

Gouvernement du Québec

**O.C. 1322-2022, 29 June 2022**

Pharmacy Act  
(chapter P-10)

**Professional activities that may be engaged in by a pharmacy technical assistant, a pharmacy technician and a person in the process of obtaining a permit to practise pharmacy**

Regulation respecting the professional activities that may be engaged in by a pharmacy technical assistant, a pharmacy technician and a person in the process of obtaining a permit to practise pharmacy

WHEREAS, under subparagraph *a* of the first paragraph of section 10 of the Pharmacy Act (chapter P-10), the board of directors of the Ordre des pharmaciens du Québec must, by regulation, determine from among the activities referred to in the second and third paragraphs of section 17 of the Act those which, under certain prescribed conditions, may be engaged in by classes of persons other than pharmacists;

WHEREAS, in accordance with the second paragraph of section 10 of the Act, the board of directors of the Ordre des pharmaciens du Québec consulted the Office des professions du Québec, the Collège des médecins du Québec, the Ordre des infirmières et infirmiers du Québec, the Ordre des infirmières et infirmiers auxiliaires du Québec, the Ordre professionnel des inhalothérapeutes du Québec and the Ordre des sages-femmes du Québec before making the Regulation respecting the professional activities of pharmacists that may be engaged in by a technical assistant, a technician or a person in the process of obtaining a permit for the practice of pharmacy on 9 November 2021;

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 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 Regulation respecting the professional activities of pharmacists that may be engaged in by a technical assistant, a technician

or a person in the process of obtaining a permit for the practice of pharmacy was published in Part 2 of the *Gazette officielle du Québec* of 19 January 2022 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 22 April 2022 and 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 professional activities that may be engaged in by a pharmacy technical assistant, a pharmacy technician and a person in the process of obtaining a permit to practise pharmacy, attached to this Order in Council, be approved.

YVES OUELLET

*Clerk of the Conseil exécutif*

**Regulation respecting the professional activities that may be engaged in by a pharmacy technical assistant, a pharmacy technician and a person in the process of obtaining a permit to practise pharmacy**

Pharmacy Act  
(chapter P-10, s. 10, 1st par., subpar. *a*)

**DIVISION I**  
**COMMON PROVISIONS**

**1.** Every person who engages in professional activities under this Regulation must

(1) act under the continuous supervision of a pharmacist who is responsible for that person and who is available to intervene on short notice; and

(2) comply, with the necessary modifications, with the regulatory standards applicable to the activities engaged in and those related to professional conduct and keeping records.

## DIVISION II

### PHARMACY TECHNICAL ASSISTANT AND PHARMACY TECHNICIAN

**2.** A pharmacy technical assistant and a pharmacy technician may engage in the professional activities referred to in subparagraphs 5 and 9 of the second paragraph of section 17 of the Pharmacy Act (chapter P-10).

For the purposes of this Regulation, “pharmacy technical assistant” means a person who holds a vocational training diploma awarded by the Minister of Education, Recreation and Sports after completing studies in pharmacy technical assistance and successfully completed the training provided for in the Règlement sur l’activité de formation des pharmaciens pour l’administration d’un médicament (chapter P-10, r. 1.1) as part of the program of study or complementary training.

Similarly, “pharmacy technician” means a person who holds a diploma of college studies awarded by the Minister of Higher Education, Research, Science and Technology after completing studies in pharmacy techniques.

**3.** A person who is registered in a program of study referred to in the second or third paragraph of section 2 and who undergoes a training period as part of that program may engage in the professional activities referred to in subparagraphs 5 and 9 of the second paragraph of section 17 of the Pharmacy Act (chapter P-10).

## DIVISION III

### PERSON IN THE PROCESS OF OBTAINING A PERMIT TO PRACTISE PHARMACY

**4.** A person in the process of obtaining a permit to practise pharmacy who is duly entered in the register kept for that purpose by the Ordre des pharmaciens du Québec may engage in the professional activities referred to in section 17 of the Pharmacy Act (chapter P-10).

For the purposes of this Regulation, “person in the process of obtaining a permit to practise pharmacy” means

(1) a person who is registered in a program of study in pharmacy leading to a diploma giving access to the permit to practise pharmacy issued by the Order;

(2) a person who is registered in a program of study leading to a diploma giving access to a legal authorization to practise pharmacy issued in another Canadian province or Canadian territory and who undergoes a training period in Québec as part of that program of study;

(3) a person who is registered in a program of study leading to a diploma in pharmacy issued by an educational institution located outside Canada and who undergoes a training period in Québec as part of that program of study;

(4) a person who must complete a training period under the Règlement sur la délivrance d’un permis de l’Ordre des pharmaciens du Québec pour donner effet à l’arrangement conclu par l’Ordre en vertu de l’Entente entre le Québec et la France en matière de reconnaissance mutuelle des qualifications professionnelles (chapter P-10, r. 13.1);

(5) a person whose training equivalence is granted in part under the Règlement sur les normes d’équivalence de diplôme et de la formation aux fins de la délivrance d’un permis de pharmacien (chapter P-10, r. 18) and who must successfully complete courses or training periods to obtain full equivalence.

**5.** The person referred to in subparagraph 1, 4 or 5 of the second paragraph of section 4 may continue to engage, in accordance with this Regulation, in the activities referred to in section 17 of the Pharmacy Act (chapter P-10) during the 30 days following the date on which the person completed the program of study, training period or training, as the case may be.

**6.** This Regulation replaces the Regulation defining the acts described in section 17 of the Pharmacy Act which may be performed by classes of persons other than pharmacists (chapter P-10, r. 1) and the Regulation respecting the professional activities that may be engaged in by persons other than pharmacists (chapter P-10, r. 3).

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

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