



Province of Alberta

## HEALTH PROFESSIONS ACT

# PHARMACISTS AND PHARMACY TECHNICIANS PROFESSION REGULATION

### **Alberta Regulation 129/2006**

With amendments up to and including Alberta Regulation 90/2011

### Office Consolidation

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(Consolidated up to 90/2011)

**ALBERTA REGULATION 129/2006**

**Health Professions Act**

**PHARMACISTS AND PHARMACY TECHNICIANS  
PROFESSION REGULATION**

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**Definitions****1** In this Regulation,

- (a) “Act” means the *Health Professions Act*;
- (b) “clinical pharmacist” means a regulated member registered in the clinical pharmacist register category of the regulated members register;
- (c) “College” means the Alberta College of Pharmacists;
- (d) “Competence Committee” means the competence committee of the College;
- (e) “Complaints Director” means the complaints director of the College;
- (f) “Council” means the council of the College;
- (g) “courtesy pharmacist” means a regulated member registered in the courtesy pharmacist register category of the regulated members register;
- (g.1) “courtesy pharmacy technician” means a regulated member registered in the courtesy pharmacy technician register category of the regulated members register;
- (h) “direct supervision” means direct supervision as described in section 23;
- (i) “drug” means a drug as defined in the *Pharmacy and Drug Act*;
- (j) “health professional” means a member of a profession that provides health services;
- (k), (l) repealed AR 90/2011 s3;
- (m) “indirect supervision” means indirect supervision as described in section 23;
- (n) repealed AR 90/2011 s3;
- (o) “pharmacy” means a licensed pharmacy and an institution pharmacy, as defined in the *Pharmacy and Drug Act*;
- (p) “pharmacy technician” means a regulated member registered in the pharmacy technician register category of the regulated members register;

- (p.1) “practice of pharmacists” means the practice of pharmacists as described in section 3(1) of Schedule 19 to the Act;
- (p.2) “practice of pharmacy technicians” means the practice of pharmacy technicians as described in section 3(2) of Schedule 19 to the Act;
- (q) “provisional pharmacist” means a regulated member registered in the provisional pharmacist register category of the regulated members register;
- (q.1) “provisional pharmacy technician” means a regulated member registered in the provisional pharmacy technician register category of the regulated members register;
- (r) “Registrar” means the registrar of the College;
- (s) “Schedule 1 drug” means a Schedule 1 drug within the meaning of the *Pharmacy and Drug Act*;
- (t) “Schedule 2 drug” means a Schedule 2 drug within the meaning of the *Pharmacy and Drug Act*;
- (u) “Standards for the Operation of a Licensed Pharmacy” means the standards for the operation of a licensed pharmacy adopted by the College under section 29.1 of the *Pharmacy and Drug Act*;
- (u.1) “Standards of Practice” means the standards of practice of pharmacists or pharmacy technicians adopted by the Council under section 133 of the Act;
- (v) “structured practical training program for pharmacists” means the structured practical training program for pharmacists referred to in section 10;
- (w) “structured practical training program for pharmacy technicians” means the structured practical training program for pharmacy technicians referred to in section 10.1;
- (x) “student pharmacist” means a regulated member of the College registered in the student pharmacist register category of the regulated members register.

AR 129/2006 s1;90/2011

**Register categories**

**2** The regulated members register established by the Council under section 33(1)(a) of the Act has the following categories:

- (a) clinical pharmacist register;
- (b) provisional pharmacist register;
- (c) courtesy pharmacist register;
- (d) student pharmacist register;
- (e) pharmacy technician register;
- (f) provisional pharmacy technician register;
- (g) courtesy pharmacy technician register.

AR 129/2006 s2;90/2011

### Registration

#### Clinical pharmacist register

**3(1)** An applicant for registration as a regulated member on the clinical pharmacist register must

- (a) have received a baccalaureate degree in pharmacy from a pharmacy program approved by the Council,
- (b) have successfully completed a structured practical training program for pharmacists, and
- (c) have successfully passed the registration and the ethics and jurisprudence examinations for pharmacists approved by the Council.

**(2)** An applicant

- (a) must have completed the requirements set out in subsection (1)(b) and (c) within the 2-year period ending immediately before the applicant submits a complete application, or
- (b) must demonstrate to the satisfaction of the Registrar that the applicant is currently competent to practise pharmacy.

**(3)** For the purpose of subsection (2)(b), the Registrar may require the applicant to do one or more of the following:

- (a) successfully complete coursework and examinations;
- (b) undergo an evaluation of competencies;
- (c) complete an additional structured practical training program for pharmacists.

(4) For the purpose of subsection (3), the Registrar may register an applicant on the provisional pharmacist register.

AR 129/2006 s3;90/2011

#### **Pharmacy technician register**

**3.1(1)** An applicant for registration as a regulated member on the pharmacy technician register must

- (a) have received a certificate or diploma from a pharmacy technician program approved by the Council,
- (b) have successfully completed a structured practical training program for pharmacy technicians, and
- (c) have successfully passed the registration and the ethics and jurisprudence examinations for pharmacy technicians approved by the Council.

(2) An applicant

- (a) must have completed the requirements set out in subsection (1)(b) and (c) within the 2-year period ending immediately before the applicant submits a complete application, or
- (b) must demonstrate to the satisfaction of the Registrar that the applicant is currently competent to practise as a pharmacy technician.

(3) For the purpose of subsection (2)(b), the Registrar may require the applicant to do one or more of the following:

- (a) successfully complete coursework and examinations;
- (b) undergo an evaluation of competencies;
- (c) complete an additional structured practical training program for pharmacy technicians.

(4) For the purpose of subsection (3), the Registrar may register an applicant on the provisional pharmacy technician register.

AR 90/2011 s6

#### **Provisional pharmacist register**

**4(1)** An applicant for registration as a regulated member on the clinical pharmacist register may be registered initially on the provisional pharmacist register if the applicant has successfully completed all of the requirements for the granting of a baccalaureate degree in pharmacy from a pharmacy program approved by the Council and the applicant



- (a) has applied to write the registration examination or the ethics and jurisprudence examination for pharmacists approved by the Council,
  - (b) has written and is awaiting the results of the registration examination or the ethics and jurisprudence examination for pharmacists approved by the Council, or
  - (c) is carrying out a structured practical training program for pharmacists.
- (2) An applicant may be registered on the provisional pharmacist register under section 3, 5 or 6.
- (3) If a provisional pharmacist does not meet the requirements for registration on the clinical pharmacist register within 2 years of the date of registration as a provisional pharmacist, the Registrar must remove the provisional pharmacist's name from the provisional pharmacist register.
- (4) Despite subsection (3), the Registrar may, on application by the provisional pharmacist, extend the 2-year period in subsection (3) if the Registrar is satisfied that there are extenuating circumstances.

AR 129/2006 s4;90/2011

**Provisional pharmacy technician register**

- 4.1(1)** An applicant for registration as a regulated member on the pharmacy technician register may be registered initially on the provisional pharmacy technician register if the applicant has successfully completed all of the requirements for the granting of a certificate or diploma from a program approved by the Council and the applicant
- (a) has applied to write the registration examination or the ethics and jurisprudence examination for pharmacy technicians approved by the Council,
  - (b) has written and is awaiting the results of the registration examination or the ethics and jurisprudence examination for pharmacy technicians approved by the Council, or
  - (c) is carrying out a structured practical training program for pharmacy technicians.
- (2) An applicant may be registered on the provisional pharmacy technician register under section 3.1, 5.1 or 6.1.
- (3) If a provisional pharmacy technician does not meet the requirements for registration on the pharmacy technician register within 2 years of the date of registration as a provisional pharmacy

technician, the Registrar must remove the provisional pharmacy technician's name from the provisional pharmacy technician register.

(4) Despite subsection (3), the Registrar may, on application by the provisional pharmacy technician, extend the 2-year period in subsection (3) if the Registrar is satisfied that there are extenuating circumstances.

AR 90/2011 s8

#### **Equivalent jurisdiction — pharmacists**

**5(1)** An applicant for registration as a regulated member on the clinical pharmacist register who is currently registered as a pharmacist in good standing in another jurisdiction recognized by the Council under section 28(2)(b) of the Act as having substantially equivalent registration requirements and who successfully completes the ethics and jurisprudence examination for pharmacists approved by the Council may be registered on the clinical pharmacist register.

(2) The Registrar may register an applicant under subsection (1) who has applied to write or has written and is awaiting the results of an examination referred to in subsection (1) on the provisional pharmacist register.

AR 129/2006 s5;90/2011

#### **Equivalent jurisdiction — pharmacy technicians**

**5.1(1)** An applicant for registration as a regulated member on the pharmacy technician register who is currently registered as a pharmacy technician in good standing in another jurisdiction recognized by the Council under section 28(2)(b) of the Act as having substantially equivalent registration requirements and who successfully completes the ethics and jurisprudence examination for pharmacy technicians approved by the Council may be registered on the pharmacy technician register.

(2) The Registrar may register an applicant under subsection (1) who has applied to write or has written and is awaiting the results of an examination referred to in subsection (1) on the provisional pharmacy technician register.

AR 90/2011 s10

#### **Substantial equivalence — pharmacists**

**6(1)** An applicant for registration as a regulated member on the clinical pharmacist register who does not meet the requirements of section 3(1) and (2) but whose qualifications have been determined by the Registrar under section 28(2)(c) of the Act to be substantially equivalent to the registration requirements set out in

section 3(1) and (2) may be registered on the clinical pharmacist register.

(2) In determining whether an applicant's qualifications are substantially equivalent under subsection (1), the Registrar may require the applicant to undergo examination, testing and assessment activities and to successfully pass the ethics and jurisprudence examination for pharmacists approved by the Council.

(3) For the determination under subsection (2), the Registrar may use the services of experts and other resources to assist with the examination, testing and assessment activities.

(4) The Registrar may require an applicant to pay all the costs incurred under subsections (2) and (3).

(5) The Registrar may direct the applicant to undergo any education or training activities the Registrar may consider necessary in order for the applicant to be registered, including but not restricted to completion of a structured practical training program for pharmacists.

(6) The Registrar may register an applicant under subsection (1) on the provisional pharmacist register for the purpose of assessing whether the applicant's qualifications are substantially equivalent to the registration requirements set out in section 3(1) and (2).

(7) The Registrar may request any further information and evidence that the Registrar considers necessary in order to assess an application under this section.

AR 129/2006 s6:90/2011

#### **Substantial equivalence — pharmacy technicians**

**6.1(1)** An applicant for registration as a regulated member on the pharmacy technician register who does not meet the requirements of section 3.1(1) and (2) but whose qualifications have been determined by the Registrar under section 28(2)(c) of the Act to be substantially equivalent to the registration requirements set out in section 3.1(1) and (2) may be registered on the pharmacy technician register.

(2) In determining whether an applicant's qualifications are substantially equivalent under subsection (1), the Registrar may require the applicant to undergo examination, testing and assessment activities and to successfully pass the ethics and jurisprudence examination for pharmacy technicians approved by the Council.

- (3) For the determination under subsection (2), the Registrar may use the services of experts and other resources to assist with the examination, testing and assessment activities.
- (4) The Registrar may require an applicant to pay all of the costs incurred under subsections (2) and (3).
- (5) The Registrar may direct the applicant to undergo any education or training activities the Registrar may consider necessary in order for the applicant to be registered, including, but not restricted to, completion of a structured practical training program for pharmacy technicians.
- (6) The Registrar may register an applicant under subsection (1) on the provisional pharmacy technician register for the purpose of assessing whether the applicant's qualifications are substantially equivalent to the registration requirements set out in section 3.1(1) and (2).
- (7) The Registrar may request any further information and evidence that the Registrar considers necessary in order to assess an application under this section.

AR 90/2011 s12

**Courtesy pharmacist register applications**

- 7(1)** An individual who is registered as a pharmacist in good standing in another jurisdiction and who requires registration in Alberta on a temporary basis for a specified purpose may apply to be registered on the courtesy pharmacist register.
- (2) The Registrar may register an applicant under subsection (1) on the courtesy pharmacist register for a period of time specified by the Registrar if
- (a) the specified purpose is approved by the Registrar, and
  - (b) the Registrar is satisfied of the applicant's competence to provide the services related to the specified purpose safely and effectively.
- (3) The Registrar may require an applicant for registration on the courtesy pharmacist register to successfully pass the ethics and jurisprudence examination for pharmacists approved by the Council.
- (4) A courtesy pharmacist must maintain his or her registration in the other jurisdiction while registered on the courtesy pharmacist register.

AR 129/2006 s7;90/2011

**Courtesy pharmacy technician register applications**

**7.1(1)** An individual who is registered as a pharmacy technician in good standing in another jurisdiction and who requires registration in Alberta on a temporary basis for a specified purpose may apply to be registered on the courtesy pharmacy technician register.

**(2)** The Registrar may register an applicant under subsection (1) on the courtesy pharmacy technician register for a period of time specified by the Registrar if

- (a) the specified purpose is approved by the Registrar, and
- (b) the Registrar is satisfied of the applicant's competence to provide the services related to the specified purpose safely and effectively.

**(3)** The Registrar may require an applicant for registration on the courtesy pharmacy technician register to successfully pass the ethics and jurisprudence examination for pharmacy technicians approved by the Council.

**(4)** A courtesy pharmacy technician must maintain his or her registration in the other jurisdiction while registered on the courtesy pharmacy technician register.

AR 90/2011 s14

**Examination attempts**

**8(1)** Subject to subsection (2), an applicant for registration as a regulated member may attempt the registration examination and the ethics and jurisprudence examination only 3 times each.

**(2)** An applicant who fails the registration examination or the ethics and jurisprudence examination 3 times may apply to the Registrar for permission for one final attempt.

**(3)** The Registrar may require an applicant under subsection (2)

- (a) to successfully complete coursework and examinations, and
- (b) to complete an additional period of structured practical training for pharmacists or pharmacy technicians, as the case may be.

AR 129/2006 s8;90/2011

**Student pharmacist register**

**9** An applicant for registration as a regulated member on the student pharmacist register must

- (a) be registered in a university program approved by the Council, and
- (b) undertake to engage in the practice of pharmacists as part of a structured practical training program for pharmacists.

AR 129/2006 s9;90/2011

**Structured practical training program — pharmacists**

**10(1)** The Council must make rules governing the structured practical training program for pharmacists, including rules relating to

- (a) the competencies to be acquired,
- (b) the structure, duration and organization of the program,
- (c) evaluation mechanisms, processes and requirements for successful completion of the program, and
- (d) any other matter directly related to the structured practical training program for pharmacists.

**(2)** A structured practical training program for pharmacists must take place

- (a) at a pharmacy or other facility approved by the Registrar, and
- (b) under the preceptorship of a clinical pharmacist approved by the Registrar.

**(3)** Despite subsection (2)(b), the Registrar may approve a preceptorship by an individual who is not a clinical pharmacist if the Registrar is satisfied that the individual has the training, skills and experience necessary to teach the practice of pharmacists.

AR 129/2006 s10;90/2011

**Structured practical training program — pharmacy technicians**

**10.1(1)** The Council must make rules governing the structured practical training program for pharmacy technicians, including rules relating to

- (a) the competencies to be acquired,
- (b) the structure, duration and organization of the program,
- (c) evaluation mechanisms, processes and requirements for successful completion of the program, and

- (d) any other matter directly related to the structured practical training program for pharmacy technicians.

**(2)** A structured practical training program for pharmacy technicians must take place

- (a) at a pharmacy or other facility approved by the Registrar, and
- (b) under the preceptorship of a pharmacy technician, clinical pharmacist or courtesy pharmacist approved by the Registrar.

**(3)** Despite subsection (2)(b), the Registrar may approve a preceptorship by an individual who is not a pharmacy technician, clinical pharmacist or courtesy pharmacist if the Registrar is satisfied that the individual has the training, skills and experience necessary to teach the practice of pharmacy technicians.

AR 90/2011 s17

#### **Good character and reputation**

**11(1)** An applicant for registration as a regulated member must provide evidence to the Registrar of having good character and reputation.

**(2)** To comply with subsection (1), an applicant must submit any one or more of the following, on the request of the Registrar:

- (a) a statement by the applicant as to whether the applicant
  - (i) is currently undergoing an investigation, alternative complaint resolution process, hearing or appeal related to unprofessional conduct under Part 4 of the Act, under the *Pharmacy and Drug Act* or any other enactment that regulates a profession, or
  - (ii) has previously been disciplined by another regulatory body responsible for the regulation of pharmacists, pharmacy technicians or of another profession;
- (b) the results of a criminal records check;
- (c) a statement as to whether the applicant has ever pleaded guilty or has been found guilty of a criminal offence in Canada or an offence of a similar nature in a jurisdiction outside Canada for which the applicant has not been pardoned;
- (d) any other relevant evidence as required.

(3) If an applicant has engaged in an activity that has, in the opinion of the Registrar, undermined the applicant's good character and reputation in the past, the applicant may provide evidence to the Registrar of rehabilitation.

(4) The Registrar may also consider information other than that provided by the applicant in determining whether the applicant is of a good character and reputation, but if the Registrar considers that information, the Registrar must give the applicant sufficient particulars of that information to allow the applicant to respond to that information.

AR 129/2006 s11;90/2011

#### **English language requirements**

**12(1)** An applicant for registration as a regulated member must be sufficiently proficient in English to be able to engage safely and competently in the practice of pharmacists or the practice of pharmacy technicians, as the case may be.

(2) An applicant may be required by the Registrar to demonstrate proficiency in the English language in accordance with the requirements approved by the Council.

AR 129/2006 s12;90/2011

#### **Liability insurance**

**13(1)** An applicant for registration as a regulated member must provide evidence of having the type and amount of professional liability insurance required by the Council.

(2) The Council may set the amount and type of insurance required based on the category of register on which the applicant is registered.

#### **Citizenship**

**14(1)** Subject to subsection (2), an applicant for registration as a regulated member must provide evidence that

- (a) the applicant is a Canadian citizen, or
- (b) is lawfully admitted to and entitled to work in Canada.

(2) In the case of an applicant under section 9, the applicant must provide evidence that

- (a) the applicant is a Canadian citizen, or
- (b) is lawfully admitted to and entitled to study in Canada.



**Age requirement**

**14.1** An applicant for registration as a regulated member on any one of the following registers must provide evidence to the Registrar that the applicant is at least 18 years of age:

- (a) clinical pharmacist register;
- (b) courtesy pharmacist register;
- (c) pharmacy technician register;
- (d) courtesy pharmacy technician register.

AR 90/2011 s20

**Titles and Abbreviations****Authorization to use titles, etc.**

**15(1)** A clinical pharmacist may use the following titles, abbreviations and initials:

- (a) pharmacist;
- (b) clinical pharmacist;
- (c) pharmaceutical chemist;
- (d) druggist;
- (e) apothecary;
- (f) registered pharmacist;
- (g) Ph.C.;
- (h) R.Ph.

**(2)** A provisional pharmacist may use the titles pharmacy intern and pharmacist intern.

**(3)** A courtesy pharmacist may use the following titles, abbreviations and initials:

- (a) pharmacist;
- (b) pharmaceutical chemist;
- (c) druggist;
- (d) apothecary;
- (e) registered pharmacist;

- (f) Ph.C.;
  - (g) R.Ph.
- (4) A student pharmacist may use the titles pharmacy student and pharmacist student.
- (5) A clinical pharmacist and a courtesy pharmacist with an earned doctoral degree in pharmacy or a related area recognized by the Council may use the title doctor or the abbreviations Pharm.D. and Dr. in conjunction with the practice of pharmacists.
- (6) A clinical pharmacist may use the title specialist if the clinical pharmacist
- (a) meets the requirements established by Council for the use of the title specialist, and
  - (b) is authorized by the Registrar to use that title.
- (7) The Registrar must indicate an authorization under subsection (6) on the clinical pharmacist register.
- (8) The Registrar may impose conditions on an authorization issued under subsection (6)(b).

AR 129/2006 s15;90/2011

**Authorization to use titles, etc.**

**15.1(1)** A pharmacy technician and a courtesy pharmacy technician may use the words “registered” and “regulated” and may use the following titles, abbreviations and initials:

- (a) pharmacy technician;
  - (b) pharmacy technologist;
  - (c) dispensary technician;
  - (d) dispensary technologist;
  - (e) Pharm.Tech.;
  - (f) Ph.T.;
  - (g) R.Ph.T.
- (2) A provisional pharmacy technician may use the title provisional pharmacy technician.

AR 90/2011 s22

### Restricted Activities

#### Clinical pharmacists

**16(1)** A clinical pharmacist is authorized to perform, within the practice of pharmacists and in accordance with the Standards of Practice, the following restricted activities:

- (a) to dispense, compound, provide for selling or sell a Schedule 1 drug or Schedule 2 drug;
- (b) to administer a vaccine or parenteral nutrition;
- (c) to compound blood products;
- (d) to insert or remove instruments, devices or fingers
  - (i) beyond the anal verge, and
  - (ii) beyond the labia majora;
- (e) to prescribe a Schedule 1 drug for the purpose of adapting an existing prescription;
- (f) to prescribe blood products for the purpose of adapting an existing prescription;
- (g) to prescribe a Schedule 1 drug if
  - (i) it is not reasonably possible for the patient to see a health professional to obtain the prescription, and
  - (ii) there is an immediate need for drug therapy;
- (h) to prescribe blood products if
  - (i) it is not reasonably possible for the patient to see a health professional to obtain the prescription, and
  - (ii) there is an immediate need for blood products.

**(2)** In subsection (1), “adapting an existing prescription” means

- (a) altering the dosage, formulation or regimen for a Schedule 1 drug that has been prescribed for a patient;
- (b) substituting another drug for a prescribed Schedule 1 drug if the substituted drug is expected to deliver a therapeutic effect that is similar to the therapeutic effect of the prescribed drug;
- (c) substituting a generic drug for the prescribed drug;

- (d) renewing a prescription to dispense a Schedule 1 drug or blood product to ensure continuity of care.

**(3)** Subject to subsection (4), a clinical pharmacist is authorized to perform, within the practice of pharmacists and in accordance with the Standards of Practice, the restricted activities of prescribing a Schedule 1 drug and prescribing blood products if the clinical pharmacist

- (a) has provided evidence satisfactory to the Registrar of having successfully completed the Council requirements to prescribe Schedule 1 drugs and blood products, and
- (b) has received notification from the Registrar that the authorization is indicated on the clinical pharmacist register.

**(4)** A clinical pharmacist authorized under subsection (3) may prescribe a Schedule 1 drug or blood products only if the clinical pharmacist

- (a) has determined that a Schedule 1 drug or blood products are appropriate for the patient through an assessment of the patient,
- (b) has received a recommendation that the patient receive drug therapy from a health professional who is authorized to prescribe a Schedule 1 drug or blood products, or
- (c) has determined in consultation with or has determined in conjunction with a health professional that a Schedule 1 drug or blood products are appropriate for the patient.

**(5)** A clinical pharmacist is authorized to perform, within the practice of pharmacists and in accordance with the Standards of Practice, the restricted activity of administering anything by an invasive procedure on body tissue below the dermis or the mucous membrane for the purpose of administering subcutaneous or intramuscular injections if the clinical pharmacist

- (a) has provided evidence satisfactory to the Registrar of having successfully completed the Council requirements for the administration of injections, and
- (b) has received notification from the Registrar that the authorization is indicated on the clinical pharmacist register.

AR 126/2006 s16;90/2011

**Provisional pharmacists**

**17(1)** A provisional pharmacist is authorized to perform, within the practice of pharmacists and in accordance with the Standards of Practice, the restricted activities referred to in section 16 under the supervision of a clinical pharmacist or courtesy pharmacist.

**(2)** The supervision under subsection (1) may be either direct supervision or indirect supervision, as the supervising clinical pharmacist or courtesy pharmacist considers appropriate to ensure the safe and effective performance of the restricted activity.

AR 126/2006 s17;90/2011

**Courtesy pharmacists**

**18** A courtesy pharmacist is authorized to perform, within the practice of pharmacists and in accordance with the Standards of Practice, the restricted activities referred to in section 16(1) if the restricted activity is directly related to the purpose for which the regulated member is registered on the courtesy pharmacists register.

AR 129/2006 s18;90/2011

**Student pharmacists**

**19(1)** A student pharmacist is authorized to perform, within the practice of pharmacists and in accordance with the Standards of Practice, the restricted activities referred to in section 16 under the supervision of a clinical pharmacist or a courtesy pharmacist.

**(2)** Subject to the rules of the structured practical training program for pharmacists, the supervision under subsection (1) may be either direct supervision or indirect supervision, as the supervising clinical pharmacist or courtesy pharmacist considers appropriate to ensure the safe and effective performance of the restricted activity.

AR 129/2006 s19;90/2011

**20** Repealed AR 90/2011 s27.

**Pharmacy technicians**

**21(1)** Subject to subsection (2), a pharmacy technician is authorized to perform, within the practice of pharmacy technicians and in accordance with the Standards of Practice, the following restricted activities under the direction of a clinical pharmacist or a courtesy pharmacist:

- (a) to dispense a Schedule 1 drug or Schedule 2 drug;
- (b) to compound, provide for selling or sell a Schedule 1 drug or a Schedule 2 drug;

(c) to compound blood products.

**(2)** A pharmacy technician who is authorized to perform the restricted activity described in subsection (1)(a) may only perform that restricted activity if

- (a) a clinical pharmacist or courtesy pharmacist has evaluated the prescription for the drug,
- (b) a clinical pharmacist or courtesy pharmacist has assessed the patient, the patient's health history and medication record and has determined that the drug therapy is appropriate for the patient, and
- (c) a clinical pharmacist or courtesy pharmacist is available to counsel the patient and to monitor the patient's drug therapy.

**(3)** For the purpose of this section, a clinical pharmacist or courtesy pharmacist who is responsible for providing direction to a pharmacy technician must

- (a) be practising in the same pharmacy as the pharmacy technician unless otherwise authorized in writing by the Registrar,
- (b) ensure there is a system in place in the pharmacy that complies with the Standards of Practice and under which
  - (i) a clinical pharmacist or courtesy pharmacist is available to consult with, provide guidance to and, if necessary, provide assistance to the pharmacy technician,
  - (ii) the involvement of the pharmacy technician in the restricted activities authorized under subsection (1) can be monitored and assessed, and
  - (iii) the pharmacy technician reports to the clinical pharmacist or courtesy pharmacist who is responsible for providing direction to the pharmacy technician,
- (c) be authorized to perform the restricted activities in respect of which the clinical pharmacist or courtesy pharmacist is providing direction to the pharmacy technician, and
- (d) in the case of a courtesy pharmacist, be specifically authorized in writing by the Registrar to provide direction to a pharmacy technician.

**(4)** A pharmacy technician is not to engage in a restricted activity authorized under subsection (1) unless the pharmacy technician is

satisfied that the clinical pharmacist or courtesy pharmacist responsible for providing direction to the pharmacy technician has complied with subsection (3).

(5) If the Registrar authorizes a courtesy pharmacist to provide direction to a pharmacy technician under subsection (3)(d), that authorization must be indicated on the courtesy pharmacist register.

AR 129/2006 s21;90/2011

#### **Provisional pharmacy technicians**

**21.1(1)** A provisional pharmacy technician is authorized to perform, within the practice of pharmacy technicians and in accordance with the Standards of Practice, the restricted activities referred to in section 21(1) under the supervision of a clinical pharmacist, courtesy pharmacist or pharmacy technician.

(2) Subject to the rules of the structured practical training program for pharmacy technicians, the supervision under subsection (1) may be either direct supervision or indirect supervision, as the supervising clinical pharmacist, courtesy pharmacist or pharmacy technician considers appropriate to ensure the safe and effective performance of the restricted activities.

AR 90/2011 s28

#### **Courtesy pharmacy technicians**

**21.2** A courtesy pharmacy technician is authorized to perform, within the practice of pharmacy technicians and in accordance with the Standards of Practice, the restricted activities referred to in section 21(1) but only if the restricted activity that is being performed is directly related to the purpose for which the regulated member is registered on the courtesy pharmacy technician register.

AR 90/2011 s28

#### **Student pharmacy technicians**

**21.3** A student who is enrolled in a pharmacy technician program approved by the Council is permitted to perform the restricted activities referred to in section 21(1) under the direct supervision of a clinical pharmacist, a courtesy pharmacist, a pharmacy technician or a courtesy pharmacy technician.

AR 90/2011 s28

#### **Condition on restricted activities**

**21.4(1)** Despite any authorization to perform restricted activities, a regulated member must only perform a restricted activity that the regulated member is competent to perform and that is appropriate to the clinical circumstance and the regulated member's area of practice.

(2) A regulated member who performs a restricted activity must do so in accordance with the Standards of Practice.

AR 90/2011 s28

### Pharmacy employees

**22(1)** An individual employed in a pharmacy is permitted to perform in that pharmacy the following restricted activities with the consent of and under the direct supervision of a clinical pharmacist or a courtesy pharmacist practising in the same pharmacy:

- (a) to compound, provide for selling or sell a Schedule 1 drug or Schedule 2 drug;
- (b) to compound blood products.

(2) Despite subsection (1), an individual employed in a pharmacy is also permitted to perform in that pharmacy the restricted activities described in subsection (1) with the consent of and under the direct supervision of a pharmacy technician if

- (a) a clinical pharmacist or courtesy pharmacist consents to the activity being performed by the individual under the direct supervision of a pharmacy technician, and
- (b) the pharmacy technician who is to provide the direct supervision consents.

AR 129/2006 s22;90/2011

### Supervision rules

**23 (1)** A regulated member who consents to provide direct supervision under this Regulation must

- (a) be authorized to perform the restricted activity being supervised,
- (b) be authorized to supervise the performance of the restricted activity being supervised,
- (c) be satisfied that the individual to be supervised is authorized or permitted to perform the restricted activity under the direct supervision of the regulated member,
- (d) ensure that the individual who is supervised complies with the Standards of Practice,
- (e) be present when the supervised individual is performing the restricted activity, and



- (f) be able to observe and promptly intervene and stop or change the actions of the individual who is under supervision.
- (2)** A regulated member who consents to provide indirect supervision under this Regulation must
- (a) be authorized to perform the restricted activity being supervised,
  - (b) be authorized to supervise the performance of the restricted activity being supervised,
  - (c) be satisfied that the individual who is supervised is authorized or permitted to perform the restricted activity under the indirect supervision of the regulated member,
  - (d) ensure that the individual who is supervised complies with the Standards of Practice,
  - (e) have procedures in place
    - (i) that comply with the Standards of Practice and the Standards for the Operation of a Licensed Pharmacy, and
    - (ii) that ensure the safety and integrity of the dispensing or compounding of drugs by the individual who is under supervision,
  - (f) ensure that the procedures described in clause (e) are complied with by the individual who is being indirectly supervised, and
  - (g) be readily available for consultation by the individual who is under supervision and, if advisable, for providing hands-on assistance to the individual.
- (3)** Despite subsections (1) and (2), a regulated member
- (a) shall not consent to supervise any individual performing a restricted activity if the regulated member is not satisfied that the individual will perform the restricted activity safely and effectively, and
  - (b) is not required to consent to supervise even though all the requirements of this Regulation are complied with.

AR 129/2006 s23;90/2011

### Continuing Competence

#### Continuing competence program

**24** The continuing competence program of the College comprises

- (a) continuing professional development,
- (b) competence assessment, and
- (c) practice visits.

#### Continuing professional development

**25(1)** Each clinical pharmacist or pharmacy technician must undertake continuing professional development by

- (a) undertaking learning activities in accordance with the rules under section 28, and
- (b) taking programs or courses required by the rules under section 28.

**(2)** Each clinical pharmacist or pharmacy technician must

- (a) keep records, in a form satisfactory to the Competence Committee, of the activities that the clinical pharmacist or pharmacy technician undertakes for the purpose of continuing professional development, and
- (b) provide, on the request of and in accordance with the directions of the Competence Committee, copies of the records referred to in clause (a).

AR 129/2006 s25;90/2011

#### Competence assessment

**26(1)** The Competence Committee may require a clinical pharmacist, courtesy pharmacist, pharmacy technician or courtesy pharmacy technician to undergo an assessment for the purpose of evaluating the regulated member's competence.

**(2)** For the purpose of an assessment under subsection (1), the Competence Committee may use any one or more of the following processes:

- (a) examinations;
- (b) a review of the records described in section 25(2)(a);
- (c) evaluation of a professional portfolio;
- (d) interviews;

- (e) any other type of evaluation required by the Competence Committee.

AR 129/2006 s26;90/2011

**Practice visits**

**27** The Competence Committee is authorized to carry out practice visits and may, for the purpose of assessing continuing competence, select individuals or groups of

- (a) clinical pharmacists,
- (b) courtesy pharmacists,
- (c) pharmacy technicians, or
- (d) courtesy pharmacy technicians

for practice visits based on criteria approved by the Council.

AR 129/2006 s27;90/2011

**Program rules**

**28** The Council must make rules governing the operation of the continuing competence program, including but not restricted to the following:

- (a) the professional development activities for which program credits may be earned;
- (b) the number of program credits required within a specified period of time;
- (c) the number of program credits that may be earned for each professional activity;
- (d) the type and category of professional development activities that a regulated member must undertake in a one-year period;
- (e) the approval of program and learning activities for the purpose of earning continuing competence credits;
- (f) the limitation of the number of professional development activities within a specific category for which a member may earn credits;
- (g) the requirements of a professional portfolio;
- (h) the records referred to in section 25(2)(a) and providing the records in accordance with the directions of the Competence Committee;

- (i) audits of a regulated member's records referred to in section 25(2)(a);
- (j) approving programs and courses required to be taken as part of continuing professional competence;
- (k) how competence assessments are to be conducted;
- (l) the selection of clinical pharmacists, courtesy pharmacists, pharmacy technicians or courtesy pharmacy technicians for competence assessments;
- (m) respecting the minimum acceptable performance level for competence assessments.

AR 129/2006 s28;90/2011

**Rule distribution**

**29** The rules and any amendments to the rules under section 28 must be made available by the College

- (a) on the website of the College, and
- (b) in printed form on request to any regulated member or applicant for registration as a regulated member.

**Actions to be taken**

**30** If a review of the records referred to in section 25(2)(a), a competence assessment under section 26 or a practice visit is unsatisfactory or a regulated member or a group of regulated members fails to comply with the rules under section 28, the Competence Committee may direct a regulated member or group of regulated members to undertake any one or more of the following actions within the time period, if any, specified by the Competence Committee:

- (a) successful completion of continuing competence requirements or professional development activities;
- (b) successful completion of any examinations, testing, assessment, training, education or counselling to enhance competence in specified areas;
- (c) to practice under the supervision of another regulated member;
- (d) limitation of practice to specified procedures or practice settings;

- (e) to report to the Competence Committee on specified matters on specified dates;
- (f) to refrain from supervising the practice of pharmacists or the practice of pharmacy technicians, as the case may be;
- (g) correction of any problems identified in the practice visit;
- (h) demonstration of competence gained in a specific area.

AR 129/2006 s30:90/2011

**Members responsible for costs**

**31(1)** Any action that a regulated member or group of regulated members must undertake in response to a direction by the Competence Committee under section 30 is undertaken at the cost of the member.

**(2)** If the College provides services to facilitate compliance with any direction by the Competence Committee under section 30, the member is responsible for reimbursing the College for the costs as determined by the Competence Committee.

**Practice Permit Renewal****Applying for renewal**

**32** Regulated members applying for renewal of their practice permit must

- (a) provide any of the information specified in sections 11 to 14 at the request of the Registrar, and
- (b) meet the requirements of the continuing competence program.

**Alternative Complaint Resolution****Process conductor**

**33** When a complainant and an investigated person have agreed to enter into an alternative complaint resolution process, the Complaints Director must appoint an individual to conduct the alternative complaint resolution process.

**Agreement**

**34** The individual conducting the alternative complaint resolution process must, in consultation with the complainant and the investigated person, establish the procedures for and objectives of the alternative complaint resolution process, which must be set out

in writing and signed by the complainant, the investigated person and the representative of the College.

#### **Confidentiality**

**35** The complainant and the investigated person must, subject to sections 59 and 60 of the Act, agree to treat all information shared during the process as confidential.

#### **Leaving the process**

**36** The complainant or the investigated person may withdraw from the alternative complaint resolution process at any time.

### **Reinstatement**

#### **Application under Part 4 of Act**

**37(1)** A person whose registration and practice permit have been cancelled under Part 4 of the Act may apply in writing to the Registrar to have the registration and practice permit reinstated.

**(2)** An application under subsection (1) must

- (a) not be made earlier than at least 3 years after the date of the cancellation, and
- (b) not be made more frequently than once in each 12-month period following a refusal of an application under section 38(3)(a).

**(3)** An applicant under subsection (1) must provide evidence to the Registrar of qualifications for registration.

**(4)** An applicant under subsection (1) must pay any outstanding fees, costs or penalties and must pay a reinstatement fee as set out in the bylaws before the Competence Committee considers the application.

#### **Review of application**

**38(1)** An application under section 37 must be reviewed by the Competence Committee.

**(2)** When reviewing an application under section 37, the Competence Committee must

- (a) consider
  - (i) the record of the hearing at which the applicant's registration and practice permit were cancelled, and

(ii) any recommendation of the Registrar,

and

(b) consider whether

(i) the applicant meets the current requirements for registration,

(ii) any conditions imposed at the time the applicant's permit and registration were cancelled have been met, and

(iii) the applicant is fit to engage in the practice of pharmacists or in the practice of pharmacy technicians, as the case may be, and does not pose a risk to public safety or to the integrity of the profession.

(3) The Competence Committee on reviewing an application may make any one or more of the following orders:

(a) an order denying the application;

(b) an order directing the Registrar to reinstate the person's registration and practice permit;

(c) an order directing the Registrar to impose specified conditions on the person's practice permit.

AR 129/2006 s38;90/2011

#### **Review of decision**

**39(1)** An applicant whose application is denied or on whose practice permit conditions have been imposed under section 38 may apply to the Council for a review of the decision of the Competence Committee.

**(2)** Sections 31 and 32 of the Act apply to a review under subsection (1).

#### **Access to decision**

**40(1)** The Competence Committee, under section 38, and the Council, under section 39, may order that its decision be publicized in a manner it considers appropriate.

**(2)** The College must make a decision under section 38 or 39 available for 5 years to the public on request.

## Information

### Providing information

**41(1)** An applicant for registration as a regulated member and a regulated member must provide the following information in addition to that required under section 33(3) of the Act, on the initial application for registration, when there is a change to the information or at the request of the Registrar:

- (a) home address and business telephone numbers and fax numbers;
- (b) business mailing addresses;
- (c) e-mail address;
- (d) previous names, if applicable;
- (e) degrees, certificates, diplomas and other qualifications;
- (f) school of graduation and location of the school;
- (g) year of graduation;
- (h) date of birth;
- (i) gender;
- (j) employer's name or place of business;
- (k) job title and position description;
- (l) practice sector;
- (m) employment status and weekly hours worked;
- (n) areas of practice;
- (o) date of employment;
- (p) names of other jurisdictions in which the member is registered as a pharmacist or pharmacy technician, as the case may be;
- (q) any other colleges of a regulated health profession in which the member is registered and whether the member is a practising member of that college;
- (r) a recent passport photo;
- (s) other information that the Registrar may request that is relevant to the role of the College under the Act.



- (2) A regulated member must inform the Registrar of any change to the information provided under subsection (1) within 14 days of the change occurring.
- (3) The Registrar may require a regulated member to provide the information under subsection (1) at any time.
- (4) If the Registrar issues a request under subsection (3), the regulated member must provide the information within 14 days after the request is delivered to the address of the regulated member on the register.
- (5) A regulated member that retires from active practice must advise the Registrar no later than 14 days after the retirement.
- (6) Subject to section 34(1) of the Act, the College may disclose the information collected under subsection (1)
- (a) with the consent of the regulated member whose information it is, or
  - (b) in a summarized or statistical form so that it is not possible to relate the information to any particular identifiable individual.

AR 129/2006 s41;90/2011

**Section 119 information**

**42** The periods of time during which the College is to provide information under section 119(4) of the Act are as follows:

- (a) information referred to in section 33(3) of the Act entered in a register for a regulated member, while the registered member is registered as a member of the College and for 2 years after ceasing to be registered, except for the information referred to in section 33(3)(h) of the Act;
- (b) information referred to in section 119(1) of the Act respecting
  - (i) the suspension of a regulated member's practice permit, while the suspension is in effect and for 10 years after the period of suspension has expired,
  - (ii) the cancellation of a regulated member's practice permit for 10 years after the cancellation,
  - (iii) the conditions imposed on a regulated member's practice permit, while the conditions are in effect and for 10 years after the conditions are removed,

- (iv) the directions made that a regulated member cease providing professional services, while the directions are in effect and for 10 years after the directions are cancelled, and
- (v) the imposition of a reprimand or fine under Part 4 of the Act, for 10 years after the imposition of the reprimand or fine;
- (c) information as to whether a hearing is scheduled to be held under Part 4 of the Act with respect to a named regulated member, until the hearing is concluded;
- (d) information respecting
  - (i) whether a hearing has been held under Part 4 of the Act with respect to a named regulated member, for 10 years from the date the hearing is concluded, and
  - (ii) a decision and a record of the hearing referred to in section 85(3) of the Act of a hearing held under Part 4 of the Act, for 5 years after the date the hearing tribunal of the College rendered its decision.

AR 129/2006 s42;90/2011

### **Transitional Provisions, Repeals and Coming into Force**

#### **Transitional provisions**

**43** On the coming into force of this Regulation, a registered member described in section 8 of Schedule 19 to the Act is deemed to be entered on the regulated members register in the register category that the Registrar considers appropriate.

#### **Repeals**

**44** The *Pharmaceutical Profession Regulation* (AR 322/94), the *Prescription of Drugs by Authorized Practitioners Regulation* (AR 83/98) and the *Scheduled Drugs Regulation* (AR 86/2002) are repealed.

#### **Coming into force**

**45** This Regulation comes into force on the coming into force of Schedule 19 to the *Health Professions Act* and the *Pharmacy and Drug Act*.





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