Draft Regulations

Draft Regulation

Professional Code
(chapter C-26)

Pharmacists
— Initiation and modification of medication therapy, administration of a medication and prescription of tests

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation respecting the initiation and modification of medication therapy, the administration of a medication and the prescription of tests by a pharmacist, made by the board of directors of the Ordre des pharmaciens du Québec and appearing below, may be examined by the Office des professions du Québec and submitted to the Government which may approve it, with or without amendment, on the expiry of 45 days following this publication.

The Regulation brings together the main regulatory amendments relating to the adoption of the Act to amend mainly the Pharmacy Act to facilitate access to certain services (S.Q. 2020, c. 4). It replaces the following four regulations: Regulation respecting the prescription of a medication by a pharmacist (chapter P-10, r. 18.2); Regulation respecting the extension or adjustment of a physician's prescription by a pharmacist and the substitution of a medication prescribed (chapter P-10, r. 19.1); Regulation respecting the administration of medication by pharmacists (chapter P-10, r. 3.1); Regulation respecting the prescription and interpretation of laboratory analyses by a pharmacist (chapter P-10, r. 18.3). The draft Regulation adds or modifies the terms and conditions related to the following activities of section 17 of the Pharmacy Act (chapter P-10):

— prescribe a medication where no diagnosis is required;

— prescribe any medication following a consultation request or as part of an advanced practice partnership;

— initiate, adjust or stop medication therapy;

— substitute, for a prescribed medication, another medication;

— renew a prescription;

— administer a medication;

— prescribe tests.

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

Further information on the draft Regulation may be obtained by contacting M^e^ Manon Bonnier, director of legal services and assistant secretary, Ordre des pharmaciens du Québec, 266, rue Notre-Dame Ouest, bureau 301, Montréal (Québec) H2Y 1T6; telephone: 514 284-9588 or 1 800 363-0324; email: mbonnier@opq.org.

Any person wishing to comment on the draft Regulation may submit written comments within the 45-day period to Roxanne Guévin, Acting Secretary of the Office des professions du Québec, 800, place D'Youville, 10^e^ étage, Québec (Québec) G1R 5Z3; email: secretariat@opq.gouv.qc.ca. The comments will be forwarded by the Office to the Minister of Justice; they may also be sent to the professional order that made the Regulation as well as to interested persons, departments and bodies.

Roxanne Guévin,
Acting Secretary of the Office des professions du Québec

Regulation respecting the initiation and modification of medication therapy, the administration of a medication and the prescription of tests by a pharmacist

Pharmacy Act
(chapter P-10, s. 10, 1st par., subpars. *h* and *i*)

DIVISION I
INITIATION OF MEDICATION THERAPY

1. In the practice of the profession, a pharmacist may prescribe a medication listed in Schedule I of the Regulation respecting the terms and conditions for the sale of medications (chapter P-10, r. 12) for the purposes and on the following conditions:

(1) smoking cessation;

(2) hormonal contraception for an initial period of not more than 6 months;

(3) emergency oral contraception;

(4) prevention of nausea and vomiting;

(5) taking charge of an emergency requiring the administration of salbutamol;

(6) antibiotic prophylaxis in patients exposed to Lyme disease;

(7) antibiotic prophylaxis in valve carriers;

(8) antiviral prophylaxis in persons at risk of developing complications from influenza;

(9) cytoprotective prophylaxis in patients at risk;

(10) prophylaxis of acute mountain sickness, excluding the prescription of dexamethasone or sildenafil;

(11) malaria prophylaxis;

(12) prophylaxis after accidental exposure to HIV, to the extent that the pharmacist refers the patient to the professional in charge of the patient's clinical follow-up within 72 hours after the initiation of the medication therapy and enters the reasons justifying such decision on a form that the pharmacist gives to the patient;

(13) perinatal vitamin supplementation;

(14) vaccination;

(15) allergic contact dermatitis requiring a weak or moderate strength topical corticosteroid therapy;

(16) treatment of traveller's diarrhea;

(17) treatment of dyspepsia and gastroesophageal reflux for a maximum of 4 consecutive weeks or 6 cumulative weeks per 1-year period;

(18) gonorrhea and chlamydia treatment of a person covered by a program of the Ministère de la Santé et des Services sociaux for the accelerated treatment of partners;

(19) treatment of mild to moderate nausea and vomiting.

2. A pharmacist may also prescribe a medication listed in Schedule I of the Regulation respecting the terms and conditions for the sale of medications (chapter P-10, r. 12) according to a prescription of another professional authorized to prescribe medications, following a consultation request referred to in Division III or as part of an advanced practice partnership agreement referred to in Division IV.

3. Where circumstances warrant it, a pharmacist who initiates medication therapy must inform the professional in charge of the patient's clinical follow-up.

DIVISION II
MODIFICATION OF MEDICATION THERAPY

§1. Adjustment and cessation

4. A pharmacist may adjust or cease a patient's medication therapy in the following cases:

(1) if it is necessary to modify a prescription to ensure the effectiveness of the medication therapy or the safety of the patient, in particular to reduce the adverse effects of a medication, manage drug interactions, prevent organ failure, take into account the patient's renal or hepatic function, take into account the patient's weight, improve the patient's tolerance to medication therapy or correct an obvious error in dosage;

(2) according to a prescription of another professional authorized to prescribe medications;

(3) following a consultation request referred to in Division III;

(4) as part of an advanced practice partnership agreement referred to in Division IV.

5. Where a pharmacist adjusts a patient's medication therapy, the pharmacist must ensure the achievement of therapeutic targets scientifically recognized, except where the pharmacist obtains specific therapeutic targets from a professional in charge of the patient's clinical follow-up and, if applicable, special limits or contraindications.

6. Where circumstances warrant it, a pharmacist must inform the professional in charge of the patient's clinical follow-up of the adjustment or cessation of medication therapy. The pharmacist must always inform that professional when modifying the dosage or the administration route of a medication under subparagraph 1 of the first paragraph of section 4.

§2. Substitution of a medication

7. A pharmacist must, before substituting another medication for the medication prescribed when there is disruption of the supply in Québec, ensure that the medication cannot be obtained from 2 wholesalers accredited by the Minister of Health and Social Services under section 62 of the Act respecting prescription drug insurance (chapter A-29.01).

8. Where a medication presents a risk to the safety of a patient, the pharmacist may substitute another medication if the patient's clinical situation justifies the rapid initiation of medication therapy and the prescriber cannot be contacted in due time.

9. A pharmacist must inform the initial prescriber each time a medication is substituted for another.

DIVISION III
CONSULTATION REQUEST

10. A consultation request to assess a patient's medication therapy must be made by a professional authorized to prescribe medications.

11. The pharmacist consulted must reply in writing to the professional requiring the pharmacist's services and ensure that the professional agrees before initiating or modifying the patient's medication therapy.

DIVISION IV
ADVANCES PRATICE PARTNERSHIP

12. An advanced practice partnership agreement may be entered into between a pharmacist and a physician or a specialized nurse practitioner if those professionals share a clientele and a same record containing the information relating to the patient and that may be consulted in a timely manner.

13. A pharmacist carrying on activities as part of a partnership agreement must request the intervention of the partner professional where the care required by the patient exceeds the pharmacist's competencies in particular where

(1) the signs, symptoms or results of a test indicate that the patient's state of health has deteriorated, and the pharmacist is no longer able to ensure the follow-up of the medication therapy;

(2) the results expected from the medication therapy have not been obtained; or

(3) the patient has an unusual reaction to the medication therapy.

Where the pharmacist requires the intervention of the partner professional, the pharmacist must state the reason for the request and specify the degree of urgency. Following the intervention of the partner professional, the pharmacist continues to carry on activities with respect to that patient in accordance with the agreement, but within the limits of the treatment plan determined by the professional.

14. The partnership agreement must be set forth in a writing containing

(1) the names of the parties;

(2) the type of clientele served by the pharmacist or the type of clientele excluded;

(3) the services or care offered by the pharmacist or those excluded;

(4) the procedure to be followed for consultation and intervention requests made to the partner professional;

(5) the methods of communication between the partner professionals;

(6) the methods for evaluating professional activities;

(7) the terms applicable to the review or modification of the agreement;

(8) the duration and procedure for the termination and renewal of the agreement.

A pharmacist bound by a partnership agreement must so declare annually to the Ordre des pharmaciens du Québec and provide a copy at its request.

DIVISION V
PRESCRIPTION RENEWAL

15. A pharmacist who renews a prescription must recommend to the patient to obtain an appropriate clinical follow-up.

Where circumstances warrant it, the pharmacist must inform the initial prescriber of the renewal.

DIVISION VI
ADMINISTRATION OF A MEDICATION

16. Before administering a medication, a pharmacist must know the manoeuvres to apply in case of a cardiac arrest and obstruction of the respiratory tract of an adult, a child and a baby, including the use of an automated external defibrillator and a bag-valve mask ventilation system. The pharmacist must hold a valid attestation issued by the Fondation des maladies du cœur du Québec, the Red Cross or St. John Ambulance.

17. A pharmacist may administer a vaccine to a patient at least 6 years of age. Despite the foregoing, a pharmacist may administer the vaccine required for travel and the vaccine against influenza to a patient at least 2 years of age.

18. In an emergency, a pharmacist may administer an over-the-counter medication or salbutamol.

DIVISION VII
PRESCRIPTION OF TESTS

19. Before prescribing a test, a pharmacist must ensure that no result for an equivalent test is available.

20. Where circumstances warrant it, the pharmacist communicates the results of a test to the professional in charge of the patient's clinical follow-up.

DIVISION VIII
FINAL

21. This Regulation replaces the Regulation respecting the administration of medication by pharmacists (chapter P-10, r. 3.1), the Regulation respecting the prescription of a medication by a pharmacist (chapter P-10, r. 18.2), the Regulation respecting the prescription and interpretation of laboratory analyses by a pharmacist (chapter P-10, r. 18.3) and the Regulation respecting the extension or adjustment of a physician's prescription by a pharmacist and the substitution of a medication prescribed (chapter P-10, r. 19.1).

22. This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

104461

Draft Regulation

Professional Code
(chapter C-26)

Physicians
—Certain professional activities that may be 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 examined by the Office des professions du Québec and submitted to the Government for approval, with or without amendments, on the expiry of 45 days following this publication.

The draft Regulation allows pharmacists to prescribe a medication for one of the conditions it sets out to a patient who has already been treated for that condition by another professional authorized to prescribe medications. The Act to amend mainly the Pharmacy Act to facilitate access to certain services (S.Q. 2020, c. 4) specifies, in particular, that all pharmacists may prescribe and interpret laboratory analyses and other tests. The draft Regulation also provides consequential amendments that revoke the authorization for pharmacists who practise in community pharmacies to prescribe laboratory analyses.

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

Further information on the draft Regulation may be obtained by contacting M[e] Linda Bélanger, director of legal services, Collège des médecins du Québec; 1250, boulevard René-Lévesque Ouest, bureau 3500, Montréal (Québec) H3B 0G2; telephone: 514 933-4441 or 1 888 633-3246; email: lbelanger@cmq.org.

Any person wishing to comment on the draft Regulation may submit written comments within the 45-day period to Roxanne Guévin, Acting Secretary of the Office des professions du Québec, 800, place D'Youville, 10[e] étage, Québec (Québec) G1R 5Z3; email: secretariat@opq.gouv.qc.ca. The comments will be forwarded to the Minister of Justice; they may also be sent to the professional order that made the Regulation as well as to interested persons, departments and bodies.

Roxanne Guévin,
Acting Secretary 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

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. In the practice of his or her profession, a pharmacist may prescribe medication referred to in Schedule I to the Regulation respecting the terms and conditions for the