (*show the number and date of the Order-in-Council here*).

The prescribed medication must belong to a class of medications of equal or lesser strength than the one prescribed by the physician or the specialized nurse practitioner.

3. The pharmacist who prescribes a medication must communicate to the attending physician, or to a specialized nurse practitioner, the following information:

(1) the minor condition treated;

(2) the full name of the medication;

(3) the dose, including the pharmaceutical form, the concentration, where applicable, and the dosage;

(4) the length of the treatment and the quantity prescribed.

4. To be authorized to engage in the professional activity provided in section 2, the pharmacist must successfully complete 2 hours of supplementary training covering the following elements:

(1) ethical and professional considerations;

(2) the procedure for prescribing medication:

a) the collection of information and assessment of signs and symptoms as well as of warning signals;

b) the decision-making process;

c) the writing of a prescription;

d) follow-up;

e) record-keeping and communication to the attending physician.

This training may have been acquired as part of a program of studies leading to a diploma allowing access to the permit of the Ordre des pharmaciens du Québec or as part of supplementary training defined by the Ordre for the purpose of obtaining a permit from it.

5. The pharmacist may not prescribe a medication when:

(1) the patient is part of a population sub-group whose situation exceeds the pharmacist's competencies;

(2) the minor condition is accompanied by one of the following warning signs:

a) a recurrent or persistent sign or symptom after the first medication prescribed by the pharmacist;

b) a sign or a symptom suggesting the presence of an undiagnosed chronic or systemic disease;

c) a sign or symptom suggesting a decline or alteration in the functioning of an organ or a system;

d) an unusual reaction to the medication;

(3) the signs and symptoms do not enable him to clearly identify the minor condition;

(4) more than 2 years have passed since the last treatment prescribed by the physician or specialized nurse practitioner for one of the minor conditions provided in paragraphs (10) or (11) of Schedule I;

(5) more than 4 years have passed since the last treatment prescribed by the physician or specialized nurse practitioner for one of the minor conditions provided in paragraphs (1) to (9) of Schedule I;

(6) more than 12 months have passed since the last treatment prescribed by the physician or specialized nurse practitioner for the minor condition provided in paragraph (12) of Schedule I or the patient has received 3 treatments for this condition during the past 12 months.

The pharmacist must then direct the patient to a physician or to a specialized nurse practitioner and enter the reasons justifying this decision on a form that he gives to the patient.

DIVISION III
PRESCRIBE LABORATORY ANALYSES

6. A pharmacist who engages in his professional activities in a community pharmacy may prescribe the laboratory analyses provided in Schedule II for the purpose of monitoring a drug therapy:

(1) in order to substantiate the presence of known undesirable effects associated with the taking of a medication;

(2) in order to provide follow-up of known undesirable effects and drug interactions;

(3) in order to monitor the efficacy of the drug therapy.

Before requesting an analysis, the pharmacist must ensure that no recent result of this analysis is otherwise available for this patient.

The pharmacist communicates to the attending physician the result of the requested laboratory analysis. The pharmacist must, where appropriate, direct the patient to the resource appropriate to his condition, with the results of the analysis.

7. The pharmacist must prescribe these laboratory analyses in accordance with the provisions of the Regulation respecting the standards regarding prescriptions made by a pharmacist.

DIVISION IV
AUTHORIZATION OF OTHER PERSONS

8. A person contemplated by section 1 of the Regulation respecting the professional activities that may be engaged in by persons other than pharmacists (chapter P-10, r. 3) may engage in the professional activities provided in sections 2 and 6 of this regulation if the following conditions are respected:

(1) the person engages in these activities in the presence of a pharmacist;

(2) engaging in these activities is required for the purpose of completing a program of studies, an internship or training.

DIVISION V

FINAL PROVISION

9. This regulation comes into force on the fifteen day following the date of its publication in the *Gazette officielle du Québec.*

SCHEDULE I
(s. 2)

MINOR CONDITIONS

(1) allergic rhinitis;

(2) herpes labialis;

(3) minor acne (without nodules or pustules);

(4) yeast vaginitis;

(5) diaper rash;

(6) atopic dermatitis (eczema) requires the use of a weak or moderate strength of corticosteroids;

(7) allergic conjunctivitis;

(8) thrush following the use of a corticosteroid inhaler;

(9) mouth ulcers;

(10) primary dysmenorrhea;

(11) hemorrhoids;

(12) urinary infections in women.

SCHEDULE II
(s. 6)

LABORATORY ANALYSES

(1) complete blood count (CBC);

(2) prothrombin time (PT - INR) – INR;

(3) creatinine;

(4) electrolytes;

(5) alanine transaminase (ALT);

(6) creatinine-kinase (CK);

(7) serum drug levels;

(8) glycemia;

(9) glycated hemoglobin HbA1c;

(10) lipid profile;

(11) thyroid-stimulating hormone (TSH).

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Draft Minister's Order

Natural Heritage Conservation Act
(chapter C-61.01)

Extension of the setting aside of land for two proposed aquatic reserves and of land for twenty-seven proposed biodiversity reserves

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the draft Order concerning the extension of the setting aside of land for two proposed aquatic reserves and of land for twenty-seven proposed biodiversity reserves, appearing below, may be made by the Minister on the expiry of 45 days following this publication.

The draft Order extends the setting aside of land for two proposed aquatic reserves and of land for twenty-seven proposed biodiversity reserves for eight more years. That extension is necessary to maintain in effect the current temporary protection granted to that land, with a view to completing the steps necessary to assign permanent protection status, including the holding of all the consultations required. The draft Order provides that the setting aside of the land will expire on 15 April, 19 June or 7 September 2021, as the case may be.