Gouvernement du Québec

O.C. 606-2013, 12 June 2013

Medical Act
(chapter M-9)

Pharmacists
— Certain professional activities that may be engaged in by a pharmacist

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

WHEREAS, under subparagraph *b* of the first paragraph of section 19 of the Medical Act (chapter M-9), the board of directors of the Collège des médecins du Québec must by regulation determine among the activities referred to in the second paragraph of section 31 of the Act those which, under certain prescribed conditions, may be engaged in by classes of persons other than physicians;

WHEREAS, in accordance with the second paragraph of section 19 of the Medical Act, the board of directors of the Collège des médecins du Québec consulted the Office des professions du Québec and the Ordre des pharmaciens du Québec before passing the Regulation respecting certain professional activities that may be engaged in by a pharmacist;

WHEREAS, pursuant to section 95 of the Professional Code (chapter C-26) and subject to sections 95.0.1 and 95.2, every regulation made by the board of directors of a professional order under the Code or an Act constituting a professional order must be transmitted to the Office des professions du Québec for examination and be submitted, with the recommendation of the Office, to the Government which may approve it with or without amendment;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft of the Regulation respecting certain professional activities that may be engaged in by a pharmacist was published in Part 2 of the *Gazette officielle du Québec* of 23 January 2013 with a notice that it could be submitted to the Government for approval on the expiry of 45 days following that publication;

WHEREAS the Office has examined the Regulation and submitted it with its recommendation to the Government;

WHEREAS it is expedient to approve the Regulation with amendments;

IT IS ORDERED, therefore, on the recommendation of the Minister of Justice:

THAT the Regulation respecting certain professional activities that may be engaged in by a pharmacist, attached to this Order in Council, be approved.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

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

1. The purpose of this Regulation is to determine, among the professional activities that may be engaged in by physicians, those that may be engaged in by a pharmacist pursuant to the terms and conditions set out in the Regulation.

DIVISION II
PRESCRIPTION OF MEDICATION

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

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

(2) the patient's condition has already been assessed by a specialized nurse practitioner who has prescribed medication for the patient.

A pharmacist must prescribe medication in accordance with the provisions of the Regulation respecting prescriptions by a pharmacist, approved by Order in Council 602-2013 dated 12 June 2013.

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

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

(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 duration of the treatment and the quantity prescribed.

4. To be authorized to engage in the professional activity provided for in section 2, a 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 and of warning signs;

(*b*) the decision-making process;

(*c*) the writing of a prescription;

(*d*) follow-up;

(*e*) record-keeping and communication to the attending physician or the specialized nurse practitioner.

The training may have been acquired as part of a program of studies leading to a diploma giving access to the permit of the Ordre des pharmaciens du Québec or as part of refresher training determined by the Order for the purpose of obtaining the permit.

5. A pharmacist may not prescribe medication where

(1) the patient is part of a population subgroup whose situation exceeds the pharmacist's skills;

(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 the pharmacist to clearly identify the minor condition;

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

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

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

The pharmacist must then refer the patient to a physician or specialized nurse practitioner and enter the reasons justifying the decision on a form to be given to the patient.

DIVISION III
PRESCRIPTION OF LABORATORY ANALYSES

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

(1) to substantiate the presence of known adverse effects associated with the taking of medication;

(2) to ensure follow-up on known adverse effects and drug interactions;

(3) to ensure follow-up on the effectiveness of medication therapy.

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

The pharmacist communicates to the attending physician or the specialized nurse practitioner responsible for the clinical follow-up the result of the requested laboratory analysis. The pharmacist must, where appropriate, refer the patient to the resource appropriate to the patient's condition, with the results of the analysis.

7. A pharmacist must prescribe the laboratory analyses in accordance with the provisions of the Regulation respecting prescriptions by a pharmacist.

DIVISION IV
AUTHORIZATION OF OTHER PERSONS

8. A person referred to in 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 for in sections 2 and 6 of this Regulation if the person engages in the activities in the presence of a pharmacist and engaging in the activities is required for the purpose of completing a program of studies, a training period or training.

DIVISION V
FINAL PROVISION

9. This Regulation comes into force on 3 September 2013.

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) requiring 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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Gouvernement du Québec

O.C. 607-2013, 12 June 2013

Pharmacy Act
(chapter P-10)

Terms and conditions for the sale of medications — Amendment

Regulation to amend the Regulation respecting the terms and conditions for the sale of medications

WHEREAS, under section 37.1 of the Pharmacy Act (chapter P-10), the Office des professions du Québec, after consultation with the Institut national d'excellence en santé et en services sociaux, the Ordre professionnel des médecins du Québec, the Ordre professionnel des médecins vétérinaires du Québec and the Ordre des pharmaciens du Québec, may, by regulation, establish categories of medications and determine, for each category, if need be, by whom and subject to what terms and conditions the medications may be sold;