



SASKATCHEWAN  
COLLEGE OF PHARMACY  
PROFESSIONALS

# THE REGULATORY BYLAWS

of the

SASKATCHEWAN COLLEGE OF PHARMACY PROFESSIONALS

Created: October 16, 2015  
Last Updated: September 28, 2018

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## PART A - INTERPRETATION

### Title

**1** These bylaws may be referred to as The Regulatory Bylaws of the Saskatchewan College of Pharmacy Professionals or The SCPP Regulatory Bylaws.

### Definitions

**2** In these bylaws the following terms shall have the following meanings:

- (a) **“Act”** means The Pharmacy and Pharmacy Disciplines Act;
- (b) **“College”** means the Saskatchewan College of Pharmacy Professionals (SCPP);
- (c) **“continuing professional development”** includes any continuing education, continuing professional development, lifelong learning, competency assurance requirements, or other professional requirement that Council may prescribe from time to time;
- (d) **“intern”** means a person who is registered as a pharmacist intern or pharmacy technician intern pursuant to the Act;
- (e) **“licensed pharmacist”** means a member who is registered as a licensed pharmacist and holds a valid licence issued pursuant to the Act;
- (f) **“licensed pharmacy technician”** means a member who is registered as a licensed pharmacy technician and holds a valid licence issued pursuant to the Act;
- (g) **“Mobility Agreement for Canadian Pharmacists”** means an agreement made pursuant to the Agreement on Internal Trade in Canada whereby the signatory provincial and territorial pharmacy regulatory authorities agree to the conditions under which they will accept the qualifications of one another’s registered pharmacists for the purpose of facilitating the mobility of pharmacists amongst the signatory provinces and territories, and includes any amendments that the signatories may agree to from time to time;
- (h) **“practice”** means providing direct patient care as a member, and includes, but is not limited to dispensing, compounding or selling drugs, advising patients, or supervising the pharmacy, and “practicing” has a similar meaning;
- (i) **“Practitioner”** means a duly qualified medical practitioner, dentist, veterinarian or other health care professional whose profession is prescribed in The Drug Schedules Regulations, 1997 as authorized to issue prescriptions.

### Rules of Interpretation

**3** In these bylaws:

- (a) unless the context requires otherwise, terms used in these bylaws but not otherwise defined have the definitions provided in the Act;
- (b) unless the context requires otherwise, words in one gender include all genders and the neutral and words in the singular include the plural and vice versa;
- (c) wherever the words “include”, “includes” or “including” are used in these bylaws they shall be deemed to be followed by the words “without limitation” and the words following “include”, “includes” or “including” shall not be considered to set forth an exhaustive list;
- (d) unless otherwise indicated, all references in these bylaws to any statute include the regulations thereunder and all applicable guidelines, bulletins or policies made in connection therewith and which are legally binding, in each case as amended, re-enacted, consolidated or replaced from time to time and in the case of any such amendment, re-



enactment, consolidation or replacement, reference herein to a particular provision shall be read as referring to such amended, re-enacted, consolidated or replaced provision;

- (e) all references to any document or instrument mean such document or instrument as amended, supplemented, modified, varied, restated or replaced from time to time in accordance with the terms thereof and, unless otherwise specified therein, includes all schedules and exhibits attached thereto.

## PART B - INTERNSHIP

### Application for Internship

**1** Every person desirous of becoming an intern shall make an application to the Registrar on the prescribed form accompanied by:

- (a) certificates from two reputable citizens of the community, each of whom has known said applicant at least two years, certifying that the applicant is a person of good moral character; and
- (b) the applicable prescribed registration fee(s).

### Term of Internship

**2** After registration as an intern, the term of internship shall be:

for pharmacist interns:

- (a) the successful completion of the Structured Practice Experiences Program of the College of Pharmacy and Nutrition at the University of Saskatchewan or its equivalent from an educational institution (in Canada), recognized by Council; or
- (b) 1040 hours under the direction and personal supervision of a licensed pharmacist which may be served at any time following completion of the first year of study in the pharmacy curriculum from an educational institution (in Canada), recognized by Council;

for pharmacy technician interns:

- (c) the successful completion of Term 3 at Saskatchewan Polytechnic or the equivalent from an educational institution (in Canada), recognized by Council; or
- (d) 280 hours, or its equivalent as determined by the Registrar, under the direction and personal supervision of a licensed pharmacist or a licensed pharmacy technician, which may be served at any time following completion of all course requirements, not including practicums, in the pharmacy technician curriculum from an educational institution (in Canada), recognized by Council.

### Conditions of Internship

**3** To receive internship credit, the intern shall work a minimum of 20 hours per week and a maximum of 40 hours per week, of which at least one half of the hours worked per week must be served in the dispensary.

### Period of Service

**4** Time served by an intern under articles of internship shall not be counted as part of his period of service unless:

for pharmacist interns:

- (a) it is served under the supervision of a licensed pharmacist, licensed under a Pharmacy Act of a province of Canada, in a pharmacy which maintains a dispensary for the dispensing of prescriptions, and where prescriptions accepted by the pharmacy for dispensing are compounded on the premises; or in the dispensary of a hospital, and in conformity with section 2 of Part B;

for pharmacy technician interns:

- (b) it is served under the supervision of a licensed pharmacist or licensed pharmacy technician, licensed under a Pharmacy Act of a province of Canada, in a pharmacy which maintains a dispensary for the dispensing of prescriptions, and where prescriptions accepted by the pharmacy for dispensing are compounded on the premises; or in the dispensary of a hospital, and in conformity with section 2 of Part B.

**Extension of Internship****5** For pharmacist interns:

- (a) a pharmacist intern who fails to continue the course in the College of Pharmacy and Nutrition at the University of Saskatchewan and who remains out of the College for more than one academic year shall have no status as an intern except that Council may, upon satisfactory proof of extenuating circumstances, approve an extension of the internship period;

for pharmacist technician interns:

- (b) a pharmacy technician intern who fails to continue the course at Saskatchewan Polytechnic and who remains out of the educational institution for more than one academic year shall have no status as an intern except that Council may, upon satisfactory proof of extenuating circumstances, approve an extension of the internship period.

**Registration in Other Jurisdictions**

**6** A pharmacist intern who has registered as a pharmacist in any jurisdiction or a pharmacy technician intern who has registered as a pharmacy technician in any jurisdiction relinquishes the right to be an intern with the College. He shall have no status as an intern and all rights and privileges as an intern are removed.

**Placement of Intern**

**7** A licensed pharmacist shall be deemed eligible to train a pharmacist intern or pharmacy technician intern, or a licensed pharmacy technician shall be eligible to train a pharmacy technician intern, if, in addition to compliance with the provisions of the Act and the Standards of Practice, Council is satisfied that:

for pharmacist interns:

- (a) the amount of prescription work is sufficient to provide adequate practical experience for the pharmacist intern, and that the pharmacist intern will receive such practical experience;

for pharmacy technician interns:

- (b) the amount of compounding, preparing, and dispensing of drugs work is sufficient to provide adequate practical experience for the pharmacy technician intern, and that the pharmacy technician intern will receive such practical experience.

**Practicing under Supervision****8** For pharmacist interns:

- (a) a pharmacist intern under the immediate supervision and in the presence of a licensed pharmacist may, subject to the terms, conditions and restrictions of that person's license, perform all authorized practices pursuant to subsection 23(2) of the Act, which includes the following practices:
  - (i) advise patients and other health care providers by providing drug and non-drug therapy knowledge respecting drug and non-drug therapy selection;
  - (ii) monitor responses to and outcomes of drug therapy;
  - (iii) compound, prepare, dispense and sell drugs;
  - (iv) provide non-prescription drugs, parenteral nutrition and health care aids and devices;
  - (v) supervise and manage drug distribution systems to maintain public safety and drug system security.

for pharmacy technician interns:

- (b) A pharmacy technician intern under the immediate supervision and in the presence of a licensed pharmacist or a licensed pharmacy technician may, subject to the terms, conditions and restrictions of that person's license, perform all authorized practices pursuant to subsection 23(2) of the Act, which includes the following practices:
- (i) advise patients and other health care providers by providing drug and non-drug therapy knowledge respecting drug and non-drug therapy selection;
  - (ii) monitor responses to and outcomes of drug therapy;
  - (iii) compound, prepare, dispense and sell drugs;
  - (iv) provide non-prescription drugs, parenteral nutrition and health care aids and devices;
  - (v) supervise and manage drug distribution systems to maintain public safety and drug system security.

### **Complaints**

**9** The supervision of practical training of interns shall be exercised by Council, and complaints with respect to the same may be made to the Registrar.

### **Notification of Internship**

**10** Before commencing practice as an intern, that person shall notify the Registrar of:

- (a) the name of his preceptor;
- (b) the place of internship; and
- (c) if applicable, of any subsequent change of internship.

### **Out of Province Interns**

**11** Pursuant to subsection 17(1) of the Act, a student enrolled in a pharmacy degree program or a pharmacy technician program in a jurisdiction other than Saskatchewan at which the pharmacy program is accredited by the Canadian Council for Accreditation of Pharmacy Programs and is accepted by Council, may register as an intern in Saskatchewan provided that the student:

- (a) submits a statement from the head of the program to confirm his enrolment in the pharmacy degree program or pharmacy technician program and the year of the program he has completed;
- (b) submits a statement from the program or pharmacy regulatory authority in the jurisdiction to confirm:
  - (i) his status as an intern where intern registration is required; and
  - (ii) that he is of good moral character; and
- (c) completes the required application form; and
- (d) submits the prescribed fee(s).

## **PART C - MEMBERSHIP REGISTRATION – PHARMACISTS**

### **Registration Requirements**

**1** Any person who wishes to become a member under this Part must register by meeting the requirements of the Act and the bylaws, or otherwise by meeting the requirements of Council, in a manner or according to the procedures specified by the Registrar including completing the required forms and payment of the prescribed fee(s). Once registered, the name of the member is entered into the register and remains on the register until removed due to resignation or termination of membership for non-payment of the prescribed fee(s) or a decision of the Discipline Committee. Any person who wishes to become a member must be a Canadian citizen, or permanent resident or legally entitled to work in Canada.

### **Membership Reinstatement**

**2** When the name of a member has been removed from the register due to non-payment of the prescribed fee(s) and the person wishes to be reinstated as a member, the person must register with the College within one membership year of the date of termination by meeting the requirements of the Act and the bylaws, including, without limitation, section 1 of Part E.8, completing the required forms and paying the prescribed fee(s).

### **University of Saskatchewan Pharmacy Graduates**

**3(1)** Any person having been granted the degree of Bachelor of Science in Pharmacy from the University of Saskatchewan in or after 2003 and thereafter may register as a conditional practicing member upon completing the internship requirements pursuant to sections 2 and 3 of Part B, completing the prescribed form, paying the prescribed fee(s) and providing evidence of meeting the language proficiency requirements as set by Council until such time as he provides evidence of holding a Certificate of Qualification from the Pharmacy Examining Board of Canada.

(2) Application for registration as a member must be made within one year after the applicant has obtained the degree referred to in section 3(1) of Part C, but under extenuating circumstances Council may extend this time limit according to the terms and conditions prescribed by Council.

### **Practicing Pharmacists Subject to the Mobility Agreement for Canadian Pharmacists**

**4** A person who is, or has been, registered as a practicing member, or its equivalent, with another Canadian pharmacy regulatory authority in a province or territory where the pharmacy regulatory authority is a signatory to the mobility Agreement for Canadian Pharmacists, will be accepted for registration in the College as a practicing member subject to:

- (a) providing a statement, certificate or other satisfactory evidence that he is a member in good standing in the category of membership being applied for and disclosing whether or not he has been convicted of an offence against any legislation affecting the practice of pharmacy;
- (b) providing evidence that he has participated in, and successfully met the standards set out in the continuing professional development program of that pharmacy regulatory authority;
- (c) successfully completing the jurisprudence examination of the College on the legislation governing the practice of pharmacy in Saskatchewan;
- (d) declaring all other jurisdictions of membership, or licensure and the category of membership or licensure in those jurisdictions;
- (e) providing a recent photograph signed by the applicant and an official from the current pharmacy regulatory authority;
- (f) meeting the language proficiency requirements as set by Council;

- (g) completing the prescribed forms; and
- (h) paying the prescribed fee(s).

**Non-Practicing Pharmacists Subject to the Mobility Agreement for Canadian Pharmacists**

**5** A person who is, or has been, registered as a non-practicing member, or its equivalent, with another Canadian pharmacy regulatory authority in a province or territory where the pharmacy regulatory authority is a signatory to the mobility Agreement for Canadian Pharmacists, will be accepted for registration in the College as a non-practicing member subject to:

- (a) providing a statement, certificate or other satisfactory evidence that he is a member in good standing in the category of membership being applied for and that he has never been convicted of an offence against any legislation affecting the practice of pharmacy;
- (b) declaring all other jurisdictions of membership, or licensure and the category of membership or licensure in those jurisdictions;
- (c) providing a recent photograph signed by the applicant and an official from the current provincial pharmacy regulatory authority;
- (d) meeting the language proficiency requirements as set by Council;
- (e) completing the prescribed forms; and
- (f) and paying the prescribed fee(s).

**Other Pharmacists – Canadian or International Graduates**

**6** A person who is, or has been, registered as a practicing member, or its equivalent, with a pharmacy regulatory authority that is in a province, territory, jurisdiction or country where the pharmacy regulatory authority is not a signatory to the mobility Agreement for Canadian Pharmacists, must comply with the following in order to be registered as a practicing member:

- (a) hold a Certificate of Qualification from the Pharmacy Examining Board of Canada;
- (b) provide evidence of meeting the language proficiency requirements as set by Council;
- (c) declare all other jurisdictions of membership, or licensure and the category of membership or licensure in those jurisdictions;
- (d) provide a statement from the pharmacy regulatory authority that issued the applicant's most recent registration, membership or licence, which states:
  - (i) the applicant's date of birth;
  - (ii) the applicant's academic qualifications including the educational institution from which the applicant obtained a minimum of a Baccalaureate Degree in Pharmacy and the year of graduation;
  - (iii) the internship time served with, or under the supervision of a licensed pharmacist;
  - (iv) that the applicant is currently in good standing as a pharmacist; and
  - (v) that the applicant is a competent pharmacist of good moral character and has never been convicted of an offence against any statute relating to the practice of pharmacy;
- (e) provide a photograph of the applicant, signed by the applicant, and verified by the Registrar or Secretary of the pharmacy regulatory authority;
- (f) provide an original birth certificate, or certified true copy of the same;
- (g) if the applicant has been actively practicing as a pharmacist:

- (i) in a jurisdiction other than Canada, or for a period of 2000 hours or less in the past three years in Canada, successfully complete a period of appraisal training under the immediate supervision of a licensed pharmacist in Saskatchewan, The length of training depends upon the competence of the applicant and may not be less than one month, nor exceed two years. The applicant must submit the prescribed application and fee(s) for Appraisal Training Registration. Upon completion of the training, the supervisor must provide a written recommendation (completion of Certification of Appraisal Training), that the training has been fulfilled. Then, the applicant must successfully complete a 2-week assessment conducted by a licensed pharmacist in Saskatchewan assigned by the College. Prior to beginning the assessment the applicant must submit the prescribed assessment fee(s). Upon completion of the assessment the assessor must provide a written statement of the applicant's practice performance; or
  - (ii) for a period exceeding 2000 hours in the past three years in Canada, the applicant must successfully complete a 2-week assessment conducted by a licensed pharmacist in Saskatchewan assigned by the College. Prior to beginning the assessment the applicant must submit the prescribed assessment fee(s). Upon completion of the assessment the assessor must provide a written statement of the applicant's practice performance;
- (h) successfully complete a jurisprudence examination on the legislation affecting the practice of pharmacy in Saskatchewan upon payment of the prescribed fee(s);
  - (i) complete the prescribed forms; and
  - (j) and pay the prescribed fee(s).

**Compliance with Requirements**

**7** A person who is, or has been registered as a non-practicing member, or its equivalent, with a pharmacy regulatory authority that is in a province, territory, jurisdiction or country where the pharmacy regulatory authority is not a signatory to the mobility Agreement for Canadian Pharmacists, must comply with the requirements prescribed by Council to be registered as a member.

## **PART D - MEMBERSHIP REGISTRATION – PHARMACY TECHNICIANS**

### **Registration Requirements**

**1** Any person who wishes to become a member under this Part must register by meeting the requirements of the Act and the bylaws, or otherwise by meeting the requirements of Council, in a manner or according to the procedures specified by the Registrar including completing the required forms and payment of the prescribed fee(s). Once registered, the name of the member is entered into the register and remains on the register until removed due to resignation, termination of membership for non-payment of the prescribed fee(s) or a decision of the Discipline Committee. Any person who wishes to become a member must be a Canadian citizen, or permanent resident or legally entitled to work in Canada.

### **Membership Reinstatement**

**2** When the name of a member has been removed from the register due to non-payment of the prescribed fee(s) and the person wishes to be reinstated as a member, the person must register with the College within one membership year of the date of termination by meeting the requirements of the Act and the bylaws, including, without limitation, section 1 of Part E.8, completing the required forms and paying the prescribed fee(s).

### **Pharmacy Technician Training Program Graduates**

**3** Any person who has:

- (a) graduated from a pharmacy technician training program on or before December 31, 2018 that has been accredited by the Canadian Council for the Accreditation of Pharmacy Programs, completed 2000 hours or more of experience in pharmacy practice within the past three years, successfully completed the Structured Practical Skills Assessment or equivalent program as approved by Council and has completed the internship requirement pursuant to sections 2 and 3 of Part B may register as a conditional practicing member, upon completing the prescribed form, paying the prescribed fee(s), providing evidence of meeting the language proficiency requirements as set by Council, and completing the jurisprudence examination required by Council, until such time as he provides evidence of holding a Certificate of Qualification from the Pharmacy Examining Board of Canada;
- (b) graduated from a pharmacy technician training program that has been accredited by the Canadian Council for the Accreditation of Pharmacy Programs, has not completed 2000 hours or more of experience in pharmacy practice within the past three years, successfully completed the Structured Practical Training and Assessment Program or equivalent program as approved by Council and has completed the internship requirement pursuant to sections 2 and 3 of Part B may register as a conditional practicing member, upon completing the prescribed form, paying the prescribed fee(s), providing evidence of meeting the language proficiency requirements as set by Council, and completing the jurisprudence examination required by Council, until such time as he provides evidence of holding a Certificate of Qualification from the Pharmacy Examining Board of Canada;
- (c) graduated from or successfully completed a pharmacy technician training program on or before December 31, 2018 that has not been accredited by the Canadian Council for the Accreditation of Pharmacy Programs, completed 2000 hours or more of experience in pharmacy practice within the past three years, successfully completed the Pharmacy Examining Board of Canada Evaluating Examination, successfully completed the Bridging Education Program and the Structured Practical Skills Assessment or equivalent program as approved by Council, may register as a conditional practicing member, upon completing the prescribed form, paying the prescribed fee(s), providing evidence of meeting the language proficiency requirements as set by Council, and completing the



jurisprudence examination required by Council, until such time as he provides evidence of holding a Certificate of Qualification from the Pharmacy Examining Board of Canada;

- (d) graduated from or successfully completed a pharmacy technician training program that has not been accredited by the Canadian Council for the Accreditation of Pharmacy Programs, and has not completed 2000 hours or more of experience within the past three years in pharmacy practice, may only apply for registration as a member upon successful completion of a pharmacy technician training program accredited by the Canadian Council for the Accreditation of Pharmacy Programs, and may be registered as a member upon completion of the other requirements specified in clause 3(b) of Part D.
- (e) recently graduated from a pharmacy technician training program referred to in clause 3(a) of Part D; or recently graduated from or successfully completed a pharmacy technician training program referred to in clause 3(c) or Part D, application for registration as a member must be made by the earlier of: one year after the applicant has graduated; or December 31, 2019. Under extenuating circumstances Council may extend this time limit according to the terms and conditions prescribed by Council.

#### **Transitional**

**3.1(1)** On or before December 31, 2018, a person who is employed to perform the functions of a licensed pharmacy technician may be registered as a member and be granted a restricted licence to practice as a licensed pharmacy technician where the Registrar is satisfied that such person is competent to perform those functions. The licence will restrict the practice of the licensed pharmacy technician to those functions and within the employment classification, employment title or under the employer as the case may be. After December 31, 2018 the Registrar may revoke the restricted licence if that member has not met the requirements for registration and licensure including providing evidence of holding a Certificate of Qualification from the Pharmacy Examining Board of Canada.

(2) If on or before December 31, 2018, a member to whom a restricted licence has been granted pursuant to clause 3.1(1) of Part D meets the requirements for registration and licensure including providing evidence of holding a Certificate of Qualification from the Pharmacy Examining Board of Canada, the Registrar shall remove the restrictions on that member's license.

(3) The Registrar may extend the deadline in clauses 3.1(1) and (2) of Part D for a member who has successfully completed the Evaluating Examination of the Pharmacy Examining Board of Canada and provides evidence of pursuing the other requirements for removal of the restrictions on his licence and such deadline shall:

- (a) allow for the timely completion of those other requirements, in which case the Registrar may specify the conditions that apply in meeting those requirements; and
- (b) be further extended in the event that the timely completion of those other requirements is delayed due to circumstances beyond the control of the member until such time as those circumstances allow.

#### **Practicing Pharmacy Technicians Subject to the Mobility Agreement for Canadian Pharmacy Technicians**

**4** A person who is, or has been, registered as a practicing member, or its equivalent, with another Canadian pharmacy technician regulatory authority in a province or territory where the pharmacy technician regulatory authority is a signatory to an agreement that addresses the mobility of Canadian pharmacy technicians will be accepted for registration in the College as a practicing member subject to:

- (a) providing a statement, certificate or other satisfactory evidence that he is a member in good standing in the category of membership being applied for and disclosing whether or not he has been convicted of an offence against any legislation affecting the practice of pharmacy;
- (b) providing evidence that he has participated in, and successfully met the standards set out in the continuing professional development program of that pharmacy or pharmacy technician regulatory authority;
- (c) successfully completing the jurisprudence examination of the College on the legislation governing the practice of pharmacy in Saskatchewan;
- (d) declaring all other jurisdictions of membership, or licensure and the category of membership or licensure in those jurisdictions;
- (e) providing a recent photograph signed by the applicant and an official from the current pharmacy or pharmacy technician regulatory authority;
- (f) meeting the language proficiency requirements as set by Council;
- (g) completing the prescribed forms; and
- (h) paying the prescribed fee(s).

**Non-Practicing Pharmacy Technicians Subject to the Mobility Agreement for Canadian Pharmacy Technicians**

**5** A person who is, or has been, registered as a non-practicing member, or its equivalent, with another Canadian pharmacy technician regulatory authority in a province or territory where the pharmacy technician regulatory authority is a signatory to an agreement that addresses the mobility of Canadian pharmacy technicians will be accepted for registration in the College as a non-practicing member subject to:

- (a) providing a statement, certificate or other satisfactory evidence that he is a member in good standing in the category of membership being applied for and that he has never been convicted of an offence against any legislation affecting the practice of pharmacy;
- (b) declaring all other jurisdictions of membership, or licensure and the category of membership or licensure in those jurisdictions;
- (c) providing a recent photograph signed by the applicant and an official from the current provincial pharmacy technician regulatory authority;
- (d) meeting the language proficiency requirements as set by Council;
- (e) completing the prescribed forms; and
- (f) paying the prescribed fee(s).

**Other Pharmacy Technicians – Canadian or International Graduates**

**6** A person who is, or has been, registered as a practicing member, or its equivalent, with a pharmacy or pharmacy technician regulatory authority that is in a province or territory where the pharmacy technician regulatory authority is not a signatory to an agreement that addresses the mobility of Canadian pharmacy technicians, must comply with the following in order to be registered as a practicing member:

- (a) hold a Certificate of Qualification from the Pharmacy Examining Board of Canada; successfully complete the examinations approved by Council; and successfully complete a bridging educational program approved by Council;
- (b) provide evidence of meeting the language proficiency requirements as set by Council;

- (c) declare all other jurisdictions of membership, or licensure and the category of membership or licensure in those jurisdictions;
- (d) provide a statement from the pharmacy technician regulatory authority that issued the applicant's most recent registration, membership or licence, which states:
  - (i) the applicant's date of birth;
  - (ii) the applicant's academic qualifications including the educational institution from which the applicant obtained a minimum of a Pharmacy Technician Certificate or an equivalent credential, the year of graduation;
  - (iii) the internship time served under the supervision of a licensed pharmacist or licensed pharmacy technician;
  - (iv) that the applicant is currently in good standing as a pharmacy technician; and
  - (v) that the applicant is a competent pharmacy technician of good moral character and has never been convicted of an offence against any statute relating to the practice of pharmacy;
- (e) provide a photograph of the applicant, signed by the applicant, and verified by the Registrar or Secretary of the pharmacy technician regulatory authority;
- (f) provide an original birth certificate, or certified true copy of the same;
- (g) if the applicant has been actively practicing as a pharmacy technician:
  - (i) in a jurisdiction other than Canada, or for a period of 2000 hours or less in the past three years in Canada, successfully complete a period of appraisal training under the immediate supervision of a licensed pharmacist or licensed pharmacy technician in Saskatchewan. The length of training depends upon the competence of the applicant and may not be less than one month, nor exceed two years. The applicant must submit the prescribed application and fee(s) for Appraisal Training Registration. Upon completion of the training, the supervisor must provide a written recommendation (completion of Certification of Appraisal Training), that the training has been fulfilled. Then, the applicant must successfully complete a 2-week assessment conducted by a licensed pharmacist or licensed pharmacy technician in Saskatchewan assigned by the College. Prior to beginning the assessment the applicant must submit the prescribed assessment fee(s). Upon completion of the assessment the assessor must provide a written statement of the applicant's practice performance; or
  - (ii) for a period exceeding 2000 hours in the past three years in Canada, the applicant must successfully complete a 2-week assessment conducted by a licensed pharmacist or licensed pharmacy technician in Saskatchewan assigned by the College. Prior to beginning the assessment the applicant must submit the prescribed assessment fee(s). Upon completion of the assessment the assessor must provide a written statement of the applicant's practice performance;
- (h) successfully complete a jurisprudence examination on the legislation affecting the practice of pharmacy in Saskatchewan upon payment of the prescribed fee(s);
- (i) complete the prescribed forms; and
- (j) pay the prescribed fee(s).

**Compliance with Requirements**

**7** A person who is, or has been registered as a non-practicing member, or its equivalent, with a pharmacy technician regulatory authority that is in a province or territory where the pharmacy technician regulatory authority is not a signatory to an agreement that addresses the mobility of Canadian pharmacy technicians, must comply with the requirements prescribed by Council to be registered as a member.

## **PART E MEMBERSHIPS – PHARMACISTS**

### **PART E.1 - PRACTICING MEMBER**

#### **Practicing Member**

**1** Any member who wishes to practice must be registered as a practicing member. Where the person is applying for membership as a licensed pharmacist, he shall be granted a licence to practice and may use the title “licensed pharmacist”.

#### **Continuing Professional Development and other Privileges**

**2** Practicing members:

- (a) must meet any continuing professional development requirements that are from time to time prescribed by Council;
- (b) may nominate, vote and hold office; and
- (c) may participate in other programs and services offered by the College.

### **PART E.2 - CONDITIONAL PRACTICING MEMBER**

#### **Conditional Practicing Member**

**1** Any member who wishes to practice under a conditional practicing membership is subject to the following:

- (a) he is not eligible to be named as the practicing member who will have the management of a pharmacy; nor can he be a director of a corporation holding a pharmacy permit;
- (b) he is not eligible to nominate, vote or hold office with the College; and
- (c) he is not eligible to have signing authority for the purchase of Controlled Substances.

#### **Length of Membership**

**2** A conditional practicing membership is valid to June 30th of the year following the completion of the curriculum requirements to become a licensed pharmacist or until such time as the member provides evidence of holding a Certificate of Qualification from the Pharmacy Examining Board of Canada.

#### **Forms and Fees**

**3** A conditional practicing licence will be issued in a manner or according to the procedures specified by the Registrar including completing the required forms and paying of the prescribed fee(s).

#### **Appeals**

**4** To appeal the one-year term of a conditional practicing membership the member must receive Council approval, in accordance with the terms and conditions prescribed by Council.

#### **Supervision**

**5** While holding a conditional practicing licence the member must be under the supervision of a licensed pharmacist.

#### **Notification of PEBC**

**6** The member holding a conditional practicing licence must notify the College when he has been granted the Certificate of Qualification from the Pharmacy Examining Board of Canada, requesting the removal of the conditional restriction on the practicing licence in a manner or according to the procedures specified by the Registrar.

### PART E.3 - NON-PRACTICING MEMBER

#### Conditions

**1** Any member who has voluntarily ceased to practice may be registered as a non-practicing member. He shall not be granted a licence to practice, but may use the title “pharmacist” where the member was a licensed pharmacist prior to becoming a non-practicing member.

#### Continuing Professional Development and other Privileges

**2** Non-practicing members may participate in continuing professional development. They may also nominate, vote and hold office and participate in the programs and services offered by the College.

### PART E.4 - ASSOCIATE MEMBER

#### Conditions

**1** To retain his name on the register with limited involvement with the College, any member who has voluntarily ceased to practice may be registered as a licensed pharmacist. He shall not be granted a licence to practice, but may use the title “pharmacist” where the member was a licensed pharmacist prior to becoming an associate member.

#### Continuing Professional Development and other Privileges

**2** Associate members may not nominate nor be nominated to Council, nor vote in elections or general meetings. They may participate in the programs and services offered by the College as determined by Council.

### PART E.5 - RETIRED REGISTER

#### Conditions

**1** A member, who has permanently ceased to practice as a licensed pharmacist, may request the Registrar to place him on the portion of the register reserved for retired members (the “retired register”).

#### Failure to Transfer Membership

**2** A member who is eligible for the retired register but fails to request a transfer to the same shall be liable for the prevailing prescribed fee(s).

#### Return to Active Practice

**3** A member on the retired register may only return to active practice upon a resolution of Council.

#### Restrictions

**4** A member on the retired register may not nominate nor be nominated to Council, nor vote in elections or general meetings.

#### Unpaid Fees

**5** A member on the retired register whose prescribed fee(s) are in arrears shall be suspended from membership in the College.

#### Member Emeritus Designation

**6** Any member on the retired register may be designated as a “Member Emeritus” of the College and may use the designation “Member Emeritus Saskatchewan College of Pharmacy Professionals” or “MESCPP” if:

- (a) he has been a practicing or non-practicing member continually in good standing with the College or any other regulatory body for pharmacists for at least 25 years;
- (b) he has not been found guilty of professional misconduct or professional incompetence;

- (c) his name remains on the retired register; and
- (d) his name is confirmed by the Awards Committee of the College, or successor committee of the College.

#### **Member Emeritus Request**

**7** Where a member is ineligible pursuant to clause 6(b) of Part E.5, Council may, upon receipt of a written request giving reasons, determine that the member is eligible to be designated as a "Member Emeritus".

### **PART E.6 - HONORARY LIFE AND HONORARY MEMBERSHIP**

#### **Honorary Life Membership**

**1** Any member who, in the opinion of Council, has distinguished himself in the practice of pharmacy or related fields and/or who has distinguished himself in service to his community may be awarded an honorary life membership in the College and shall not be required to pay further prescribed membership fee(s) but must otherwise comply with the Act and these bylaws.

#### **Honorary Membership**

**2** Any person who, in the opinion of Council, has distinguished himself in association with the practice of pharmacy or related fields and/or who has distinguished himself in service of his community may be made an "Honorary member" of the College. Such members may not be ranked as a pharmacist or practice. Honorary members may not nominate, nor be nominated to Council, nor vote in elections or general meetings. There shall be no prescribed fee(s) for honorary members.

### **PART E.7 - MIGRATION FROM ONE MEMBERSHIP CATEGORY TO ANOTHER**

#### **Member's Category**

**1** When renewing his membership, the member will select the membership category on the prescribed form and pay the corresponding prescribed fee(s) prior to June 1st.

#### **Non-Practicing to Practicing**

**2** A member who wishes to convert from non-practicing to practicing membership must provide evidence of current practice knowledge and demonstrate that he meets the standards of practice by:

- (a) providing evidence of continuous participation while a non-practicing member in continuing professional development; or
- (b) undergoing a clinical knowledge examination and a performance review. If the member has been actively practicing as a pharmacist:
  - (i) in Canada for a period of 2000 hours or less in the past three years, the performance review shall consist of successfully completing a period of appraisal training under the immediate supervision of a licensed pharmacist. The length of training depends upon the competence of the licensed pharmacist and may not be less than one month, nor exceed two years. The pharmacist must submit the prescribed application and prescribed fee(s) for Appraisal Training Registration. Upon completion of the training, the supervising licensed pharmacist must provide a written recommendation (completion of Certification of Appraisal Training), that the training has been fulfilled; then the applicant must successfully complete a 2-week assessment conducted by a licensed pharmacist, assigned by the College. Prior to beginning the assessment the pharmacist must submit the prescribed assessment fee(s). Upon completion of the assessment, the assessor must provide a written statement of the applicant's practice performance. Upon approval

by the College of the assessment, the applicant must successfully complete the jurisprudence examination of the College on the legislation governing the practice of pharmacy in Saskatchewan; or

- (ii) in Canada for a period exceeding 2000 hours in the past three years, the performance review shall consist of successfully completing a 2-week assessment conducted by a licensed pharmacist assigned by the College. Prior to beginning the assessment the pharmacist must submit the prescribed assessment fee(s). Upon completion of the assessment the assessor must provide a written statement of the applicant's practice performance. Upon approval by the College of the assessment, the applicant must successfully complete the jurisprudence examination of the College on the legislation governing the practice of pharmacy in Saskatchewan.

#### **Associate to Non-Practicing or Practicing**

**3** Conversion from associate to non-practicing or practicing membership is only permitted upon the member Council approval, payment of the prescribed fee(s), and according to the terms and conditions prescribed by Council.

#### **Practicing to Non-Practicing**

**4** Conversion from practicing to non-practicing membership is permitted upon advising the office of the Registrar by completing the prescribed form and paying the prescribed fee(s).

### **PART E.8 - REINSTATEMENT**

#### **Conditions**

**1** Any person whose membership has been allowed to lapse for a period of one membership year or less and who is otherwise eligible for membership may, upon application and upon the payment of the prescribed membership fee(s) and prescribed reinstatement fee(s), have his name re-entered in the register of members, subject to meeting the requirements in these bylaws for the membership category applied for.

#### **Council Approval**

**2** Any person whose membership has been allowed to lapse for a period of more than one membership year may only be reinstated as a member upon Council approval, meeting the requirements in these bylaws for the membership category applied for, and according to any other terms and conditions prescribed by Council.

### **PART E.9 - LICENSES**

#### **Requirements**

**1** No licence shall be issued until the prescribed application form(s), the prescribed practicing membership fee(s), together with any applicable surcharge, and all arrears of the applicant, shall have been remitted to the office of the Registrar and the applicant shall have successfully complied with the continuing professional development requirements prescribed by Council.

#### **Unpaid Annual Fees**

**2** The name of any member whose prescribed annual fee(s) or applicable surcharge is unpaid after June 30th, in any year, shall be removed from the register and he shall lose the privileges conferred upon him by the Act but he may, subject to sections 1 and 2 of Part E.8 be reinstated upon payment of the prescribed membership and prescribed reinstatement fee(s).

#### **Written Application**

**3** Every applicant for a practicing membership will make this application to the Registrar in writing, giving the following information:



- (a) whether he is an owner, pharmacy manager, staff pharmacist;
- (b) the address to which notices are to be sent;
- (c) the address of the pharmacy, location or site in which he will practice his profession;
- (d) a statement showing his accomplishments in continuing professional development during the twelve month period prior to July 1st of the membership year for which a licence is required. To be eligible for practicing membership without a surcharge, subject to meeting other licensing requirements, continuing professional development requirements must be met on or before June 1st in each year; and
- (e) any other information that the Registrar, acting in his discretion, requires to be satisfied that the applicant meets the requirements of the Act and these bylaws.

#### **Malpractice Insurance for Licensed Pharmacists**

4(1) In this section:

- (a) “**acceptable malpractice insurance**” means personal insurance that:
  - (i) insures a practicing member against liability claims relating to the performance, or alleged performance, of professional services;
  - (ii) provides a limit for each claim of a minimum of two million dollars;
  - (iii) is either:
    - (A) of an occurrence type provided through membership in the Pharmacy Association of Saskatchewan (formerly the Pharmacists’ Association of Saskatchewan or Representative Board of Saskatchewan Pharmacists) from time to time or is reasonably comparable to the insurance provided through membership in the Pharmacists’ Association of Saskatchewan (formerly the Representative Board of Saskatchewan Pharmacists); or
    - (B) of a claims made type, in which case it also provides for an extended reporting period providing liability protection for claims made within a minimum period of not less than two years after the practicing member ceases to be a practicing member; and
  - (iv) has a maximum deductible of \$5,000.00 per claim;
  - (v) includes as a term that the College will be notified by the insurer in the event of any cancellation or amendment to the coverage afforded to the insured; and
  - (vi) is underwritten by an insurer registered to do business in Saskatchewan;
- (b) “**claims made**” means the malpractice insurance policy responds if it is in place at the time in which a claim for damages or other relief is made against a member;
- (c) “**occurrence**” means that the malpractice insurance policy responds if it was in place at the time in which the incident that is the subject of the professional liability claim occurred;
- (d) “**personal**” means insurance held by the individual member or in respect to which the individual member is a named insured.

(2) Subject to the provisions of subsection 4(3) of Part E.9, every member must hold and continuously maintain acceptable malpractice insurance.

(3) Notwithstanding subsection 4(2) of Part E.9, a member who is a Crown servant, within the meaning of the Treasury Board Policy on the Indemnification of and Legal Assistance for Crown

Servants, is not obligated to hold and continuously maintain acceptable malpractice insurance, provided that the member:

- (a) at all times restricts his practice to the scope of duties and employment as a Crown servant; and
- (b) completes a declaration in a form approved by the Registrar:
  - (i) declaring that he will limit his professional pharmacy practice to the scope of duties and employment as a Crown servant;
  - (ii) confirming the continuing applicability of the Treasury Board Policy on the Indemnification of and Legal Assistance for Crown Servants; and
  - (iii) undertaking to advise the College of any change in the scope of his practice, or the status or terms and conditions of Treasury Board Policy on the Indemnification of and Legal Assistance for Crown Servants;

(4) The Registrar shall not grant or renew a licence to practice as a licensed pharmacist until he receives either:

- (a) a certificate in the form of Form 1 from the applicant for the licence that the applicant has in place acceptable malpractice insurance; or
- (b) an undertaking from the applicant in a form satisfactory to the Registrar, as well as such evidence of the compliance therewith that the Registrar may request, that satisfies the Registrar that the applicant holds and will continuously maintain acceptable malpractice insurance.

(5) If at any time a licensed pharmacist fails to continuously maintain acceptable malpractice insurance or otherwise ceases to be insured pursuant to a policy providing acceptable malpractice insurance the licensed pharmacist shall immediately report that fact to the Registrar.

(6) Where a licensed pharmacist fails to continuously maintain acceptable malpractice insurance or otherwise ceases to be insured pursuant to a policy providing acceptable malpractice insurance as specified in this bylaw, the Registrar shall suspend the licensed pharmacist's licence until such time as the Registrar receives satisfactory evidence that he has obtained and maintains such insurance.

(7) It is professional misconduct for a licensed pharmacist to:

- (a) provide false or misleading information to the Registrar in connection with the matters contemplated in this bylaw;
- (b) except in the circumstances described in subsection 4(3) of Part E.9, practice, or continue to practice, pharmacy without first obtaining, and continuously maintaining, acceptable malpractice insurance;
- (c) breach an undertaking given to the Registrar pursuant to subsection 4(4) of Part E.9; or
- (d) fail to immediately notify the Registrar if for any reason the licensed pharmacist fails to continuously maintain acceptable malpractice insurance or otherwise ceases to be insured pursuant to a policy providing acceptable malpractice insurance or indemnified pursuant to Treasury Board Policy on the Indemnification of and Legal Assistance for Crown Servants.

**Suspensions**

**5** When a licensed pharmacist is suspended, his licence to practice as a licensed pharmacist shall be suspended during that period. He shall return his licence to the office of the Registrar, and any permit issued in his name shall be invalidated but may be amended upon application.

**PART E.10 - CERTIFICATES****Member Certificates**

**1** Upon being satisfied that the requirements of the Act and these bylaws have been met, the Registrar shall issue a certificate to each person who has paid his prescribed registration fee(s), shall issue a membership card to each member who has paid his prescribed membership fee(s), and shall issue a licence to each member who pays the prescribed practicing membership fee(s) and who has completed the requirements in continuing professional development as prescribed by Council. The seal of the College shall be placed upon each licence, and all said licences shall expire on the 30th day of June in each year.

**Duplicate Copy of Certificates**

**2** Any member or intern requiring a duplicate copy of his certificate, membership card or licence, may, on the production of satisfactory evidence to the Registrar that the original thereof has been lost or stolen, obtain the same upon payment of an amount as may be set from time to time by the Registrar to cover the costs of preparing a replacement.

## **PART F MEMBERSHIPS AND LICENSES**

### **PART F.1 - PHARMACY TECHNICIANS PRACTICING MEMBER**

#### **Practicing Member**

**1** Any member who wishes to practice must be registered as a practicing member. Where the person is applying for membership as a licensed pharmacy technician, he shall be granted a licence to practice. This license allows him to perform the practices authorized pursuant to subsection 23(2) of the Act and which practices may be further described by Council from time to time in policies, standards and guidelines. The said license also entitles the person to use the title “licensed pharmacy technician”.

#### **Continuing Professional Development and other Privileges**

**2** Practicing members:

- (a) must meet any continuing professional development requirements that are from time to time prescribed by Council;
- (b) may nominate, vote and hold office; and
- (c) may participate in other programs and services offered by the College.

### **PART F.2 - CONDITIONAL PRACTICING MEMBER**

#### **Conditional Practicing Member**

**1** Any member who wishes to practice under a conditional practicing membership is subject to the following:

- (a) he is not eligible to be a director of a corporation holding a pharmacy permit; and
- (b) he not eligible to nominate, vote or hold office with the College.

#### **Length of Membership**

**2** A conditional practicing membership is valid to June 30th of the year following the completion of the curriculum requirements to become a licensed pharmacy technician or until such time as the member provides evidence of holding a Certificate of Qualification from the Pharmacy Examining Board of Canada.

#### **Forms and Fees**

**3** A conditional practicing licence will be issued in a manner or according to the procedures specified by the Registrar including completing the required forms and paying of the prescribed fee(s).

#### **Appeals**

**4** To appeal the one-year term of a conditional practicing membership the member must receive Council approval, in accordance with the terms and conditions prescribed by Council.

#### **Supervision**

**5** While holding a conditional practicing licence the member must be under the supervision of a licensed pharmacist or a licensed pharmacy technician.

#### **Notification of PEBC**

**6** The member holding a conditional practicing licence must notify the College when he has been granted the Certificate of Qualification from the Pharmacy Examining Board of Canada, requesting the removal of the conditional restriction on the practicing licence in a manner or according to the procedures specified by the Registrar.

### PART F.3 - NON-PRACTICING MEMBER

#### **Conditions**

**1** Any member who has voluntarily ceased to practice may be registered as a non-practicing member. He shall not be granted a licence to practice, but may use the title “pharmacy technician” where the member was a licensed pharmacy technician prior to becoming a non-practicing member.

#### **Continuing Professional Development and other Privileges**

**2** Non-practicing members may participate in continuing professional development. They may also nominate, vote and hold office and participate in the programs and services offered by the College.

### PART F.4 - ASSOCIATE MEMBER

#### **Conditions**

**1** To retain his name on the register with limited involvement with the College, any member who has voluntarily ceased to practice as a licensed pharmacy technician may be registered as an associate member. He shall not be granted a licence to practice, but may use the title “pharmacy technician”, where the member was a licensed pharmacy technician prior to becoming an associate member.

#### **Continuing Professional Development and other Privileges**

**2** Associate members may not nominate nor be nominated to Council, nor vote in elections or general meetings. They may participate in the programs and services offered by the College as determined by Council.

### PART F.5 - RETIRED REGISTER

#### **Conditions**

**1** A member, who has permanently ceased to practice as a licensed pharmacy technician, may request the Registrar to place him on the portion of the register reserved for retired members (the “retired register”).

#### **Failure to Transfer to Membership**

**2** A member who is eligible for the retired register but fails to request a transfer to the same shall be liable for the prevailing prescribed fee(s).

#### **Return to Active Practice**

**3** A member on the retired register may only return to active practice upon a resolution of Council.

#### **Restrictions**

**4** A member on the retired register may not nominate nor be nominated to Council, nor vote in elections or general meetings.

#### **Unpaid Fees**

**5** A member on the retired register whose prescribed fee(s) are in arrears shall be suspended from membership in the College.

#### **Member Emeritus Designation**

**6** Any member on the retired register may be designated as a “Member Emeritus” of the College and may use the designation “Member Emeritus Saskatchewan College of Pharmacy Professionals” or “MESCPP” if:

- (a) he has been a practicing or non-practicing member continually in good standing with the College or any other regulatory body for pharmacy technicians for at least 25 years;
- (b) he has not been found guilty of professional misconduct or professional incompetence;
- (c) his name remains on the retired register; and
- (d) his name is confirmed by the Awards Committee, or successor committee, of the College.

#### **Member Emeritus Request**

**7** Where a member is ineligible pursuant to clause 6(b) of Part F.5, Council may, upon receipt of a written request giving reasons, determine that the member is eligible to be designated as a "Member Emeritus".

### **PART F.6 - HONORARY LIFE AND HONORARY MEMBERSHIP**

#### **Honorary Life Membership**

**1** Any member who, in the opinion of Council has distinguished himself in the practice of pharmacy or related fields and/or who has distinguished himself in service to his community may be awarded an "Honorary Life membership" in the College and shall not be required to pay further prescribed membership fee(s) but must otherwise comply with the Act and these bylaws.

#### **Honorary Membership**

**2** Any person who, in the opinion of Council, has distinguished himself in association with the practice of pharmacy or related fields and/or who has distinguished himself in service of his community may be made an "Honorary member" of the College. Such members may not be ranked as a pharmacy technician or practice. Honorary members may not nominate, nor be nominated to Council, nor vote in elections or general meetings. There shall be no prescribed fee(s) for honorary members.

### **PART F.7 - MIGRATION FROM ONE MEMBERSHIP CATEGORY TO ANOTHER**

#### **Members Category**

**1** When renewing his membership, the member will choose the membership category on the prescribed form and pay the corresponding prescribed fee(s) prior to June 1st.

#### **Non-Practicing to Practicing**

**2** A member who wishes to convert from non-practicing to practicing membership must provide evidence of current practice knowledge and demonstrate that he meets the standards of practice by:

- (a) providing evidence of continuous participation while a non-practicing member in continuing professional development; or
- (b) undergoing a clinical knowledge examination and a performance review. If the member has been actively practicing as a pharmacy technician:
  - (i) in Canada for a period of 2000 hours or less in the past three years, the performance review shall consist of successfully completing a period of appraisal training under the immediate supervision of a licensed pharmacist or licensed pharmacy technician. The length of training depends upon the competence of the pharmacy technician and may not be less than one month, nor exceed two years. The pharmacy technician must submit the prescribed application and prescribed fee(s) for Appraisal Training Registration. Upon completion of the training, the supervisor must provide a written recommendation (completion of Certification of Appraisal Training), that the training has been fulfilled; then the pharmacy

technician must successfully complete a 2-week assessment conducted by a licensed pharmacist or licensed pharmacy technician, assigned by the College. Prior to beginning the assessment the pharmacy technician must submit the prescribed assessment fee(s). Upon completion of the assessment, the assessor must provide a written statement of the applicant's practice performance. Upon approval by the College of the assessment, the applicant must successfully complete the jurisprudence examination of the College on the legislation governing the practice of pharmacy in Saskatchewan; or

- (ii) in Canada for a period exceeding 2000 hours in the past three years, the performance review shall consist of successfully completing a 2-week assessment conducted by a licensed pharmacist or licensed pharmacy technician, assigned by the College. Prior to beginning the assessment the pharmacy technician must submit the prescribed assessment fee(s). Upon completion of the assessment the assessor must provide a written statement of the applicant's practice performance. Upon approval by the College of the assessment, the applicant must successfully complete the jurisprudence examination of the College on the legislation governing the practice of pharmacy in Saskatchewan.

#### **Associate to Non-Practicing or Practicing**

**3** Conversion from associate to non-practicing or practicing membership is only permitted upon Council approval, payment of the prescribed fee(s), and according to the terms and conditions prescribed by Council.

#### **Practicing to Non-Practicing**

**4** Conversion from practicing to non-practicing membership is permitted upon the member advising the office of the Registrar by completing the prescribed form and paying the prescribed fee(s).

### **PART F.8 - REINSTATEMENT**

#### **Conditions**

**1** Any person whose membership has been allowed to lapse for a period of one membership year or less and who is otherwise eligible for membership may, upon application and upon the payment of the prescribed membership fee(s) and prescribed reinstatement fee(s), have his name re-entered in the register of members, subject to meeting the requirements in these bylaws for the membership category applied for.

#### **Council Approval**

**2** Any person whose membership has been allowed to lapse for a period of more than one membership year may only be reinstated as a member upon Council approval, meeting the requirements in these bylaws for the membership category applied for, and according to any other terms and conditions prescribed by Council.

### **PART F.9 - LICENSES**

#### **Requirements**

**1** No licence shall be issued until the prescribed application form(s), the prescribed practicing membership fee(s), together with any applicable surcharge, and all arrears of the applicant, shall have been remitted to the office of the Registrar and the applicant shall have successfully complied with the continuing professional development requirements prescribed by Council.

### Unpaid Annual Fees

**2** The name of any member whose prescribed annual fee(s) or applicable surcharge is unpaid after June 30th, in any year, shall be removed from the register and he shall lose the privileges conferred upon him by the Act but he may, subject to sections 1 and 2 of Part F.8 be reinstated upon payment of the prescribed membership and prescribed reinstatement fee(s).

### Written Application

**3** Every applicant for a practicing membership will apply therefore to the Registrar in writing, giving the following information:

- (a) whether he is an owner or staff member;
- (b) the address to which Notices are to be sent;
- (c) the address of the pharmacy, location or site in which he will practice his profession;
- (d) a statement showing his accomplishments in continuing professional development during the twelve-month period prior to July 1st of the membership year for which a licence is required. To be eligible for practicing membership without a surcharge, subject to meeting other licensing requirements, continuing professional development requirements must be met on or before June 1st in each year; and
- (e) any other information that the Registrar requires, acting in his discretion, to be satisfied that the applicant meets the requirements of the Act and these bylaws.

### Malpractice Insurance

**4(1)** In this section:

- (a) “**acceptable malpractice insurance**” means personal insurance that:
  - (i) insures a practicing member against liability claims relating to the performance, or alleged performance, of professional services;
  - (ii) provides a limit for each claim of a minimum of one million dollars;
  - (iii) is either:
    - (A) of an occurrence type provided through membership in the Pharmacy Association of Saskatchewan (formerly the Pharmacists’ Association of Saskatchewan or Representative Board of Saskatchewan Pharmacists) from time to time or is reasonably comparable to the insurance provided through membership in the Pharmacists’ Association of Saskatchewan (formerly the Representative Board of Saskatchewan Pharmacists); or
    - (B) of a claims made type, in which case it also provides for an extended reporting period providing liability protection for claims made within a minimum period of not less than two years after the practicing member ceases to be a practicing member; and
  - (iv) has a maximum deductible of \$5,000.00 per claim;
  - (v) includes as a term that the College will be notified by the insurer in the event of any cancellation or amendment to the coverage afforded to the insured; and
  - (vi) is underwritten by an insurer registered to do business in Saskatchewan;
- (b) “**claims made**” means the malpractice insurance policy responds if it is in place at the time in which a claim for damages or other relief is made against a member;



- (c) “**occurrence**” means that the malpractice insurance policy responds if it was in place at the time in which the incident that is the subject of the professional liability claim occurred;
- (d) “**personal**” means insurance held by the individual member or in respect to which the individual member is a named insured.

(2) Subject to the provisions of subsection 4(3) of Part F.9, every licensed pharmacy technician must hold and continuously maintain acceptable malpractice insurance.

(3) Notwithstanding subsection 4(2) of Part F.9, a licensed pharmacy technician who is a Crown servant, within the meaning of the Treasury Board Policy on the Indemnification of and Legal Assistance for Crown Servants, is not obligated to hold and continuously maintain acceptable malpractice insurance, provided that the member:

- (a) at all times restricts his practice to the scope of duties and employment as a Crown servant;
- (b) completes a declaration in a form approved by the Registrar:
  - (i) declaring that he will limit his professional pharmacy practice to the scope of duties and employment as a Crown servant;
  - (ii) confirming the continuing applicability of the Treasury Board Policy on the Indemnification of and Legal Assistance for Crown Servants; and
  - (iii) undertaking to advise the College of any change in the scope of his practice, or the status or terms and conditions of Treasury Board Policy on the Indemnification of and Legal Assistance for Crown Servants.

(4) The Registrar shall not grant or renew a licence to practice as a pharmacy technician until he receives either:

- (a) a certificate in the form of Form 1 from the applicant for the licence that the applicant has in place acceptable malpractice insurance; or
- (b) an undertaking from the applicant in a form satisfactory to the Registrar, as well as such evidence of the compliance therewith that the Registrar may request, that satisfies the Registrar that the applicant holds and will continuously maintain acceptable malpractice insurance.

(5) If at any time a licensed pharmacy technician fails to continuously maintain acceptable malpractice insurance or otherwise ceases to be insured pursuant to a policy providing acceptable malpractice insurance the member shall immediately report that fact to the Registrar.

(6) Where a licensed pharmacy technician fails to continuously maintain acceptable malpractice insurance or otherwise ceases to be insured pursuant to a policy providing acceptable malpractice insurance as specified in this bylaw, the Registrar shall suspend the licensed pharmacy technician’s licence until such time as the Registrar receives satisfactory evidence that the member has obtained and maintains such insurance.

(7) It is professional misconduct for a licensed pharmacy technician to:

- (a) provide false or misleading information to the Registrar in connection with the matters contemplated in this bylaw;
- (b) except in the circumstances described in subsection 4(3) of Part F.9, practice, or continue to practice, pharmacy without first obtaining, and continuously maintaining, acceptable malpractice insurance;
- (c) breach an undertaking given to the Registrar pursuant to subsection 4(4) of Part F.9; or

- (d) fail to immediately notify the Registrar if for any reason the member fails to continuously maintain acceptable malpractice insurance or otherwise ceases to be insured pursuant to a policy providing acceptable malpractice insurance or indemnified pursuant to Treasury Board Policy on the Indemnification of and Legal Assistance for Crown Servants.

**Suspensions**

5 When a licensed pharmacy technician is suspended, his licence to practice as a pharmacy technician shall be suspended during that period. He shall return his licence to the office of the Registrar, and any permit issued in his name shall be invalidated but may be amended upon application.

**PART F.10 - CERTIFICATES****Member Certificates**

1 Upon being satisfied that the requirements of the Act and these bylaws have been met, the Registrar shall issue a certificate to each person who has paid his prescribed registration fee(s), shall issue a membership card to each member who has paid his prescribed membership fee(s), and shall issue a licence to each member who pays the prescribed practicing membership fee(s) and who has completed the requirements in continuing professional development as prescribed by Council. The seal of the College shall be placed upon each licence, and all said licences shall expire on the 30th day of June in each year.

**Duplicate Copy of Certificates**

2 Any member or intern requiring a duplicate copy of his certificate, membership card or licence, may, on the production of satisfactory evidence to the Registrar that the original thereof has been lost or stolen, obtain the same upon payment of an amount as may be set from time to time by the Registrar to cover the costs of preparing a replacement.

## **PART G - MEDICAL PRACTITIONERS – REGISTRATION, LICENCE AND PERMIT**

### **Medical Practitioner Registration**

**1** Any medical practitioner desiring to become registered as a licensed pharmacist shall make an application in writing to the Registrar which includes:

- (a) a certificate from the Registrar of the College of Physicians and Surgeons of Saskatchewan that the applicant is in good standing as a practitioner; and
- (b) the prescribed fee(s).

### **Application Prior to Commencing Business**

**2** Before carrying on business as a licensed pharmacist, the applicant shall make application for, and receive the necessary proprietary pharmacy permit and licence.

### **Observation of Act and Bylaws**

**3** A medical practitioner who is registered and carrying on business as a licensed pharmacist shall be required to observe the provisions of the Act, regulations and these bylaws and shall personally be present and in charge of the pharmacy or have another licensed pharmacist present and in charge of the pharmacy whenever it is open for business.

### **Distance Between Businesses**

**4** No medical practitioner shall be granted a licence to carry on a business as a licensed pharmacist if there is a proprietary pharmacy carrying on business within 32 kilometers.

### **Residence in Community**

**5** If eligible for a proprietary pharmacy permit, the medical practitioner must live in the community for which the permit is to be granted.

### **Locum Tenens**

**6(1)** The Registrar of the College may register a medical practitioner as a member of the College and licensed pharmacist for a period not exceeding 60 days where the following conditions are met:

- (a) the request is made by a medical practitioner who is a duly qualified as a member of the College in good standing and holding a valid and subsisting licence;
- (b) the requesting member is resident in and engaged in the active practice of his profession as a pharmacist in Saskatchewan;
- (c) the requesting member certifies that he wishes to engage the services of another medical practitioner during his proposed temporary absence;
- (d) the application is submitted to the Registrar which is:
  - (i) in a form determined by the Registrar;
  - (ii) accompanied by a signed undertaking of the proposed temporary member to:
    - (A) engage in practice only as a bona fide locum tenens for a medical practitioner duly qualified as a member of the College;
    - (B) complete his registration before commencing practice as a licensed pharmacist; and
    - (C) to pay the prescribed registration fee(s);
  - (iii) accompanied by the prescribed application fee(s); and
- (e) the proposed temporary member for the registration:
  - (i) has furnished proper evidence of his qualifications; and

- (ii) complies with all other requirements prescribed for admission to the College as far as same are applicable.

(2) On or before the expiry date of the period for which a temporary registration has been issued, the Registrar may extend the temporary registration for a period not exceeding 60 days where the following conditions are met:

- (a) the temporary member provides the Registrar with a written extension application;
- (b) the written extension application is submitted to the Registrar:
  - (i) in a form determined by the Registrar; and
  - (ii) accompanied by the prescribed renewal fee(s); and
- (c) the Registrar is satisfied that:
  - (i) the temporary member is in good standing on the records of the College; and
  - (ii) under all the circumstances, it is just and expedient to renew the registration.

(3) Such registrations may be continually renewed for up to one year from the start date of the initial registration.

(4) The holder of a temporary registration and licence granted pursuant to this Part shall be subject to the jurisdiction of Council as if he were a fully registered member and licensed pharmacist.

(5) Notwithstanding that the period fixed for a temporary registration may not have expired, the Registrar may cancel the registration if the holder ceases to act as a locum tenens, and upon such cancellation all rights of the holder shall cease.

## PART H - CODE OF ETHICS

### Saskatchewan College of Pharmacy Professionals Code of Ethics:

1 I \_\_\_\_\_ do hereby subscribe to the following Code of Ethics and do acknowledge that observance thereof is essential to the proper practice of pharmacy.

#### THE PRACTICE OF PHARMACY IS A PROFESSION DEDICATED TO THE SERVICE OF PUBLIC HEALTH

- (1) A member shall hold the health and safety of the public to be of first consideration in the practice of his profession rendering to each patient the full measure of his ability as an essential health care practitioner.
- (2) A member shall maintain a high standard of professional competence throughout his practice, through continuation of his education and professional experience.
- (3) A member shall observe the law, particularly those affecting the practice of pharmacy; uphold the dignity of the Profession; strive for its betterment; maintain a high standard of ethics; and report to the proper authority, without fear or favour, any unethical or illegal conduct which may be encountered within the Profession.
- (4) A member shall not engage in any practice, the conditions of which might cause him to compromise acceptable standards of the Profession.
- (5) A member shall protect the patient's right of confidentiality.
- (6) A member shall co-operate with other health care practitioners to ensure delivery of the highest level of pharmaceutical services to the public.
- (7) A member shall be responsible in setting a value on services rendered.
- (8) A member shall be governed in advertising practices by highly professional integrity.
- (9) A member shall associate with, participate in, and financially support organizations for the betterment of the Profession of pharmacy.
- (10) A member shall be a willing, sincere, and diligent preceptor in the training and education of future pharmacists, pharmacy technicians, and others.

#### **Placement of Code**

2 The Code of Ethics shall be displayed at all times in a conspicuous location in the member's place of practice.

## PART I - PROPRIETARY PHARMACIES

### Permit Requirements

**1** The Registrar shall issue a permit to the proprietor for each pharmacy that has met the requirements of the Act and these bylaws. The seal of the College shall be placed upon each permit, and all the said permits shall expire on the 30th day of November in each year. No permit shall be issued until the prescribed application form(s), the annual or other applicable prescribed fee(s), together with any applicable surcharge, and all arrears of the applicant, shall have been remitted to the office of the Registrar.

### Permit Restrictions, Terms and Conditions

**2** Every proprietary pharmacy permit that is granted pursuant to the Act is granted subject to the proprietor and the pharmacy manager at all times complying with the Act and these bylaws, regulations, rules and standards made there under, as well as the following additional restrictions, terms and conditions:

- (a) the proprietor shall not, without the written approval of the College, allow, or provide for, the shipment of drugs from the pharmacy, or the shipment of drugs ordered or procured by the pharmacy, to a location outside of Canada, or to another location in Canada where the proprietor has reason to believe that the drugs are likely to be shipped outside of Canada (by mail, courier, or otherwise) in circumstances where:
  - (i) the pharmacy's services associated with such shipment are; or
  - (ii) the sale of drugs associated with such shipment is in any way, directly or indirectly, advertised or otherwise promoted via e-mail, the Internet or via any other means or method accessible outside of Saskatchewan.

### Unpaid Annual Fees

**3** The name of any pharmacy whose prescribed annual fee(s) or applicable surcharge is unpaid after November 30th, in any year, shall be removed from the register and the proprietor shall lose the privileges conferred upon him by the Act to operate the pharmacy but he may, subject to the bylaws, be reinstated upon payment of the prescribed surcharge, permit and prescribed reinstatement fee(s).

### Written Applications

**4** Every applicant for a proprietary pharmacy permit must apply to the Registrar in writing, giving the following information:

- (a) the name and address of the owner of the pharmacy;
- (b) the name of the pharmacy and the address at which the pharmacy will operate;
- (c) the name of the practicing member who will act as the pharmacy manager;
- (d) the names of all practicing members employed in the pharmacy, or whom it is proposed to employ in the said pharmacy;
- (e) where the proprietor is a corporation, the corporation's name and official address of the head office, and the names of all directors of the corporation; and
- (f) any other information that the Registrar, acting in his discretion, requires to be satisfied that the pharmacy meets the requirements of the Act and these bylaws.

### Standards

**5** An applicant for a proprietary pharmacy permit must satisfy the Registrar that the pharmacy complies with the following standards:

- (a) the dispensary must be accessible to the public in person and by telephone except that it must be so designed as to discourage entrance by anyone other than authorized persons;
- (b) it must be well lighted; cleanliness and neatness must be maintained to a standard satisfactory to the health authorities of the community and the Registrar or his designate; and
- (c) there must be suitable space for office, library and customer waiting area.

### **Inspections**

**6** Where the application is for a new proprietary pharmacy permit, the applicant may, at the discretion of the Registrar, be subject to a pre-opening inspection to determine that the requirements and standards for granting the permit have been met. Where the first inspection reveals that those requirements have not been met and the Registrar determines a second or more pre-opening inspections is needed, the applicant shall pay the applicable prescribed fee(s). The Registrar shall not grant the permit until such prescribed fee(s) are paid in full.

### **Duplicate Permits**

**7** Any proprietor requiring a duplicate copy of his permit, may, on the production of satisfactory evidence to the Registrar that the original has been lost or stolen, obtain the same upon payment of an amount as may be set from time to time to cover the costs of preparing a replacement.

### **Privacy Officer**

**8(1)** Every pharmacy must have a designated privacy officer.

(2) The pharmacy manager for each pharmacy, or any other licensed pharmacist employed at that pharmacy as may be appointed by the pharmacy manager, shall be designated as the privacy officer for that pharmacy.

(3) The pharmacy manager for each pharmacy must report to the College:

- (a) the name of the designated privacy officer for that pharmacy;
- (b) any changes to the privacy officer for that pharmacy; and
- (c) the initial privacy training and re-certification training undertaken by the designated privacy officer for that pharmacy.

(4) Every privacy officer shall undertake privacy training approved by the College before the expiration of the subsisting permit, or until such other time as may be approved by the Registrar, but no longer than within one year of his designation.

(5) Every privacy officer shall participate in re-certification training once every three years.

(6) If the requirements set out in subsections 8(1), (2), (3), (4) and (6) of Part I are not met, the pharmacy permit for the applicable pharmacy may be suspended or cancelled by the Registrar. The pharmacy permit may be reinstated upon the provision of satisfactory evidence that the requirements set out in subsections 8(1), (2), (3), (4) and (5) of Part I have been met.

(7) The College shall record in the register for each pharmacy:

- (a) the designated privacy officer, as identified by the pharmacy manager in accordance with subsection 8(3) of Part I; and
- (b) the initial privacy training and re-certification training undertaken by the designated privacy officer.

**Proprietor Responsibility**

**9** Every proprietor shall be held responsible for ensuring that each pharmacist and pharmacy technician in practice in his employ is registered as a practicing member.

**Pharmacist in Charge**

**10** Council may from time to time require satisfactory evidence that during all times that the pharmacy is open for business for the sale of drugs, there will be therein a licensed pharmacist in charge of the management and conduct of the business carried on therein.

**Pharmacy Manager**

**11** At the discretion of the Registrar, a licensed pharmacist may be named as pharmacy manager in more than one pharmacy.

**Continuous Quality Improvement**

**12(1)** In this section:

- (a) 'Continuous Quality Improvement' means a structured process used within the pharmacy, which allows for the continual review and improvement of all aspects of the medication dispensing process, in order to ensure medication safety and a safe medication system. This includes but is not limited to utilizing specific tools for recording quality related events, proactively identifying any safety issues within the pharmacy, and documenting improvement plans to ensure medication safety within the pharmacy;
- (b) 'Quality Related Event' means any preventable event that may cause or lead to inappropriate medication use or patient harm. Medication incidents may be related to professional practice, drug products, procedures, or systems, and include prescribing, order communication, product labelling/packaging/nomenclature, compounding, dispensing, distribution, administration, education, monitoring, and use, as per the Institute for Safe Medication Practices Canada Definition of Terms (2016); and
- (c) 'Medication Safety Self-Assessment' means an Institute for Safe Medication Practices Canada quality improvement tool that allows pharmacy staff to assess themselves in different key areas, which encompass the characteristics of a safe medication system.

(2) Every pharmacy must have a Continuous Quality Improvement program that meets the following requirements:

- (a) anonymous reporting of Quality Related Events to an independent, objective third party organization for the population of a national aggregate database, in which learnings can be communicated across the profession;
- (b) completion of a Medication Safety Self-Assessment every two years by all pharmacy staff;
- (c) development and monitoring of a Continuous Quality Improvement plan;
- (d) documentation of all Continuous Quality Improvements; and
- (e) participation in Continuous Quality Improvement meetings as follows:
  - (i) the number of Continuous Quality Improvement meetings held per year will be determined by the Quality Improvement Coordinator and pharmacy manager in order to meet the requirements of clauses 12(2)(a), (b), (c), and (d) of Part I; and
  - (ii) there shall be no less than one Continuous Quality Improvement meeting held annually.

(3) Every pharmacy must have at least one designated Quality Improvement Coordinator.



(4) The pharmacy manager for each pharmacy shall designate a licensed pharmacist or pharmacy technician employed at that pharmacy as the Quality Improvement Coordinator for that pharmacy.

(5) The pharmacy manager for each pharmacy must report to the College:

- (a) the name of the designated Quality Improvement Coordinator for that pharmacy;
- (b) any changes to the Quality Improvement Coordinator for that pharmacy; and
- (c) the initial approved Quality Improvement training undertaken by the designated Quality Improvement Coordinator for that pharmacy.

(6) Every Quality Improvement Coordinator shall undertake Quality Improvement training approved by the College within six months of his designation.

(7) The College shall record in the register for each pharmacy:

- (a) the designated Quality Improvement Coordinator, as identified by the pharmacy manager in accordance with clauses 12(5)(a) and (b) of Part I; and
- (b) the initial approved Quality Improvement training undertaken by the designated Quality Improvement Coordinator, as identified by the pharmacy manager in accordance with clause 12(5)(c) of Part I.

## PART J - CONDITIONS OF SALE FOR DRUGS AND RELATED REQUIREMENTS FOR PHARMACISTS, PHARMACY TECHNICIANS AND PHARMACIES

### Definitions

#### 1 In this Part:

- (a) “**cosmetic**” means as defined in The Food and Drugs Act (Canada), includes any substance or mixture of substances manufactured, sold or represented for use in cleaning, improving or altering the complexion, skin, hair or teeth, and includes deodorants and perfumes;
- (b) “**dispensing-only pharmacy**” means a pharmacy wherein the practice of pharmacy is limited to dispensing prescriptions and providing associated professional services and products, and which does not contain a conventional front store;
- (c) “**food**” as defined in The Food and Drugs Act (Canada), includes any article manufactured, sold, or represented for use as food or drink for man, chewing gum, and any ingredient that may be mixed with food for any purpose whatever;
- (d) “**licensed member**” means licensed pharmacist or licensed pharmacy technician;
- (e) “**pharmacy**” means the area in the premises in which the pharmacy is located, and which includes the dispensary and all shelves, displays or fixtures bearing drugs and other items for sale as permitted in this Part and which shelves, displays or fixtures are in an area in the vicinity of the dispensary so that they are under the audio and visual control of the licensed pharmacist or licensed pharmacy technician;
- (f) “**prohibited drug**” means any drug designated as such in section 7 of Part J.

### Inclusions and Conditions of Sale of Drugs

**2(1)** Drugs, and related information or related to any health subject, must be located within the pharmacy.

(2) Schedule I and Schedule II drugs must, at all times, be kept or stored in a secure location in the pharmacy, such as the dispensary, that is not accessible to the public. While Schedule II drugs may be sold without a prescription, the licensed member must be involved in the sale of Schedule II drugs, which includes the licensed pharmacist arriving at the decision to sell the drug.

(3) Schedule III drugs may be located in the area of the pharmacy that is accessible to the public and which provides an opportunity for self-selection of the drug by the public. The licensed member must be available, accessible and approachable to assist the public with selecting the drug, in accordance with their scope of practice.

(4) Substances, other than drugs, but represented to be sold for medicinal purposes, and other health related items such as, but not limited to, vitamins, minerals, first aid supplies, sickroom supplies, surgical appliances and supplies, animal health supplies and other health care products may be included within the pharmacy.

(5) Non health-related items, such as, but not limited to, cosmetics, cards, gifts, magazines, tobacco products, paper goods, and toys, shall not be included within the pharmacy.

(6) Health foods may be included within the pharmacy at the discretion of the pharmacy manager.

(7) The area which is, or may in the future be known as the “Patient Counselling Area” or such other term as Council may from time to time approve, shall be included within the pharmacy.

### **Delineation of the Pharmacy**

**3** The pharmacy, except in dispensing-only pharmacies, shall be delineated from the remainder of the premises in the following manner:

- (a) by the display, on the boundary of the pharmacy, of one or more signs:
  - (i) entitled “Pharmacy” or “Professional Services Area”, or such other term acceptable to the Registrar; and
  - (ii) which sign(s) shall be in a format acceptable to the Registrar including sufficient size, shape and colour to clearly distinguish the area of the pharmacy from the remainder of the premises;
- (b) by using one or more additional methods such as variations in flooring, ceiling, decor, fixtures, and lighting, or additional signs, or physical separation:
  - (i) variations in flooring may be one or any of: flooring material or colour which differ from the remainder of the premises or raising or lowering the floor;
  - (ii) variations in ceiling may be one or any of: ceiling material or colour which differ from the remainder of the premises or raising or lowering the ceiling;
  - (iii) variations in decor may be one or any of: furniture, wall coverings, or painted walls which differ from the remainder of the premises;
  - (iv) variations in fixtures may be one or any of: size or colour of fixtures which differ from the remainder of the premises or turning the fixtures to face a different direction;
  - (v) variations in lighting may be one or any of: lighting fixtures which differ from the remainder of the premises or raising or lowering, the lighting fixtures or light intensity;
  - (vi) additional signs may be displayed within the pharmacy which describe sections and product categories therein (e.g. “Cough and Cold”, “Laxatives”, “First-Aid”); and
  - (vii) physical separation may be walls or barriers which are constructed from opaque or transparent materials, or combinations thereof, and which surround the pharmacy in order to physically separate the pharmacy from the remainder of the premises. Such construction must conform to local building codes.

### **Pharmacist Supervision**

**4** The pharmacy shall be under the personal attendance and supervision of a licensed pharmacist, or a licensed pharmacy technician in accordance with section 5 of Part J, unless it is capable of complete closure to the public and to non-professional staff at such times as there is no licensed pharmacist on duty, in accordance with section 9 of Part J.

### **Operation of a Pharmacy by a Licensed Pharmacy Technician**

**5(1)** A pharmacy may operate under the personal attendance and supervision of a licensed pharmacy technician, where the licensed pharmacist is temporarily absent in order to provide professional services at another location. Temporarily absent means being away for reasonable periods of time of the day during which the pharmacy is open to the public; and

(2) Where a licensed pharmacy technician is supervising a pharmacy in the absence of a licensed pharmacist, the licensed pharmacy technician may only release a prescribed drug to a patient, where the prescribed drug has previously been approved for release by the licensed pharmacist.

### **Dispensary**

**6** The dispensary must be clearly defined and must be marked by a sign of suitable size which shall read “Dispensary” or “Prescriptions”, or other such term acceptable to the Registrar. The dispensary plan must be submitted for approval by the Registrar, the actual area in which prescriptions are filled must not be less than 100 square feet. The dispensary shall be stocked with drugs and chemicals and related supplies adequate to provide a full prescription service.

### **Prohibited Drugs**

**7** No licensed member shall sell a prohibited drug, nor permit or allow the storage of a prohibited drug in a pharmacy under his management. A prohibited drug includes:

- (a) all Exempted Codeine Products offered for retail sale in a solid dosage form including tablets, capsules, gel caps, and other similar dosage forms in a package size exceeding fifty (50) units, and in liquid preparations exceeding package sizes of one hundred (100) ml.

Exempted Codeine Products are defined in section 36 of The Narcotic Control Regulations, (Canada) as those products containing codeine which the public may purchase without a prescription. Such products contain not more than 8 mg or its equivalent of codeine phosphate per solid dosage unit, or not more than 20 mg or its equivalent of codeine phosphate per 30 ml in a liquid preparation. In addition, such products must contain two or three additional medicinal ingredients other than a narcotic in therapeutic proportions. The outer package must also bear the full list of all the active ingredients along with a cautionary notification that the product contains codeine, and should not be administered to children except on the advice of a physician or dentist.

### **Exempted Codeine Products**

**8** When a person wishes to purchase an Exempted Codeine Product, only a licensed pharmacist, or pharmacist intern under the immediate supervision of a licensed pharmacist, may sell the Exempted Codeine Products. The licensed pharmacist, licensed pharmacy technician, or intern must document the sale on the patient profile. Except for quantities stated otherwise and pursuant to that authorized by a prescription, the licensed pharmacist, or pharmacist intern under the immediate supervision of a licensed pharmacist, may sell only one (1) consumer package of the Exempted Codeine Product per occasion.

### **Lock and Leave**

**9(1)** In this section:

- (a) “**Lock and Leave**” means an approved physical enclosure which allows a period or periods of closure of the pharmacy from the remainder of the premises;
- (b) “**Permit**” means a Lock and Leave Permit; and
- (c) “**Professional Services**” means those services such as, but not limited to, dispensing prescriptions, selling drugs, and the education, consultative and counselling functions associated thereto, which may only be performed by a licensed pharmacist or a licensed pharmacy technician within their scope of practice.

(2) Where a permit holder proposes a Lock and Leave installation, he must firstly obtain approval of the Registrar by applying in writing, and which application shall specify physical layout of the closure facilities, the times which the entire premises is open to the public, the proposed times of operation of the Lock and Leave, and the proposed times when professional services will be available.

(3) The applicable prescribed fee(s) must accompany the application and shall be non-refundable after the inspection of the facilities is completed.

(4) The Registrar may approve a “Lock and Leave” installation where he is satisfied that the applicant complies with the following conditions:

- (a) the times of operation of the “Lock and Leave” and the times when professional services are available shall be regular and consistent during the times when the remainder of the premises is open to the public. Professional services must be available for at least 50% of the time that the remainder of the premises is open to the public, or some lesser amount of time where the Registrar is satisfied that sufficient professional services will be provided in order to meet the needs of the public;
- (b) those Lock and Leave installations which have been approved prior to January 18, 1984, under former Lock and Leave guidelines are exempt from this condition, but must comply with the conditions regarding times of operation which were specified when the “Lock and Leave” was first approved, and must comply with the other conditions specified herein;
- (c) all drugs must be located within the “Lock and Leave”. Substances other than drugs represented to be sold for medicinal purposes, and other health related items such as, but not limited to, vitamins, minerals, first aid supplies, sickroom supplies, surgical appliances and supplies, animal health supplies and other health care products traditionally associated with professional services may be located within the Lock and Leave;
- (d) during the periods of closure or operation of the Lock and Leave, the pharmacy shall not be accessible to the public or non-professional staff;
- (e) no drugs may be sold or offered for sale and non-professional staff may not perform any professional services; and
- (f) the Lock and Leave physical enclosure which separates the pharmacy from the remainder of the premises must be:
  - (i) a wall, composed of transparent, semitransparent or opaque materials, or any combination thereof, at least six feet high with adequate doors to permit complete security during periods of closure, and to permit full access by the public to the pharmacy when professional services are available; or
  - (ii) a sliding wall, in accordance with the height and material specifications under (1) above, which will completely surround and secure the pharmacy during periods of closure;
  - (iii) notwithstanding section 9(4)(f)(i) and (ii), Council may approve a non-permanent barrier that permits complete security during periods of closure to those products restricted to a lock and leave enclosure offered for sale on shelves outside that enclosure.

(5) Where the Registrar does not approve a Lock and Leave installation because he is not satisfied that the conditions specified herein have been met, the applicant may appeal this decision to Council for approval of the application upon majority consent.

(6) Where an application for Lock and Leave is approved by the Registrar, or upon the majority consent of Council, the Registrar shall issue a permit in duplicate to the applicant, and which permit shall specify approval to operate the “Lock and Leave”, and shall specify the times during which professional services will be provided.

(7) The applicant shall post one copy of the permit issued under section 9 of Part J in a conspicuous area of the premises so that it is visible from the exterior of the premises, and the duplicate copy of the permit in a conspicuous area in the vicinity of the pharmacy.

(8) Where a permit holder proposes changes to the “Lock and Leave” installation with respect to the conditions specified herein, he shall firstly obtain the approval of the Registrar by applying in writing and which application shall specify the nature of the change.

#### **Satellite Pharmacy**

**10(1)** “**Satellite Pharmacy**” means a pharmacy for which a permit has been issued to operate in rural Saskatchewan, in compliance with the guidelines as prescribed by Council.

#### **Fixtures and Facilities**

**11(1)** The dispensing counter must have at least 20 square feet of working area to be utilized only for the compounding and dispensing of prescriptions.

(2) there must be adequate shelf and storage space. Temperature in this area must be such that it is suitable for the storage of drugs and chemicals.

(3) the dispensary must be equipped with a printing device, refrigerator and heat source (e.g.. microwave), all in good working order.

(4) Narcotic and Controlled Drugs shall be secured in accordance with section 43 of The Narcotic Control Regulations (Canada), and section GO3.012 of The Food and Drug Regulations (Canada).

(5) The dispensary must contain:

- (a) a sink, provided with hot and cold running water and sewage disposal, both of which comply with local building codes;
- (b) a suitable container for waste disposal;
- (c) a suitable prescription filing system and other provisions for record keeping approved by the Registrar or his designate;
- (d) a readily accessible file in which is kept current copies of all Acts, these bylaws and Regulations, guidelines, standards and policy statements issued by Council pertaining to the practice of pharmacy.

(6) Patient profiles (either manual or electronic) must be maintained on which shall be recorded the following minimum information:

- (a) name;
- (b) address;
- (c) birth month and year;
- (d) Health Services Number;
- (e) allergies and special information;
- (f) date;
- (g) prescription number;
- (h) identification of prescriber;
- (i) identification of pharmacist and pharmacy technician;
- (j) name and strength of medication;
- (k) quantity;
- (l) directions; and
- (m) repeat identification.

(7) Compounding and dispensing equipment must include a Class A prescription balance, or its equivalent metric weights 10 mg to 50 g, counter or bulk scale capable of weighing 10 g to 1 kg, at least two graduates of metric measure, at least one mortar and pestle, and one metal and one non-metal spatula, stirring rod, funnel, ointment slab and pads. There must be sufficient quantity of expendable material such as bottles, caps, dropper bottles, ointment jars, tablet vials, labels, distilled or deionized water.

### **Reference Library Requirements**

**12** Every pharmacy shall have a reference library consisting of electronic or printed versions (recommended resources are provided in the Policy Paper on Reference Library Requirements which is accessible in the Pharmacy Reference manual which is updated from time to time) of:

- (a) Pharmacy Reference manual containing current pharmacy related Federal and Provincial Acts and Regulations and Schedules;
- (b) a medical dictionary;
- (c) a Canadian drug compendium (i.e. CPS);
- (d) a drug interaction reference;
- (e) a non-prescription medication/therapy guide;
- (f) a drug therapy text;
- (g) professional journals – (Journals can be electronic (online), on PDA or in print);
- (h) a natural products reference;
- (i) a pregnancy and lactation reference.

The following are not required but are supportive references based on practice environment:

- (a) a pediatrics reference;
- (b) a geriatric reference;
- (c) websites;
- (d) a patient counselling reference.

### **Prescription Labelling Requirements**

**13** The following minimum information is to appear on all prescription labels:

- (a) name of patient;
- (b) name of prescriber;
- (c) prescription number;
- (d) date on which the prescription (new or repeat) is filled;
- (e) name of the drug in the prescription, as follows:
  - (i) generic name followed by the strength and name, or accepted abbreviation, of the manufacturer; or
  - (ii) generic name followed by the strength and trade name of the manufacturer; or
  - (iii) trade name of the manufacturer followed by the strength; or
  - (iv) in situations where the trade name uniquely identifies the strengths of more than one drug in a fixed-ratio combination product, the trade name;

- (f) prescriber's directions must be clearly stated on all prescription labels so as to be clearly understood by the patient; and
- (g) name, address, phone number of the pharmacy at which the prescription was dispensed.

#### **Safety Closure Containers**

**14** Every licensed member who dispenses a drug shall package the drug in a safety closure container that is certified and designated by one of: the Canadian Standards Association, the European Standard, or the Code of Federal Regulations (United States), as defined in The Food and Drug Regulations, (Canada) C.01.001(2) (b), except when:

- (a) the prescriber, the patient, or his responsible agent directs otherwise; or
- (b) in the professional judgment of the member, in the particular instance, it is advisable not to use a safety closure container; or
- (c) a safety closure container is not suitable because of the physical nature of the drug; or
- (d) supplies of safety closure containers are not available.

#### **Return to Stock**

**15** Except as may otherwise be approved by Council, no member shall accept for return to stock or re-use any drug or preparation thereof previously dispensed, nor assume responsibility for any drug or preparation thereof which has been removed from his direct supervision for any period of time.

#### **Non-Compliance**

**16** Non-compliance with all the bylaws and Regulations governing the practice of pharmacy shall be deemed an infringement and shall be subject to investigation and to disciplinary action.

#### **Advertising**

**17(1)** In this section:

- (a) "**professional services**" means the procedures/functions involved in the preparation of a prescription from the time the licensed member receives the prescription, until the licensed member releases the final prescription package to the patient, as defined or described in the standards of practice for Saskatchewan pharmacists and pharmacy technicians, or other standards or guidelines as approved by Council;
- (b) "**purchaser**" means an individual or corporeal person who purchases professional services directly from a pharmacy;

(2) **General Prohibition.** No pharmacist, pharmacy technician, or any firm, corporation, partnership, organization, or clinic operating a pharmacy, shall publish, display, distribute, or use or cause or permit, directly or indirectly, the publication, display, distribution or use of any advertisement, announcement or information related to professional services, which:

- (a) as a result of its content or method or frequency of dissemination, may be reasonably regarded as likely to demean the integrity or dignity of the profession or bring the profession into disrepute;
- (b) includes information that:
  - (i) is false, misleading, fraudulent, deceptive, ambiguous or confusing or likely to mislead or deceive the public because, in context, it makes only partial disclosure of relevant facts;
  - (ii) is not relevant to the public's ability to make an informed choice, or is not verifiable by facts or can only be verified by a person's personal feelings, beliefs, opinions or interpretations;



- (c) is likely to create expectations of favourable results or to appeal to the public's fears; or
- (d) makes any reference to the prices, fees or services of any other member or pharmacy or which would be reasonably regarded as making such reference.

(3) **Signs.** No licensed pharmacist, licensed pharmacy technician, or any proprietor, firm, corporation, partnership, organization, or clinic operating a pharmacy shall have or display or cause to be displayed a sign or signs internal or external to the place of business advertising professional services which:

- (a) are in a size and/or number not reasonably necessary to inform the public or provide the public with the ability to make an informed choice; or
- (b) are flamboyant, grandiose, sensational or otherwise demeaning to the integrity of the profession and which are not reasonably necessary to inform the public or to provide the public with the ability to make an informed choice.

(4) **Fees for Professional Services.** A pharmacist, pharmacy technician, or any proprietor, firm, corporation, partnership, organization, or clinic operating a pharmacy may prominently post in or adjacent to the dispensary area a schedule of fees for professional services, on a sign provided by or approved by Council, which shall contain:

- (a) all prices and fees charged for professional services;
- (b) a statement as to which prices or fees are paid by the purchaser; and
- (c) a statement as to which prices or fees are not paid by the purchaser, and for those prices or fees which are paid by other than the purchaser, the name of the party who pays those prices or fees. The fee for professional services may be published or displayed on the prescription label and/or prescription receipt.

(5) no pharmacist, pharmacy technician, or any proprietor, firm, corporation, partnership, organization or clinic operating a pharmacy shall supply or permit any other person to supply, to any practitioner for the purposes of advertising, prescription pads or any other matter bearing the name of a pharmacist, pharmacy technician, and/or pharmacy and/or any message or slogan calculated to identify any particular pharmacist, pharmacy technician, or pharmacy, for use by the practitioner in issuing a prescription to be dispensed by a member.

## PART K - PRESCRIBING OF DRUGS

### Definitions

#### 1 In this Part:

- (a) **“Collaborative Practice Agreement”** means either:
  - (i) an agreement between one or more licensed pharmacists and one or more practitioners in a Collaborative Practice Environment that outlines the competency-based functions performed by each health care provider and acknowledges shared risk and responsibilities for patient outcomes; or
  - (ii) a bylaw or policy of a Public Health Care Institution, or agreement between one or more licensed pharmacists and a Public Health Care Institution, that outlines the competency based functions performed by licensed pharmacists and other health care providers employed by, or practicing in the Public Health Care Institution, and acknowledges shared risk and responsibilities for patient outcomes;
- (b) **“Collaborative Practice Environment”** means a relationship between the licensed pharmacist and other practitioner(s) involved in the care of the patient is such that the practitioner(s) can reasonably rely upon the basic skills of the licensed pharmacist to prescribe in the best interests of the patient;
- (c) **“Level I Prescribing Authority”** means the ability of a licensed pharmacist to prescribe drugs in the circumstances enumerated in section 3 of Part K, and is derived from the existence of a Collaborative Practice Environment;
- (d) **“Level II Prescribing Authority”** means the ability of a licensed pharmacist to prescribe drugs in the circumstances enumerated in section 4 of Part K;
- (e) **“Pharmacist Assessment Record”** means the clinical record completed, or caused to be completed, by one or more licensed pharmacists or one or more licensed pharmacy technicians on behalf of the licensed prescribing pharmacist for the purpose of documenting the information described in subsection 2(2) of Part K;
- (f) **“Pharmaceutical Information Program”** means Saskatchewan’s centralized electronic registry of patient medication records, gathered pursuant to subsection 3.3(2) of The Prescription Drugs Act;
- (g) **“Public Health Care Institution”** means a designated facility as defined in The Facility Designation Regulations pursuant to The Regional Health Services Act.

### Pharmacist Assessment Record

2(1) A licensed pharmacist who prescribes a drug pursuant to the authority of these bylaws must record, or cause to be recorded, a record of such prescription in a Pharmacist Assessment Record in accordance with this bylaw. A licensed pharmacy technician may assist the licensed pharmacist in recording this information.

(2) The Pharmacist Assessment Record for each drug prescribed under the authority of these bylaws must include:

- (a) the date of the prescription;
- (b) the name and address of the person for whose benefit the drug is given;
- (c) the proper name, common name or brand name of the prescribed drug, and the quantity thereof;
- (d) the drug’s strength, where appropriate;

- (e) the dosage;
  - (f) the amount prescribed;
  - (g) relevant patient information including any drug-related problems and action plans and explicit instructions for patient usage of the drug;
  - (h) his name; and
  - (i) the rationale of the prescribing licensed pharmacist for the prescription;
- (3) A licensed pharmacist who prescribes a drug under the authority of these bylaws or a licensed pharmacy technician who is working with the licensed pharmacist:
- (a) must provide, or cause to be provided, the Pharmacist Assessment Record associated with that prescription to the patient's primary practitioner:
    - (i) immediately, if in the judgment of the licensed pharmacist, the practitioner immediately requires the record to provide safe care to the patient; or
    - (ii) as soon as reasonably possible, in all other cases.

#### **Level I Prescribing Authority**

**3(1)** A licensed pharmacist has Level I Prescribing Authority in respect of an individual patient if:

- (a) a Collaborative Practice Environment exists between the licensed pharmacist and a practitioner who is responsible for the care of the individual patient; and
- (b) the pharmacist has successfully completed the Level I Prescribing Authority training requirements as determined from time to time in accordance with this bylaw.

(2) A Collaborative Practice Environment exists for the purposes of clause 3(1)(a) of Part K when the relationship between the licensed pharmacist and other practitioner(s) involved in the care of the patient is such that the practitioner(s) can reasonably rely upon the basic skills of the licensed pharmacist to prescribe in the best interests of the patient, communicate those decisions to the practitioner(s), and refer the patient to the practitioner(s) or other health care providers as appropriate.

(3) The existence of a Collaborative Practice Environment is a question of fact, but a Collaborative Practice Environment is presumed to exist between a licensed pharmacist and a practitioner when a licensed pharmacist exercises prescribing authority under these bylaws.

(4) A Collaborative Practice Environment does not exist with respect to an individual patient in any circumstance where:

- (a) in a Public Health Care Institution, in circumstances that may exist as may be prescribed in the bylaw, policy or agreement that constitutes the Collaborative Practice Agreement;
- (b) in all other cases, a practitioner has communicated to the licensed pharmacist, either orally or in writing that:
  - (i) no Collaborative Practice Environment exists between the practitioner and the licensed pharmacist, in respect to a particular patient or generally in respect to a class of patients of the practitioner to which the individual patient belongs; or
  - (ii) the licensed pharmacist is not to exercise Level I Prescribing Authority in respect to an individual patient or a class of patients of the practitioner to which the individual patients belongs.

(5) The Level I Prescribing Authority training requirements shall include:

- (a) Prescribing Authority for Pharmacists – Level I Training Basics. The content of Level I Training Basics shall be determined from time to time by the Registrar and shall be subject to the approval of Council; and
- (b) Prescribing Authority for Pharmacists minor Ailments Training, except where the licensed pharmacist practices in an environment in which the licensed pharmacist will not provide self-care services and/or prescribe a drug which is indicated for self-care. minor Ailments Training shall be determined from time to time by the Registrar and shall be subject to the approval of Council but shall include training on patient assessment and prescribing policies and processes, as well as training on the guidelines for the three approved minor ailment indications, namely, cold sores, mild acne and insect bites. Training on additional minor ailment indications will be offered to licensed pharmacists on an optional basis as they are approved for implementation.

(6) The training requirements in subsection 3(5) of Part K shall be reviewed by the Council three years after coming into effect.

#### **Level II Prescribing Authority**

4(1) A licensed pharmacist has Level II Prescribing Authority as provided for in a Collaborative Practice Agreement.

(2) A Collaborative Practice Agreement must:

- (a) be in writing and:
  - (i) in the case of a bylaw or policy of Public Health Care Institution, or agreement between one or more licensed pharmacists and a Public Health Care Institution, be made or entered into by such institution in accordance with the applicable authority for making bylaws, policies or agreements, as the case may be; and
  - (ii) in all other cases, be executed by or on behalf of each of the practitioner and licensed pharmacist who is a party thereto and if executed by a person other than a practitioner or licensed pharmacist who is party thereto, the person executing the agreement must have the legal authority to bind the practitioner or licensed pharmacist, as the case may be;
- (b) describe the scope of the authority of the licensed pharmacist who is, or licensed pharmacists who are, party thereto to prescribe drugs in accordance with the bylaws; and
- (c) confirm the existence of a collaborative practice environment.

(3) For the purposes of subsection 4(2) of Part K, a Collaborative Practice Agreement may stipulate:

- (a) conditions, limitations or qualifications to the authority of a licensed pharmacist to exercise Level II Prescribing Authority including, without limitation:
  - (i) the ability to prescribe an appropriate drug to the patient, after the practitioner has provided a diagnosis of the patient, and to adjust the dosage regimen or dosage form, as required;
  - (ii) the ability to make therapeutic substitution of drugs prescribed by the practitioner, if such therapeutic substitution is proper in the judgment of the licensed pharmacist; and
  - (iii) the ability to alter the dosage and/or dosage regimen of drugs prescribed by the practitioner, if such alteration is proper in the judgment of the licensed pharmacist; and

(b) that the authority of a licensed pharmacist to exercise Level II Prescribing Authority is dependent upon the presence or absence of circumstances that are stipulated, defined or described in the Collaborative Practice Agreement, which circumstances may include:

- (i) the urgency of the situation;
- (ii) the disease state or condition;
- (iii) the applicable patient groups;
- (iv) the drug that is to be prescribed;
- (v) the specialized training of the licensed pharmacist; or
- (vi) any other circumstances to which the parties to the Collaborative Practice Agreement may agree.

(4) Notwithstanding subsection 4(3) of this Part K, a Collaborative Practice Agreement shall not limit the authority of a licensed pharmacist to prescribe emergency contraceptives; and

(5) Notwithstanding the existence or terms of any Collaborative Practice Agreement, a licensed pharmacist may not exercise Level II Prescribing Authority unless the licensed pharmacist has successfully completed the training requirements as determined by Council, including the Level I Prescribing Authority training requirements as described in subsection 3(5) of this Part K.

#### **Continuing Existing Prescriptions**

**5(1)** In the circumstances provided for in Part K, and subject to any limitations or restrictions communicated orally, in writing or otherwise by a practitioner to a licensed pharmacist, a licensed pharmacist with Level I Prescribing Authority, if requested to do so by a patient, may prescribe an additional quantity of a drug previously prescribed to the patient by a practitioner:

- (a) the quantity equivalent to the amount last dispensed to the patient by a licensed pharmacist; or
- (b) one hundred (100) days' supply of the drug, at the frequency and dosage level last dispensed by the licensed pharmacist.

(2) Except as provided in section 10(4) of Part K, a licensed pharmacist may only prescribe a drug pursuant to the authority conferred pursuant to subsection 5(1) of Part K if the licensed pharmacist has first assessed the patient's medication history in the Pharmaceutical Information Program and is satisfied that:

- (a) the patient's medication history indicates chronic and stabilized use of the relevant drug; and
- (b) the patient's remaining supply of the drug will not be sufficient for the patient to maintain the prescribed frequency and dosage levels until the date of his next appointment with a practitioner.

(3) If a patient is unable to access his supply of drugs, a licensed pharmacist with Level I Prescribing Authority, if requested to do so by a patient, may prescribe an additional quantity of a drug previously prescribed to the patient by a practitioner, the additional quantity not to exceed the amount necessary to supply the patient with sufficient drug, at the frequency and dosage level previously prescribed by the practitioner, to meet the reasonable needs of the patient, until such time as the patient, with the exercise of reasonable diligence, would be able to access his currently inaccessible supply.

(4) Except as provided in subsection 10(4) of Part K, a licensed pharmacist may only prescribe a drug pursuant to the authority conferred pursuant to subsection 5(3) of Part K if the licensed

pharmacist has assessed the patient's medication history in the Pharmaceutical Information Record and is satisfied that:

- (a) the patient's medication history indicates chronic and stabilized use of the relevant drug; and
- (b) the patient's supply of the drug is currently inaccessible to the patient, due to distance or other reasons.

(5) In an emergency situation, a licensed pharmacist with Level I Prescribing Authority may prescribe a quantity of drug sufficient to meet the reasonable needs of the patient until such time as the patient, with the exercise of reasonable diligence, would be able to consult a practitioner.

(6) Except as provided in subsection 10(4) of Part K, a licensed pharmacist may only prescribe a drug pursuant to the authority conferred pursuant to subsection 5(5) of Part K if:

- (a) the licensed pharmacist has assessed the patient's medication history in the Pharmaceutical Information Program, including, though not limited to, evaluating the patient's previous use of and current supply of the drug, and is satisfied that the patient is stabilized on the drug, regardless of the drug being used acutely, sporadically or on an as-needed basis;
- (b) the drug has been prescribed to the patient by a practitioner or has been properly dispensed to the patient under the authority of a prescription made by a practitioner; and
- (c) the licensed pharmacist has taken steps to ensure that the patient is in an emergency situation.

(7) A licensed pharmacist's ability to prescribe drugs in emergency situations and to continue existing prescriptions is not limited by:

- (a) the drug being classified as a Schedule I drug; or
- (b) there being no recent diagnosis by a practitioner on which to base this new or continued prescription.

(8) If a drug is prescribed in emergency circumstances pursuant to subsection 5(5) of Part K, the licensed pharmacist must:

- (a) provide an immediate referral of the patient to a practitioner; and
- (b) notify the practitioner to whom the patient has been referred to of the drug provided.

#### **Insufficient Information**

6(1) If a prescription lacks legally necessary information without which the drug cannot be dispensed, a licensed pharmacist with Level I Prescribing Authority may insert the missing information, if the licensed pharmacist is satisfied that the prescribing practitioner's intent is clear and that the medically necessary information was unintentionally omitted.

(2) If a licensed pharmacist inserts information under the authority of subsection 6(1) of Part K, the licensed pharmacist must notify the practitioner of the information which was inserted and the drug which was dispensed.

#### **Increasing Suitability of Drug Prescribed by a Practitioner**

7(1) A licensed pharmacist with Level I Prescribing Authority may alter the dosage form of any drug which has been properly prescribed by a practitioner if the licensed pharmacist determines, acting reasonably, that another dosage form would be more beneficial to the patient, but is not

permitted to alter the dosage amount of a drug in Schedule I without additional authority, in the form of a Collaborative Practice Agreement or otherwise.

(2) Nothing in subsection 7(1) of Part K prevents a licensed pharmacist with Level II Prescribing Authority from prescribing drugs in accordance with a Collaborative Practice Agreement.

### **Drug Reconciliation**

**8(1)** A licensed pharmacist with Level I Prescribing Authority may prescribe a drug for a patient if the patient:

- (a) has been recently discharged from a hospital, or licensed special-care or personal care home, without obtaining a continuing prescription for a drug which had been prescribed while the patient was in hospital, or licensed special-care home or personal care home; or
- (b) has been admitted to a hospital, or licensed special-care home or personal care home.

(2) A licensed pharmacist may only prescribe drugs pursuant to the authority conferred pursuant to subsection 8(1) of Part K if the pharmacist reasonably determines, after the making of inquiries that are reasonable in the circumstances, that:

- (a) the patient requires the drug so as not to suffer harm;
- (b) there is no practitioner reasonably available to issue a prescription for the drug; and
- (c) one of the following conditions is met:
  - (i) in the case of clause 8(1)(a) of Part K, in the licensed pharmacist's judgment the prescription for the drug was unintentionally omitted by the practitioner; or
  - (ii) in the case of clause 8(1)(b) of Part K, subsequent to the patient being admitted to hospital, or licensed special-care home or personal care home, it is determined by the licensed pharmacist that the patient ought to be receiving the drug.

### **Minor Ailments and Self-care Prescribing**

**9(1)** A licensed pharmacist with Level I Prescribing Authority may prescribe a drug for self-care, if such a drug is indicated for self-care under the protocols as may be determined by Council from time to time.

(2) A licensed pharmacist may only prescribe a drug pursuant to the authority conferred pursuant to subsection 9(1) of Part K if the licensed pharmacist reasonably determines, after the making of inquiries that are reasonable in the circumstances, that:

- (a) the patient has performed a self-assessment and the self-assessment is reasonable and the drug requested or indicated is appropriate for the treatment of the patient's self-assessed condition; or
- (b) the drug is appropriate to a patient's self-care treatment.

### **General Provisions**

**10(1)** Except as provided in subsection 10(4) of Part K and notwithstanding any other provision of this bylaw no licensed pharmacist may:

- (a) prescribe a drug unless prior to exercising such authority the licensed pharmacist has reviewed the patient's medication history in the Pharmaceutical Information Program;
- (b) except with the express authority of a practitioner, which authority may be communicated orally, in writing or otherwise, prescribe a supply of a drug that will exceed the lesser of the quantity equivalent to the amount last prescribed to the patient by the practitioner or one

hundred (100) days' supply of that drug, at the dosage level and frequency prescribed by the licensed pharmacist; or

- (c) prescribe a drug in circumstances where the most previous prescription for that drug, or a therapeutic substitution for a drug, was issued by a licensed pharmacist.

(2) A licensed pharmacist may only prescribe a drug pursuant to the authority conferred pursuant to this bylaw if:

- (a) the licensed pharmacist reasonably believes that the prescription decision of the licensed pharmacist has been consented to, in accordance with the following:
  - (i) in the context of services provided within a Public Health Care Institution, the licensed pharmacist reasonably believes that that prescription decision of the licensed pharmacist has been consented to in accordance with the bylaws or policies of the Public Health Care Institution regarding consent; or
  - (ii) in the context of a practice outside of a Public Health Care Institution, the licensed pharmacist reasonably believes, after the making of inquires that are reasonable in the circumstances, that the prescription decision of the licensed pharmacist has been consented to:
    - (A) by the patient, if the licensed pharmacist has a reasonable basis to believe that the person has the capacity to make an informed health care decision;
    - (B) by a person appointed as the patient's personal guardian or the patient's co-decision maker pursuant to The Adult Guardianship and Co-decision-making Act;
    - (C) by the patient's parent or legal guardian, if the licensed pharmacist has a reasonable basis to believe that the person does not have the capacity to make an informed health care decision by reason of the patient's infancy; or
    - (D) by the patient's spouse, if the patient does not have the capacity to make an informed health care decision and that no person has been appointed as the patient's co-decision maker or personal guardian has been appointed;
    - (E) the licensed pharmacist has successfully completed the training requirements as stipulated by Council; and
    - (F) for prescribing authority other than that stipulated in subsection 9(1) of Part K, the licensed pharmacist reasonably believes, after the making of inquires that are reasonable in the circumstances, that there exists an active relationship between the practitioner and the patient.

(3) Nothing in these bylaws permits a licensed pharmacist to delegate the licensed pharmacist's prescribing authority.

(4) Where the licensed pharmacist is unable to access the patient's medication history in the Pharmaceutical Information Program and is unable to make a record therein because the patient is not a resident of Saskatchewan, the licensed pharmacist may prescribe a drug to the patient in accordance with these bylaws upon the making of inquiries, that are reasonable in the circumstances, into the patient's medication history.



**PART L - PHARMACIST AUTHORITY:  
ADMINISTRATION OF DRUGS BY INJECTION AND OTHER ROUTES**

**Definitions**

**1** In this Part:

- (a) “**Advanced method**” means any of the following methods for administering a drug: intradermal, subcutaneous or intramuscular injection;
- (b) “**Drug**” includes vaccine.

**General Authorization**

**2** Subject to section 3, only a licensed pharmacist who has completed the CPR, First-Aid, and other requirements established by Council and in the timeframe set by Council may administer a drug to patients over the age of 5 by the following means:

- (a) orally, including sublingual and buccal;
- (b) topically, including ophthalmic, otic and intranasal;
- (c) via inhalation; and
- (d) via advanced method except as specified in section 4 of this Part.

**Authorization for Advanced Methods**

**3** Only a licensed pharmacist who has achieved Advanced method Certification may administer a drug using advanced methods.

**General Prohibition on Administering Drugs to Certain Minors**

**4** Notwithstanding anything in this Part L, a publicly funded vaccination may only be administered to a patient whose age is 9 years and over, or as may be specified by the Chief medical Health Officer for the Province of Saskatchewan. Non-publicly funded vaccinations may only be administered in accordance with the age limits under the Saskatchewan Immunization manual, Canadian Immunization Guide and the vaccine’s official product monograph.

**Advanced Method Certification**

**5** A licensed pharmacist who completes the following requirements achieves Advanced method Certification:

- (a) completion of the training and educational requirements established by Council;
- (b) application to the Registrar of the College in the form and timeframe established by Council;
- (c) completion of the CPR, First-Aid, and immunization requirements established by Council in the timeframe set by Council; and
- (d) payment of the prescribed fee(s).

**Reporting**

**6** A licensed pharmacist who administers a drug to a patient must report the details of the administration (which may include personal health information as that term is defined in *The Health Information Protection Act*) as follows:

- (a) report all Schedule II drug administration to the patient’s primary care provider in accordance with Council policy; and
- (b) report all vaccinations to the immunization reporting or record keeping system, electronic or otherwise, designated by the minister of Health for vaccines. The report must be in the form and be provided in the timeframe that the minister requires.

**Record Keeping**

**7** A licensed pharmacist who administers a drug to a patient must make and retain a record in the pharmacy of the following:

- (a) the patient's name and address;
- (b) the name of the drug and total dose administered;
- (c) for an advanced method or vaccination by any method, identification of the manufacturer, lot number and expiry date of the drug;
- (d) for an advanced method, the route of administration, dosage and the location on the body where the drug was administered;
- (e) the name of the licensed pharmacist administering the drug;
- (f) the date and the time of administration;
- (g) any adverse events; and
- (h) the price, if there is a charge for administration.

**Administration by Supervised Licensed Pharmacist**

**8** A licensed pharmacist who is completing a course or program of study for certification in an advanced method may administer a drug using that method if, while doing so, he is under the direct supervision of:

- (a) a licensed pharmacist who is certified in that method; or
- (b) another health care professional who is legally permitted and competent to administer a drug using that method.

**Drugs that may be administered by a licensed pharmacist with Advanced Method Certification**

**9** A licensed pharmacist with Advanced Method Certification may administer any of the following drugs:

- (a) a publicly funded vaccine provided under a provincial immunization program, where the ministry of Health has approved administration by licensed pharmacists;
- (b) a Schedule I drug pursuant to a prescription to dispense from an authorized practitioner to a person according to the age limits in sections 2 and 4 of this Part; and
- (c) a Schedule II drug or a non-publicly funded Schedule II vaccine to a person according to the age limits in sections 2 and 4 of this Part.

**Approval and Appeal**

**10** The Registrar may certify a licensed pharmacist in an advanced method subject to any conditions the Registrar considers advisable. If an application for certification in an advanced method is not approved, or is approved subject to conditions, the Registrar must:

- (a) give notice to the applicant in writing with reasons for the decision; and
- (b) inform the applicant of their right to appeal the decision to Council.

**Renewal of Advanced Method Certification**

**11** Advanced Method Certification must be renewed annually. A licensed pharmacist who has obtained Advanced Method Certification must apply for renewal within the timeframe set by Council, meet the continuing competency requirements approved by Council and pay the prescribed renewal fee.

**PART M - PHARMACIST AUTHORITY:  
AUTHORIZED TESTS AND PRESCRIBED MEDICAL DEVICES**

**General Authorization**

**1** A licensed pharmacist may:

- (a) access one or more of the medical laboratory tests approved by Council, if the medical laboratory test is indicated to assist with the management of drug therapy for a patient;
- (b) use or interpret the results of one or more of the medical laboratory tests approved by Council if the medical laboratory test is indicated to assist with the management of drug therapy for a patient;
- (c) perform medical laboratory tests approved by Council if the medical laboratory test is indicated to assist with the management of drug therapy for the patient and authorized under a medical laboratory license issued pursuant to The Medical Laboratory Licensing Act, 1994;
- (d) access, use, and interpret the results of patient-administered automated tests approved by Council; and
- (e) prescribe treatments and devices approved by Council, which are related to the practice of pharmacy in Saskatchewan.

**Preliminary Requirements and Follow-up Care**

**2** Licensed pharmacists who perform any of the functions listed under section 1 of this Part shall do so in accordance with the following requirements:

- (a) medical laboratory tests shall only be accessed for patients with whom the licensed pharmacist has developed a professional relationship;
- (b) if a licensed pharmacist accesses a medical laboratory test, they must have a system in place to ensure the appropriate follow-up care;
- (c) a licensed pharmacist who accesses a medical laboratory test shall take appropriate follow-up action if the results of the medical laboratory test are outside of the expected, normal or reference range. Appropriate action may include but is not limited to:
  - (i) discussing the results with the patient and/or other members of the patient's health care team;
  - (ii) developing and implementing a plan for ongoing monitoring or management;
  - (iii) revising drug therapy, if authorized within a collaborative practice agreement pursuant to subsection (4) of section 4(c) of Part K of these bylaws "Level II Prescribing Authority", or recommending changes to drug therapy to another member of the patient's health care team; and
  - (iv) consulting with clinical/medical laboratory staff regarding unexpected or unusual results;
- (d) in the case that a licensed pharmacist receives a request from a patient regarding a medical laboratory test:
  - (i) the licensed pharmacist may provide the patient with the results of the medical laboratory test if deemed appropriate in the licensed pharmacist's professional opinion and in accordance with The Health Information Protection Act; however
  - (ii) the licensed pharmacist is not permitted to provide an interpretation of the results of the medical laboratory test unless it pertains to the pharmacist service being provided by the pharmacist.

**Exception for Licensed Pharmacists Practicing in Public Health Care Institutions**

**3** This Part does not apply to licensed pharmacists practicing in public health care institutions as defined in clause 1(g) of Part K of these bylaws and including the Saskatchewan Cancer Agency where the authority of the licensed pharmacist to access, order, perform, interpret and use medical laboratory tests is governed by policies of the institution within which the licensed pharmacist is practicing.

## PART N - SCHEDULE I DRUGS

### Definitions

**1** In this Part:

- (a) “**licensed member**” means licensed pharmacist or licensed pharmacy technician.

### Conditions

**2** Except as provided otherwise in section 10 of Part N and in the Narcotic Control Regulations or The Food and Drug Regulations (Canada), no licensed member shall sell a substance containing a Schedule I drug unless: the sale is made pursuant to a verbal or written prescription received by the licensed member; and where the prescription has been transferred to the licensed member under section 4 of Part N, the requirements of section 5 of Part N have been complied with.

### Retention of Prescription

**3** Where the prescription for a Schedule I drug is written, the licensed member selling the drug shall retain the prescription for at least two years from the date of filling. Where the prescription for a Schedule I drug is verbal, the licensed member to whom the prescription is communicated by the practitioner shall forthwith reduce the prescription to writing and the licensed member selling the drug shall retain that written record of the prescription for a period of at least two years from the date of filling.

### Verbal Prescriptions

**4** The licensed member reducing a verbal prescription to writing shall indicate on the written record of the prescription:

- (a) the date and number of the prescription;
- (b) the name and address of the person for whose benefit the prescription is given;
- (c) the proper name, common name or brand name of the specified drug and the quantity thereof;
- (d) his name and the name of the practitioner who issued the prescription; and
- (e) the directions for use given with the prescription, including whether or not the practitioner authorized the refilling of the prescription and, if the prescription is to be refilled, the number of times it may be refilled.

### Transferring of Prescriptions

**5** A licensed member may transfer to another licensed member a prescription for a Schedule I drug.

### Prescription Transfer Conditions

**6** A licensed member to whom a prescription has been transferred under section 4 of Part N shall not sell a drug pursuant thereto until:

- (a) he has obtained from the licensed member transferring the prescription his name and address, the number of authorized refills remaining and the date of the last refill; and
- (b) he has:
  - (i) received a copy of the prescription as written by the practitioner or as reduced to writing as required by sections 2 and 3 of Part N as the case may be; or
  - (ii) where the prescription has been transferred to him verbally, reduced the prescription to writing indicating therein the information specified in section 3 of Part N.

**File Retention**

**7** The licensed member to whom a prescription for a Schedule I drug is transferred under section 4 of Part N shall retain in his files for a period of two years the information and documents referred to in section 5 Part N.

**Transfer Record Keeping**

**8** A licensed member who transfers a prescription under section 4 of Part N:

- (a) shall enter on the original of the prescription and in the patient profile, the date of transfer; and
- (b) shall not make any further sales under the prescription nor transfer it to another licensed pharmacist or licensed pharmacy technician.

**Refills**

**9** No licensed member shall refill a prescription for a Schedule I drug unless the practitioner so directs and no licensed member shall refill such a prescription more times than the number of times prescribed by the practitioner.

**Maintaining Records**

**10** The licensed member filling or refilling a prescription for a Schedule I drug shall enter on the original of the prescription or in a suitable record of prescriptions kept under the name of each patient:

- (a) the date of filling;
- (b) the date of each refill, if applicable;
- (c) the quantity of drug dispensed at the original filling and each refill; and
- (d) his name.

**Sale of Schedule I Drugs Without a Prescription**

**11(1)** A licensed member may sell a Schedule I drug, without having received a prescription to: a drug manufacturer; a practitioner as defined in the Act who is authorized to prescribe the drug or use the drug in the practice of his profession; a drug wholesaler; a member; or a publicly operated pharmacy upon receipt of a written order signed by a duly authorized representative and he shall retain the written order for the drug for a period of at least two years from the date of filling the order.

(2) Repealed March 16, 2018

(3) When a licensed member:

- (a) sells a Schedule I drug pursuant to clause 10(b) of Part N, he shall make a written record containing the following information:
  - (i) the date and file reference number for the sale;
  - (ii) the name and address of the person for whose benefit the drug is given;
  - (iii) the proper name, common name or brand name of the specified drug and the quantity thereof;
  - (iv) his name;
  - (v) the direction for use;
  - (vi) the name of the medical practitioner if designated by the patient; and
  - (vii) the reasons and circumstances under which the sale is made; or

(b) prescribes a Schedule I drug pursuant to clause 10(b) of Part N, he shall make a written record containing the following information:

- (i) the date;
- (ii) the name and address of the person for whose benefit the drug is given;
- (iii) the proper name, common name or brand name of the specified drug and the quantity thereof;
- (iv) the drug's strength where appropriate;
- (v) the dosage;
- (vi) the amount prescribed;
- (vii) explicit instructions for patient usage of the drug; and
- (viii) his name and signature, and he shall retain this written record for a period of at least two years from the date of selling the drug.

(4) When a licensed pharmacist prescribes and when a member sells a Schedule I drug pursuant to clause 10(b) of Part N, he shall, with consent of the patient, communicate his decision to the medical practitioner at the earliest possible opportunity.

**Advertising**

**12** Where a licensed member advertises to the general public a Schedule I drug, the licensed member shall not make any representation other than with respect to the brand name, proper name, common name, price and quantity of the drug.

## **PART O - PRESCRIPTION REVIEW PROGRAM**

### **Definitions**

**1** In this Part:

- (a) “**licensed member**” means licensed pharmacist or licensed pharmacy technician.

### **Prescription Review Program**

**2** The College may participate in the Prescription Review Program established in Saskatchewan.

### **Panel of Monitored Drugs**

**3** The Prescription Review Program shall apply to all dosage forms of the drugs listed in the panel of monitored drugs under the Prescription Review Program bylaw of the College of Physicians and Surgeons of Saskatchewan.

### **Dispensing**

**4** Prescriptions for drugs covered by the Prescription Review Program shall be dispensed by members according to the dispensing policies and procedures agreed to by the College of Dental Surgeons of Saskatchewan, the College of Physicians and Surgeons of Saskatchewan, the Saskatchewan Registered Nurses Association and the Saskatchewan College of Pharmacy Professionals.

### **Gathering and Analysis of Information**

**5** The office of the Registrar may gather and analyze information pertaining to the dispensing of medications to which the Prescription Review Program applies in Saskatchewan for the purpose of limiting the inappropriate dispensing and inappropriate use of such drugs. In order to fulfill that role, the office of the Registrar may, among other activities:

- (a) generally, provide education to members in order to encourage appropriate dispensing practices by members;
- (b) alert members to possible inappropriate use of medications to which the Prescription Review Program applies by patients to whom they have dispensed such drugs;
- (c) alert members to possible inappropriate dispensing of medications to which the Prescription Review Program applies;
- (d) make recommendations to a member with respect to that member’s dispensing of medications to which the Prescription Review Program applies;
- (e) require a member to provide explanations of his dispensing of medications to which the Prescription Review Program applies. In making requests for an explanation, the office of the Registrar may require the member to provide information about the patient, the reasons for dispensing to the patient, and any knowledge which the member may have about other narcotics or controlled drugs received by the patient;
- (f) cause information, concerns or opinions of general application to the profession to be communicated to the members without identifying the particular member to whom such information relates; and
- (g) provide information gathered in connection with the Prescription Review Program to another health professional regulatory body including the College of Dental Surgeons of Saskatchewan, the Saskatchewan Registered Nurses Association or the College of Physicians and Surgeons of Saskatchewan, provided the information gathered is required by that body to perform and carry out the duties of that body pursuant to the legislation that regulates that profession. Where the personal health information relates to a member of the health professional body seeking disclosure, disclosure by the office of the Registrar



of that information may only be made in accordance with The Health Information Protection Act and, in particular, subsection 27(5) of that Act.

**Responding to an Information Request**

**6** A licensed member shall respond to such requests for explanation, as described in clause 5(e) of Part O, from the office of the Registrar within 14 days of receipt of such a request for information.

**Extension of a Deadline**

**7** The office of the Registrar may extend the deadline for reply at his discretion, upon receipt of a written request for extension from the licensed member.

**Complying to an Information Request**

**8** A member who receives such a request for information shall comply, to the best of his ability, fully and accurately with such requests for information.

**Who May Access, Analyze and Advise**

**9** The College may enter into an agreement with a person or organization to do any or all of the following:

- (a) access and analyze information in the prescription review database pertaining to member dispensing;
- (b) advise the College of concerns pertaining to member dispensing;
- (c) advise the College of possible inappropriate use of medications to which the Prescription Review Program applies by patients to whom members have dispensed such medications;
- (d) provide general education for members pertaining to dispensing of Prescription Review Program medications; and
- (e) alert the College to possible inappropriate use of medications to which the Prescription Review Program applies by patients to whom a member has dispensed such medications.

## **PART P - DISCIPLINARY PROCESS**

### **PART P.1 - COMPLAINTS COMMITTEE PROCEDURES**

#### **Complaints Committee**

**1(1)** Council shall appoint a Complaints Committee in accordance with section 27 of the Act, which may include a public appointee.

(2) The Registrar or his designate, shall be the administrative secretary to the Complaints Committee and shall provide administrative support to the Complaints Committee.

(3) A majority of the Complaints Committee members constitutes a quorum. Council may, in order to achieve a quorum, add members to the Complaints Committee.

(4) A decision of a majority of the members of the Complaints Committee is a decision of the Complaints Committee.

(5) The Complaints Committee shall, by majority vote, appoint a member from amongst themselves as Chair of the Complaints Committee, and may appoint an Acting Chair by majority vote, if the Chair of the Complaints Committee is unable to act as Chair.

(6) Unless the Act or these bylaws state to the contrary, the Complaints Committee may set its own practice and procedures.

#### **Meetings of the Complaints Committee**

**2(1)** The Complaints Committee administrative secretary shall prepare minutes of the meetings of the Complaints Committee.

(2) meetings of the Complaints Committee are not open to the public.

#### **Investigations of Complaints by Complaints Committee**

**3(1)** Any person may deliver a complaint to the College against a member or proprietor.

(2) The Complaints Committee may choose to investigate anonymous complaints in special circumstances as determined to exist by the Complaints Committee.

(3) The Complaints Committee may require that a complainant reduce their complaint to writing.

(4) The administrative secretary to the Complaints Committee or his designate shall receive all complaints on behalf of the Complaints Committee.

(5) The Chair of the Complaints Committee may initiate an investigation into a complaint prior to the next meeting of the Complaints Committee.

(6) The Complaints Committee shall review the progress of investigations into complaints during its regular scheduled meetings.

(7) The Complaints Committee Chair (directly or through the administrative secretary to the Complaints Committee or his designate) may request a comprehensive written response from the member or proprietor to each and every allegation in the complaint, in which case the member or proprietor shall also be advised that their written response will be submitted to the Complaints Committee for review and may be provided to the complainant for comment.

(8) Upon receipt of a complaint, the Complaints Committee Chair (through the administrative secretary to the Complaints Committee or his designate) shall notify the complainant, if any, in writing, that the complaint has been received and is being dealt with by the Complaints Committee, except where such notification would impede an effective investigation into the complaint.

(9) The Complaints Committee may, in circumstances in which it considers appropriate, withhold disclosure of the identity of the complainant from the member or proprietor.

(10) The Complaints Committee may delegate an investigation to a staff investigator or member of the Complaints Committee or both, and the said staff investigator or member of the Complaints Committee shall upon conclusion of the investigation provide a written report to the Complaints Committee.

(11) At the conclusion of an investigation, the Complaints Committee Chair (directly or through the administrative secretary or his designate) shall notify the complainant, if any, as to the status of the complaint and in particular whether or not the Complaints Committee has recommended that the complaint proceed to a disciplinary hearing.

(12) The Complaints Committee may at any time during the course of an investigation, with the consent of the member or proprietor who is the subject of the complaint, refer the complaint to any form of alternative dispute resolution, including, but not limited to, mediation. Upon conclusion of such alternative dispute resolution process, if the complaint has not been resolved, the committee shall:

- (a) if the investigation has not been concluded, continue with the investigation; or
- (b) if the investigation has been concluded, make a written report to the Discipline Committee in accordance with subsection 28(2) of the Act.

(13) The Complaints Committee may at any time during the course of an investigation, with the consent of the member or proprietor, who is the subject of the complaint, refer the complaint to any form of alternate remedies. Upon conclusion of such alternate remedies, if the complaint has not been withdrawn, the committee shall:

- (a) if the investigation has not been concluded, continue with the investigation; or
- (b) if the investigation has been concluded, make a written report to the Discipline Committee in accordance with subsection 28(2) of the Act.

(14) At the conclusion of an investigation into a complaint, the Complaints Committee shall vote on a motion as to whether it should be recommended that the complaint proceed to a disciplinary hearing or no further action be taken, pursuant to subsection 28(2) of the Act.

## PART P.2 - DISCIPLINE COMMITTEE PROCEDURES

### **Discipline Committee**

1(1) Council shall appoint a Discipline Committee in accordance with section 31 of the Act, which shall include a public appointee in accordance with subsection 8(6) of the Act.

(2) The Registrar or his designate, shall be the administrative secretary to the Discipline Committee and shall provide administrative support to the Discipline Committee.

(3) Three members of the Discipline Committee constitutes a quorum of the Discipline Committee.

(4) A decision made by such quorum of the Discipline Committee is a decision of the Discipline Committee.

(5) The Discipline Committee shall by majority vote, appoint a Chair of the Discipline Committee, and may appoint an Acting Chair in the same manner if the Chair of the Discipline Committee is unable to act as Chair.

(6) Subject to the Act and these bylaws, the Discipline Committee may set its own practice and procedures.

#### **Meetings of the Discipline Committee**

**2(1)** In this section, discipline meetings do not include disciplinary hearings.

(2) The Discipline Committee administrative secretary shall prepare minutes of the meetings of the Discipline Committee.

(3) meetings of the Discipline Committee are not open to the public.

#### **Disciplinary Hearings**

**3(1)** Upon receipt of a recommendation from the Complaints Committee that the Discipline Committee hear and determine a formal complaint against a member or proprietor pursuant to section 28 of the Act, the Discipline Committee shall convene a disciplinary hearing.

(2) A disciplinary hearing shall be open to the public, unless the Discipline Committee determines otherwise pursuant to subsection 32(16) of the Act.

(3) Subject to subsection 3(4) of Part P.2, no person in attendance at a disciplinary hearing may record or photograph any portion of the disciplinary hearing.

(4) The disciplinary hearing may be recorded in a manner which enables the production of a transcript of the hearing.

(5) If one or more members of the Discipline Committee withdraw from a disciplinary hearing, or are unable to hear and determine a complaint, the hearing may continue with the remaining Discipline Committee members provided that such members constitute a quorum of the Discipline Committee.

(6) Where the Discipline Committee makes an order for the payment of a fine or costs, such order shall clearly state the time period in which the fine or costs must be paid.

#### **Suspended Licence or Permit**

**4(1)** Where the Discipline Committee orders the suspension of a member's licence or a proprietor's permit, the member or proprietor shall surrender his licence or permit to the Discipline Committee administrative secretary.

(2) Where the Discipline Committee orders the suspension of a member's licence or a proprietor's permit, the College's register shall clearly indicate that the licence or permit is suspended, the effective date of the suspension, and a summary of the nature of any restrictions or conditions of the suspension.

(3) Any person who makes inquiries as to whether or not a member or proprietor's licence/permit has been suspended shall be advised of the suspension and any conditions of the suspension.

#### **Restricted Licence or Permit**

**5(1)** Where the Discipline Committee orders the restriction of a member's licence or a proprietor's permit, the member or proprietor shall surrender his licence or permit to the Discipline Committee administrative secretary.

(2) Where the Discipline Committee orders the restriction of a member's licence or a proprietor's permit, the College's register shall clearly indicate that the licence or permit is restricted, the effective date of the restriction, and a summary of the nature of any conditions of the restriction.

(3) The Discipline Committee administrative secretary shall replace the previous licence or permit with a restricted licence or permit, on which is clearly indicated the restriction, the effective date of the restriction, and the nature of the restriction.

(4) Any person who makes inquiries as to whether or not a member or proprietor's licence/permit has been restricted shall be advised of the restriction and any conditions of the restriction.

#### **Appeals of Discipline Committee Orders and Decisions**

6(1) Upon receipt of a Notice of Appeal pursuant to section 41 of the Act, Council shall convene an appeal hearing.

(2) A decision of the majority of the members of Council, who sit on an appeal pursuant to section 41 of the Act, is a decision of Council.

(3) Council members who sit on an appeal pursuant to section 41 of the Act shall by majority vote appoint a Chair from amongst themselves who shall set the practice and procedures on hearing the appeal.

(4) An appeal to Council pursuant to section 41 of the Act may, at the discretion of Council, be open to the public.

(5) Subject to subsection 3(3) of Part P.2, no person in attendance at an appeal to Council pursuant to section 41 of the Act may record or photograph any portion of the appeal hearing.

(6) The appeal to Council may be recorded in a manner which enables the production of a transcript of the hearing.

(7) If one or more members of Council withdraw from an appeal hearing pursuant to section 41 of the Act, or are unable to hear and determine the appeal, the appeal may continue with the remaining Council members provided that such members constitute a quorum.

(8) Council shall, in writing, serve a copy of their decision on the member or the proprietor who was the subject of the appeal.

(9) Council shall, in writing, notify the complainant, if any, of Council's decision following the appeal hearing.

### **PART P.3 - DISCIPLINARY PROCESS – RECORDS RETENTION**

#### **Permanent Records**

1 The College shall maintain a permanent record of all complaints, investigations and disciplinary proceedings, which record shall include:

- (a) the written report of the Complaints Committee pursuant to subsection 28(2) of the Act;
- (b) any agreements or other results from alternative dispute resolution processes pursued pursuant subsection 3(12) of Part P.1 or alternate remedies pursued pursuant to subsection 3(13) of Part P.1;
- (c) the formal record of the discipline hearings conducted pursuant to section 32 of the Act, and including, without limitation, all and any reasons, judgments or orders of the discipline committee;
- (d) such other documents or records as the Registrar considers appropriate.

**Record Keeping**

**2** A copy of the documentation referred to clauses 1(a), (b) or (c) in Part P.3, shall also be filed and held on the file of the member or proprietor who was the subject matter of the complaint, investigation and disciplinary proceeding, as the case may be, as well as such other documents or records that the Registrar considers are appropriately maintained on such file.

**Disposal of Records**

**3** The College shall not dispose of or destroy any document or other record within its possession or power relating to a complaint, investigation or discipline hearing until the later of:

- (a) the expiration of the time for commencing a judicial review or an appeal from an action or decision of the Complaints Committee or Discipline Committee; or
- (b) the completion of all proceedings by way of judicial review or appeal from an action or decision of the Complaints Committee or Discipline Committee.

**Judicial Review – Return of Documents**

**4** The College may, upon the later of:

- (a) the expiration of the time for commencing a judicial review or an appeal from an action or decision of the Complaints Committee or Discipline Committee; or
- (b) the completion of all proceedings by way of judicial review or appeal from an action or decision of the Complaints Committee or Discipline Committee;

return any original document or other record which was obtained from any third party, including the member or proprietor whose conduct was the subject matter of the investigation or proceeding, provided always that it has maintained a copy of such documents and other records, in accordance with sections 1 and 2 of Part P.3.

**Retention of Electronic Records**

**5(1)** The College may, at its option, retain any records maintained by it (whether pursuant to this section or otherwise) in electronic form, provided that the following requirements are met:

- (a) the applicable record must be retained in the format in which it was created, provided or received, or any format that does not materially change the record;
- (b) the applicable record must be accessible so as to be useable for subsequent reference by any person who is entitled to have access to the record or who is authorized to require its production;
- (c) where the applicable record was provided or received from a third party, the information (if any) that identifies the origin and destination of the record and the date and time when it was sent or received must also be retained;
- (d) there must be reliable assurance as to the integrity of the applicable record from the time the record was first created, whether as a paper document or otherwise.

## **PART Q - MISCELLANEOUS**

### **Service of Notice**

**1** Service of any notice or documents required by these bylaws may be affected by registered letter addressed to the last known residence or business of the person to be served as the same appears on the register.

### **Notice of Bylaw Changes**

**2** Notice of any proposed amendments, alterations, or repealing of any of these bylaws at an Annual meeting of the College shall be in writing, and delivered to the Registrar, 30 days prior to the date of the meeting. No motion of such amendment shall be considered at any meeting unless such notice has been duly given.

## DRUG SCHEDULE III – APRIL 1, 2015

### SCPP SCHEDULE III – PHARMACY ONLY NON-PRESCRIPTION DRUGS

SCPP Schedule III includes those drugs listed in the National Drug Schedule III maintained by the National Association of Pharmacy Regulatory Authorities and accessible at <http://napra.ca/pages/Schedules/Search.aspx> except those drugs as follows and as may be added or amended by Council from time to time.

Drugs in SCPP Schedule III can only be sold from a pharmacy. They may be sold by a licensed pharmacist or a licensed pharmacy technician to the public without a prescription. These drugs may be located in the area of the pharmacy that is accessible to the public and which provides an opportunity for self-selection of the drug by the public. The pharmacist must be available, accessible and approachable to assist the public with selecting the drug.

In accordance with their respective scopes of practice the licensed pharmacist or licensed pharmacy technician must be available, accessible and approachable to assist the public with selecting the drug.

#### Drugs INCLUDED in SCPP Schedule III

- **Dimenhydrinate and its salts** (for oral or rectal use) [Note: Licensed pharmacists or licensed pharmacy technicians are advised that in areas where there is evidence of abuse or particular concern about abuse, dimenhydrinate products should not be located in a self-selection area of the pharmacy].
- **Ephedrine and its salts** in combination products (in preparations containing no more than 8 mg per unit dose, with a label recommending no more than 8mg/dose or 32mg/day and for use not more than 7 days and indicated for nasal congestion) [Note: Licensed pharmacists or licensed pharmacy technicians are advised that in areas where there is evidence of abuse or particular concern about abuse, ephedrine products should not be located in a self-selection area of the pharmacy].
- **Pseudoephedrine and its salts** and preparations in combination products [Note: Licensed pharmacists or licensed pharmacy technicians are advised that in areas where there is evidence of abuse or particular concern about abuse, pseudoephedrine products should not be located in a self-selection area of the pharmacy].

#### Drugs EXCLUDED from SCPP Schedule III

- **Levonorgestrel** when sold in concentrations of 0.75 mg per oral dosage unit to be taken as a single dose of 1.5 mg, packaged and labelled for emergency contraception, in package sizes containing no more than 1.5 mg of levonorgestrel.



## REGULATORY BYLAW AMENDMENTS

As amendments are published in The Saskatchewan Gazette, they will be noted below.

Part K, section 9. Title change. July 15, 2016

Part D, clause 3(d). Typo correction. Nov. 8, 2016

Part O, clause 9(D). Missing word correction. Nov. 8, 2016

Part P.2, subsection 6(5). Internal reference correction. Nov. 8, 2016

Part I, subsection 12. New Continuous Quality Improvement content. Aug. 25, 2017

Part N, section 11(2). Repealed. March 16, 2018

Part D, section 3; 3.1(1). Revised to reflect Council-approved deadlines for pharmacy technician candidates. September 28, 2018