Gouvernement du Québec

O.C. 1401-2020, 16 December 2020

Pharmacy Act
(chapter P-10)

Initiation and modification of medication therapy, administration of a medication and prescription of tests by a pharmacist

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

WHEREAS the Act to amend mainly the Pharmacy Act to facilitate access to certain services (2020, chapter 4) was assented to on 17 March 2020;

WHEREAS, under subparagraph *h* of the first paragraph of section 10 of the Pharmacy Act (chapter P-10), as amended by paragraph 1 of section 1 of the Act to amend mainly the Pharmacy Act to facilitate access to certain services, the board of directors of the Ordre des pharmaciens du Québec must, by regulation, determine conditions and procedures for the activities described in subparagraphs 6 to 10 of the second paragraph and subparagraph 3 of the third paragraph of section 17 of the Pharmacy Act;

WHEREAS, under subparagraph *i* of the first paragraph of section 10 of the Pharmacy Act, the board of directors of the Ordre des pharmaciens du Québec must, by regulation, determine the cases in which a pharmacist may prescribe a medication under subparagraph 2 of the third paragraph of section 17 of the Pharmacy Act, as well as the applicable conditions and procedures;

WHEREAS, in accordance with the third paragraph of section 10 of the Pharmacy Act, the Ordre des pharmaciens du Québec has consulted the Collège des médecins du Québec, the Ordre des dentistes du Québec, the Ordre professionnel des diététistes-nutritionnistes du Québec, the Ordre des infirmières et infirmiers du Québec, the Ordre professionnel des inhalothérapeutes du Québec, the Ordre des optométristes du Québec, the Ordre des podiatres du Québec and the Ordre des sages-femmes du Québec before making the Regulation respecting the initiation and modification of medication therapy, the administration of a medication and the prescription of tests by a pharmacist on 21 May 2020;

WHEREAS, pursuant to section 95 of the Professional Code (chapter C-26), subject to sections 95.0.1 and 95.2 of the Code, 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), the draft of the Regulation respecting the initiation and modification of medication therapy, the administration of a medication and the prescription of tests by a pharmacist was published in Part 2 of the *Gazette officielle du Québec* of 10 June 2020 with a notice that it could be examined by the Office then submitted to the Government which may approve it, with or without amendment, on the expiry of 45 days following that publication;

WHEREAS, in accordance with section 95 of the Professional Code, the Office examined the Regulation on 25 September 2020 then submitted it to the Government with its recommendation;

WHEREAS it is expedient to approve the Regulation with amendments;

IT IS ORDERED, therefore, on the recommendation of the Minister of Higher Education:

THAT the Regulation respecting the initiation and modification of medication therapy, the administration of a medication and the prescription of tests by a pharmacist, attached to this Order in Council, be approved.

YVES OUELLET,
Clerk of the Conseil exécutif

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

(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 a medication of the therapeutic subsubclass of beta adrenergic agonists;

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

(7) antibiotic prophylaxis in patients who are valve carriers;

(8) antiviral prophylaxis in patients 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 authorized to ensure 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 patient covered by a program of the Ministère de la Santé et des Services sociaux for the accelerated treatment of partners; and

(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. A pharmacist who adjusts a patient's medication therapy 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. A pharmacist who modifies the dosage or the administration route of a medication under paragraph 1 of section 4 must always so inform that professional.

§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 who substitutes a medication for another must so inform the initial prescriber each time.

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
ADVANCED PRACTICE PARTNERSHIP AGREEMENT

12. A pharmacist may enter into an advanced practice partnership agreement with a physician or a specialized nurse practitioner if they 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 professional activities as part of an advanced practice 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.

A pharmacist who requires the intervention of the partner professional 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 professional 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 advanced practice 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 or intervention requests made by the pharmacist 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 who is a party to such an agreement must so declare annually to the Ordre des pharmaciens du Québec and provide a copy to the Order within 30 days of a request to that effect.

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 Canadian Red Cross Society 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 a medication of the therapeutic sub-subclass of beta adrenergic agonists.

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 25 January 2021.

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