



PRINCE EDWARD ISLAND
ÎLE-DU-PRINCE-ÉDOUARD

**REGULATED HEALTH PROFESSIONS ACT
PHARMACIST AND PHARMACY TECHNICIAN
PROFESSION REGULATIONS**

PLEASE NOTE

This document, prepared by the *Legislative Counsel Office*, is an office consolidation of this regulation, current to September 12, 2015. It is intended for information and reference purposes only.

This document is *not* the official version of these regulations. The regulations and the amendments printed in the *Royal Gazette* should be consulted on the Prince Edward Island Government web site to determine the authoritative text of these regulations.

For more information concerning the history of these regulations, please see the *Table of Regulations* on the Prince Edward Island Government web site (www.princeedwardisland.ca).

If you find any errors or omissions in this consolidation, please contact:

Legislative Counsel Office

Tel: (902) 368-4292

Email: legislation@gov.pe.ca



REGULATED HEALTH PROFESSIONS ACT
Chapter R-10.1

PHARMACIST AND PHARMACY TECHNICIAN PROFESSION
REGULATIONS

Pursuant to subsection 96(2) of the *Regulated Health Professions Act R.S.P.E.I. 1988, Cap. R-10.1*, the Council of the College of Pharmacists, with the approval of the Lieutenant Governor in Council, made the following regulations:

1. Definitions

In these regulations,

- (a) **“accredited degree program in pharmacy”** means
 - (i) a Bachelor of Science in Pharmacy or Pharm. D. degree program in Canada approved by the Council or accredited by the Canadian Council for Accreditation of Pharmacy Programs, or
 - (ii) a program that has been determined by the Pharmacy Examining Board of Canada to be the equivalent of an approved or accredited pharmacy degree program referred to in subclause (i);
- (b) **“accredited pharmacy technician training program”** means
 - (i) a pharmacy technician training program in Canada approved by the Council or accredited by the Canadian Council for Accreditation of Pharmacy Programs, or
 - (ii) a program that has been determined by the Pharmacy Examining Board of Canada to be the equivalent of an approved or accredited pharmacy technician training program referred to in subclause (i);
- (c) **“Act”** means the *Regulated Health Professions Act R.S.P.E.I. 1988, Cap. R-10.1*;
- (d) **“College”** means the College of Pharmacists established under section 2 of the Practice of Pharmacist and Pharmacy Technicians Regulations;
- (e) **“Council”** means the Council of the College;
- (f) **“direct patient care”** means direct patient care as set out in section 6;
- (g) **“direct supervision”** means the direct supervision of a pharmacist, pharmacy student, pharmacy intern, pharmacy technician or pharmacy technician student that is provided by a pharmacist who is registered in Part A of the pharmacists register and who is physically present in the dispensary;
- (h) **“dispensary”** means a dispensary as defined in the *Pharmacy Act R.S.P.E.I.1988, Cap. P-6.1*, and includes a dispensary in a hospital or health facility;

- (i) “**examination**” means the examination in jurisprudence, ethical standards and standards of practice approved by the College for use in assessing the competencies of an applicant for registration as a pharmacist or pharmacy technician, unless the context indicates otherwise;
- (j) “**extended practice**” means a practice listed in section 16;
- (k) “**NAPRA**” means the National Association of Pharmacy Regulatory Authorities;
- (l) “**patient**” means a patient as defined in the *Pharmacy Act*;
- (m) “**pharmacist**” means a person who is registered as a pharmacist in the register of pharmacists of the College;
- (n) “**pharmacy**” means a pharmacy as defined in the *Pharmacy Act*;
- (o) “**pharmacy intern**” means a person who is registered as a pharmacy intern in the pharmacy interns register of the College;
- (p) “**pharmacy student**” means a person who is registered as a pharmacy student in the pharmacy students register of the College;
- (q) “**pharmacy technician**” means a person who is registered as a pharmacy technician in the pharmacy technicians register of the College;
- (r) “**pharmacy technician student**” means a person who is registered as a pharmacy technician student in the pharmacy technician students register of the College;
- (s) “**Practice of Pharmacist and Pharmacy Technicians Regulations**” means the Practice of Pharmacist and Pharmacy Technicians Regulations made under the Act;
- (t) “**preceptor**” means a preceptor designated under section 20;
- (u) “**supervision**” means supervision as defined in clause 1(v) of the Practice of Pharmacist and Pharmacy Technicians Regulations;
- (v) “**therapeutic product**” means a therapeutic product as defined in the *Food and Drugs Act (Canada)*. (EC533/14; 535/15)

Registers

2. Registers

The Registrar shall establish and maintain the following registers in accordance with the Act and these regulations:

- (a) the pharmacists register;
- (b) the pharmacy interns register;
- (c) the pharmacy students register;
- (d) the pharmacy technicians register;
- (e) the pharmacy technician students register. (EC533/14)

Pharmacists Register

3. Pharmacists register

- (1) In addition to the requirements of section 17 of the Act, the Registrar shall establish and maintain in the pharmacists register a Part A and a Part B.



Prohibition

- (2) The Registrar shall not register an applicant for registration or renewal of registration in the pharmacists register in both Part A and Part B of the register at the same time.

Additional content of registers

- (3) In addition to the information required under section 17 of the Act, the Registrar shall record in the pharmacists register
- (a) a notation and the date of each voluntary surrender of registration; and
 - (b) the date of a pharmacist's retirement from practice or, if the pharmacist dies while still practising, the date of the pharmacist's death. *(EC533/14)*

4. Contents of application

- (1) An applicant for registration in the pharmacists register shall provide the following to the Registrar:
- (a) an application in the form approved by the Council on which the applicant has clearly indicated whether the applicant is requesting registration in Part A or Part B of the register;
 - (b) proof satisfactory to the Registrar that the applicant meets the qualifications and requirement set out in subsection (2) for registration in Part A or subsection (3) for registration in Part B; and
 - (c) payment of the fees established by the bylaws.

Registration – Part A

- (2) Subject to section 5, an applicant is entitled to be registered in Part A of the pharmacist register if the Registrar is satisfied that the applicant has
- (a) submitted an application in accordance with clause (1)(a);
 - (b) successfully completed an accredited degree program in pharmacy;
 - (c) successfully completed the examination;
 - (d) provided written verification that the applicant is in good standing with the professional regulatory body in another jurisdiction in which the applicant is or was previously authorized to practise pharmacy, if any;
 - (e) provided proof of fulfilment of the requirements respecting practice experience in accordance with subsection 17(2) or (3);
 - (f) provided proof of professional liability insurance coverage as required by section 21;
 - (g) provided proof of identity;
 - (h) provided proof that the applicant has successfully completed the Pharmacy Examining Board of Canada's qualifying examinations and, if applicable, its evaluating examination;
 - (i) provided evidence satisfactory to the Registrar that the applicant has not been convicted of an offence or been subject to professional discipline in respect of a matter that, in the Registrar's opinion, makes the applicant unsuitable to practise pharmacy;
 - (j) provided proof that the applicant is currently certified in cardiopulmonary resuscitation and first aid as required by the standards of practice;
 - (k) either
 - (i) provided evidence satisfactory to the Registrar that the applicant has reasonable proficiency in written and spoken English, or

- (ii) met the English proficiency requirements set out in the Language Proficiency Requirements for Licensure as a Pharmacist in Canada, published by NAPRA in 2006, as amended from time to time; and
- (l) paid the fees established by the bylaws.

Registration – Part B

- (3) An applicant is entitled to be registered in Part B of the pharmacists register if the Registrar is satisfied that the applicant has:
- (a) submitted an application in accordance with clause (1)(a);
 - (b) successfully completed an accredited degree program in pharmacy;
 - (c) successfully completed the examination;
 - (d) provided written verification that the applicant is in good standing with the professional regulatory body in another jurisdiction in which the applicant is or was previously authorized to practise pharmacy, if any;
 - (e) provided proof of fulfilment of the requirements respecting practice experience in accordance with subsection 17(2) or (3);
 - (f) provided proof of identity;
 - (g) provided proof that the applicant has successfully completed the Pharmacy Examining Board of Canada's qualifying examinations and, if applicable, its evaluating examination;
 - (h) provided evidence satisfactory to the Registrar that the applicant has not been convicted of an offence or been subject to professional discipline in respect of a matter that, in the Registrar's opinion, makes the applicant unsuitable to practise pharmacy;
 - (i) either
 - (i) provided evidence satisfactory to the Registrar that the applicant has reasonable proficiency in written and spoken English, or
 - (ii) met the English proficiency requirements set out in the Language Proficiency Requirements for Licensure as a Pharmacist in Canada, published by NAPRA in 2006, as amended from time to time; and
 - (j) paid the fees established by the bylaws.

Transfers from other Canadian jurisdictions

- (4) Subject to subsection (5), an applicant who is licensed or registered as a pharmacist in another Canadian jurisdiction is entitled to be registered if the Registrar is satisfied that the applicant has:
- (a) successfully completed the examination;
 - (b) provided written verification that the applicant is in good standing with the professional regulatory body in the other jurisdiction;
 - (c) provided proof of identity;
 - (d) provided proof that the applicant is currently certified in cardiopulmonary resuscitation and first aid as required by the standards of practice;
 - (d.1) provided evidence satisfactory to the Registrar that the applicant has not been convicted of an offence or subject to professional discipline in respect of a matter that, in the Registrar's opinion, makes the applicant unsuitable to practise pharmacy;
 - (e) provided proof of professional liability insurance coverage as required by section 21, if applicable; and



- (f) paid the fees established by the bylaws.

Class of registration

- (5) An applicant referred to in subsection (4) who is eligible to be registered shall be registered in the same or an equivalent class as the class in which the applicant is registered in the other jurisdiction.

Practice experience

- (6) Practice experience obtained in another Canadian jurisdiction may be counted toward an applicant's qualifications, if in the opinion of the Registrar it is equivalent to practice experience in the province. (EC533/14; 535/15)

5. Conditional registration

- (1) Where an applicant under subsection 4(2) has not held registration in the three or more calendar years immediately preceding the application, the Registrar, if satisfied that the applicant meets the requirements of subsection 4(2), has successfully completed the refresher program required under clause 8(3)(c) and has paid the fee set out in the bylaws, may
 - (a) register the applicant for a period of six months, subject to subsection (3), on the condition that the applicant
 - (i) successfully complete 140 hours of practice experience that meet the requirements of clause 17(2)(b) within that six-month period for each year or part of a year during which the person was not registered, under the preceptorship of a pharmacist registered in Part A of the pharmacists register, or
 - (ii) successfully complete
 - (A) within that six-month period, 280 hours of practice experience that meet the requirements of clause 17(2)(b) under the preceptorship of a pharmacist registered in Part A of the pharmacists register, and
 - (B) within the year immediately preceding the application, the Pharmacy Board of Canada's qualifying examination; and
 - (b) issue to the applicant a certificate of registration that states
 - (i) the name of the preceptor who will be required to provide direct supervision of the applicant, and
 - (ii) the name and address of the pharmacy or pharmacies where the applicant is authorized to practise during the term of the permit.

Practice experience

- (2) The provisions of subsections 17(1), (2) and (4) and section 18 respecting the practice experience to be acquired by pharmacy interns apply to the practice experience required to be obtained by an applicant under subsection (1), with the necessary changes.

Extension

- (3) The Registrar may, if satisfied that it is appropriate to do so, and on payment of the fee established by the bylaws, extend the term of a conditional registration under subsection (1) for one additional period of six months.

Removal of condition

- (4) If, on the expiry of the term of conditional registration under subsection (1), including an extension granted under subsection (3), if any, the Registrar is satisfied that the applicant has

complied with the requirements of subsection (1) and continues to meet the requirements of subsection 4(2), the Registrar shall remove the condition from the applicant's registration and issue a certificate of registration accordingly.

Referral to Council

- (5) If the Registrar is not satisfied that an applicant has complied with the requirements set out in subsection (1) or continues to meet the requirements of subsection 4(2), the Registrar shall refer the application to the Council.

Review and decision

- (6) On receipt of an application referred by the Registrar under subsection (5), the Council shall review the application and
- (a) if satisfied that the applicant meets the requirements set out in subsection (1) and continues to meet the requirements of subsection 4(2), direct the Registrar to register the applicant in Part A of the pharmacists register and to issue a certificate of registration to that effect;
 - (b) if not satisfied that the applicant meets the requirements set out in subsection (1) or continues to meet the requirements of subsection 4(2), provide to the applicant, in writing, its reasons for denying the application.

Registration after three years

- (7) Where an applicant under section 4 for registration in Part A of the pharmacists register has not held registration within the three calendar years immediately preceding the application, the applicant, in addition to meeting the requirements of subsection 4(2), shall provide proof satisfactory to the Registrar that the applicant has completed the continuing education requirements set out in subsection 19(1) during the year immediately preceding the application. (EC533/14; 535/15)

6. Entitlement to practise – Part A

Only a pharmacist registered in Part A of the pharmacists register is entitled to practise pharmacy in circumstances that require the pharmacist to provide direct patient care, which includes but is not limited to the following:

- (a) providing pharmacy services to the public, including counselling patients or providing information or education to patients or patient representatives respecting the use of prescription and non-prescription drugs, health care aids or devices;
- (b) compounding, dispensing, prescribing and having custody of drugs;
- (c) supervising the compounding or dispensing of drugs and the dispensary;
- (d) reviewing patients' prescriptions;
- (e) performing a patient profile or a medication review for a patient;
- (f) administering a drug or vaccine to a patient;
- (g) prescribing a drug or adapting or making a therapeutic substitution in respect of a prescription for a drug;
- (h) providing patient-specific advice about a therapeutic product to a health care provider. (EC533/14; 535/15)

7. Prohibitions and conditions – Part B

- (1) Subject to subsection 8(4), a pharmacist registered in Part B of the pharmacists register
- (a) shall not provide direct patient care to a patient;



- (b) shall not provide advice to a patient, whether directly or indirectly;
- (c) shall not dispense drugs;
- (d) shall not supervise a dispensary;
- (e) shall not be designated a managing pharmacist under section 16 of the *Pharmacy Act*;
- (f) shall not supervise the practice of a pharmacy intern, pharmacy student or pharmacy technician except as authorized by the Council under section 20; and
- (g) shall, when working in a pharmacy or any other environment where patient care is being provided, clearly identify himself or herself as a pharmacist who is not authorized to provide direct patient care.

Conditions

- (2) Every certificate of registration issued to a pharmacist registered in Part B of the register shall state the prohibitions and conditions set out in subsection (1) in addition to any other conditions imposed by the Council. (*EC533/14; 535/15*)

8. Application for transfer

- (1) A pharmacist may apply to the Registrar at any time for transfer from Part A to Part B of the pharmacists register.

Part A to Part B of the register

- (2) On application by a pharmacist to be transferred from Part A to Part B of the register, the Registrar shall transfer the pharmacist to Part B of the register.

Part B to Part A - condition

- (3) A pharmacist may apply to the Registrar for a transfer from Part B to Part A of the register by providing proof satisfactory to the Registrar that the pharmacist
 - (a) has met the requirements of subsection 19(1) with respect to continuing education;
 - (b) has obtained a permit under subsection (4) and successfully completed the practice experience requirements set out in subsection (7);
 - (c) has successfully completed the refresher program required by Council;
 - (d) has obtained professional liability insurance that meets the requirements of section 21;
 - (e) holds current certification in cardiopulmonary resuscitation and first aid as required by the standards of practice; and
 - (f) has paid the fees established in the bylaws.

Practice experience under permit

- (4) For the purpose of a transfer from Part B to Part A of the pharmacists register, a pharmacist registered in Part B of the pharmacists register may apply to the Registrar in the form approved by the Council for a permit to provide direct patient care and dispense drugs under the direct supervision of a preceptor.

Contents of application

- (5) An applicant under subsection (4) shall provide to the Registrar, in writing,
 - (a) the name or names of the pharmacist or pharmacists who will be acting as preceptor;
 - (b) the name and address of the pharmacy or dispensary at which the applicant proposes to practise under the supervision of the preceptor; and

- (c) the date on which the applicant proposes to commence practising.

Review and approval

- (6) The Registrar shall review an application submitted under subsection (4) and, if Registrar satisfied that it is appropriate to do so, may issue a permit in writing specifying
- (a) the name of the preceptor who will be required to provide direct supervision of the applicant;
 - (b) the name and address of the pharmacy or dispensary where the applicant is authorized to practise; and
 - (c) the term of the permit, which, subject to subsection (9), shall not exceed six months.

Required practice experience

- (7) Subject to subsection (8), an applicant under subsection (4) shall, within the six-month term of the permit,
- (a) successfully complete 140 hours of practice experience that meets the requirements of clause 17(2)(b) for each year during which the applicant was not registered in Part A of the pharmacists register, under the preceptorship of a pharmacist registered in Part A of the pharmacists register; or
 - (b) successfully complete
 - (i) 280 hours of practice experience that meets the requirements of clause 17(2)(b) under the preceptorship of a pharmacist registered in Part A of the pharmacists register, and
 - (ii) within the year immediately preceding the application, the Pharmacy Board of Canada's qualifying examination.

Idem

- (8) The provisions of subsections 17(1), (2) and (4) and section 18 respecting the practice experience to be acquired by pharmacy interns apply to an applicant under subsection (4) with the necessary changes.

Extension of term

- (9) If the Registrar is satisfied that it is appropriate to do so, the Registrar may, on application by a pharmacist who holds a permit under subsection (4) and payment of the fee established in the bylaws, extend the term of the permit for one additional term of up to six months.

Review

- (10) The Registrar shall review an application submitted under subsection (3) and, if satisfied that the pharmacist has met the requirements of subsections (3) and (7), the Registrar shall register the pharmacist in Part A of the register and issue a certificate of registration to that effect.

Referral to Council

- (11) If the Registrar is not satisfied that the pharmacist has met the requirements of subsections (3) and (7), the Registrar shall refer the application to the Council.

Review and decision by council

- (12) On receipt of the application referred by the Registrar under subsection (11), the Council shall review the application and
- (a) if satisfied that the pharmacist has met the requirements of subsections (3) and (7), direct the Registrar to register the pharmacist in Part A of the register and to issue a certificate of registration to that effect;



- (b) if not satisfied that the pharmacist has met the requirements of subsections (3) and (7), provide to the pharmacist, in writing, its reasons for denying the application. (EC533/14)

9. Registration renewal for pharmacists

- (1) A pharmacist may apply to the Registrar, in the form approved by the Council, for renewal of registration in Part A or Part B of the pharmacists register.

Part A requirements

- (2) A pharmacist applying for renewal of registration in Part A of the pharmacists register shall submit the following with an application made under subsection (1):
 - (a) proof satisfactory to the Registrar that the pharmacist continues to meet the qualifications and requirements that he or she was required to meet for initial registration under the Act;
 - (b) proof satisfactory to the Registrar that the pharmacist meets the requirements of subsection (3); and
 - (c) payment of the fees established by the bylaws.

Renewal – Part A

- (3) A pharmacist is entitled to a renewal of registration in Part A of the pharmacists register if the pharmacist has
 - (a) provided proof satisfactory to the Registrar that the pharmacist has completed the continuing education requirements set out in subsection 19(1) during the year immediately preceding the application;
 - (b) provided proof satisfactory to the Registrar that the pharmacist has met the requirements of clauses 4(2)(f), (g), (i) and (j);
 - (c) practised direct patient care as set out in section 6 for a minimum of 180 hours in the year immediately preceding, or 600 hours in the three years immediately preceding, the application for renewal; and
 - (d) paid the fees established in the bylaws.

Part B requirements

- (4) A pharmacist applying for renewal of registration in Part B of the pharmacist register shall submit payment of the fees established by bylaw with an application made under subsection (1).

Renewal – Part B

- (5) A pharmacist who has submitted an application and fees in accordance with subsection (4) is entitled to a renewal of registration in Part B of the pharmacist register. (EC533/14; 535/15)

Pharmacy Interns Register

10. Application for registration as a pharmacy intern

- (1) A person may apply to the Registrar, in the form approved by the Council, for registration or renewal of registration in the pharmacy interns register.

Idem

- (2) An applicant shall provide the following with an application made under subsection (1):

- (a) proof satisfactory to the Registrar that he or she meets the qualifications and requirements set out in subsection (3); and
- (b) payment of the fees established by the bylaws.

Registration

- (3) An applicant is entitled to be registered in the pharmacy interns register if the Registrar is satisfied that the applicant has:
- (a) submitted an application in accordance with subsection (1);
 - (b) successfully completed an accredited degree program in pharmacy;
 - (c) provided proof of professional liability insurance coverage as required by section 21;
 - (d) provided proof of identity;
 - (d.1) provided written verification that the applicant is in good standing with the professional regulatory body in another jurisdiction with which the applicant is or was previously registered, if any;
 - (e) provided evidence satisfactory to the Registrar that the applicant has not been convicted of an offence or been subject to professional discipline for a matter that, in the Registrar's opinion, makes the applicant unsuitable to work in a dispensary;
 - (f) provided a copy of the current training agreement entered into with the preceptor under section 18;
 - (g) either
 - (i) provided evidence satisfactory to the Registrar that the applicant has reasonable proficiency in written and spoken English, or
 - (ii) met the English proficiency requirements set out in the Language Proficiency Requirements for Licensure as a Pharmacist in Canada, published by NAPRA in 2006, as amended from time to time; and
 - (h) paid the fee established by the bylaws. (*EC533/14; 535/15*)

Pharmacy Students Register

11. Application for registration as a pharmacy student

- (1) A person may apply to the Registrar, in the form approved by the Council, to be registered in the pharmacy students register.

Idem

- (2) An applicant shall provide the following with an application made under subsection (1):
- (a) proof satisfactory to the Registrar that he or she meets the qualifications and requirements set out in subsection (3) or subsection (4); and
 - (b) payment of the fees established by the bylaws.

Registration

- (3) An applicant is entitled to be registered in the pharmacy students register if the Registrar is satisfied that the applicant has:
- (a) submitted an application in accordance with subsection (1);
 - (b) provided proof of enrolment in an accredited degree program in pharmacy;
 - (c) provided proof of identity;
 - (d) provided proof of professional liability insurance coverage as required by section 21;



- (d.1) provided written verification that the applicant is in good standing with the professional regulatory body in another jurisdiction with which the applicant is or was previously registered, if any;
- (e) provided evidence to the satisfaction of the Registrar that the applicant has not been convicted of an offence or been subject to professional discipline for a matter that, in the Registrar's opinion, makes the applicant unsuitable to work in a dispensary;
- (f) provided a copy of the current training agreement entered into with the preceptor under section 18;
- (g) provided the name of the applicant's preceptor and the location of the pharmacy at which the training will be delivered; and
- (h) paid the fee established by the bylaws.

Renewal

- (4) A pharmacy student may apply to the Registrar, in the form approved by the Council, for renewal of registration in the pharmacy students register.

Requirements

- (5) An applicant shall submit the following with an application made under subsection (4):
 - (a) confirmation satisfactory to the Registrar that the applicant remains enrolled in an accredited degree program in pharmacy;
 - (b) evidence satisfactory to the Registrar that the applicant has not been convicted of an offence or been subject to professional discipline for a matter that, in the Registrar's opinion, makes the applicant unsuitable to work in a dispensary;
 - (c) provided proof of professional liability insurance coverage as required by section 21;
 - (d) provided the name of the applicant's preceptor and the location of the pharmacy at which the training will be delivered; and
 - (e) paid the fee established by the bylaws. (EC533/14; 535/15)

Pharmacy Technicians Register

12. Pharmacy technicians register

- (1) The Registrar shall ensure that a member is not registered as a pharmacy technician in the pharmacy technicians register and as a pharmacist in the pharmacists register at the same time.

Additional content of register

- (2) In addition to the information required under section 17 of the Act, the pharmacy technicians register shall contain
 - (a) a notation and the date of each voluntary surrender of registration; and
 - (b) the date of a pharmacy technician's retirement from practice or, if the pharmacy technician dies while still practising, the date of the pharmacy technician's death. (EC533/14; 535/15)

13. Application for registration as a pharmacy technician

- (1) A person may apply to the Registrar, in the form approved by the Council, to be registered in the pharmacy technicians register.

Idem

- (2) An applicant shall provide the following with an application made under subsection (1):
- (a) an application in the form approved by the Council;
 - (b) proof satisfactory to the Registrar that the applicant meets the qualifications and requirements set out in subsection (3) or subsection (4); and
 - (c) payment of the fees established by the bylaws.

Requirements

- (3) An applicant is entitled to be registered in the pharmacy technicians register if the Registrar is satisfied that the applicant has:
- (a) submitted an application in accordance with subsections (1) and (2);
 - (b) successfully completed either
 - (i) an accredited pharmacy technician training program, or
 - (ii) an accredited degree program in pharmacy;
 - (c) successfully completed the examination;
 - (d) successfully completed the Pharmacy Examining Board of Canada's qualifying examinations and, if applicable, its evaluating examination;
 - (e) provided written verification that the applicant is in good standing with the professional regulatory bodies in which the applicant is or was previously authorized to practise pharmacy technology or pharmacy, as the case may be;
 - (f) provided proof of either
 - (i) in the case of an applicant who graduated prior to December 31, 2011, the completion of at least 560 hours of postgraduate practice experience that meet the requirements of subsection 17(4) under the supervision of a preceptor within the three years immediately preceding the application, or
 - (ii) in the case of an applicant who graduated after January 1, 2012, the completion of at least 280 hours of postgraduate practice experience that meet the requirements of subsection 17(4) under the supervision of a preceptor within the three years immediately preceding the application;
 - (g) provided proof of professional liability insurance coverage as required by section 21;
 - (h) provided proof of identity;
 - (i) provided evidence to the satisfaction of the Registrar that the applicant has not been convicted of an offence or been subject to professional discipline in respect of a matter that, in the Registrar's opinion, makes the applicant unsuitable to practise pharmacy;
 - (j) either
 - (i) provided evidence satisfactory to the Registrar that the applicant has reasonable proficiency in written and spoken English, or
 - (ii) met the English proficiency requirements set out in the Language Proficiency Requirements for Licensure as a Pharmacist in Canada, published by NAPRA in 2006, as amended from time to time; and
 - (k) paid the fee established by the bylaws.

Registration

- (4) An applicant who does not meet the requirements of clauses (3)(b) and (f) is entitled to be registered in the pharmacy technicians register if the Registrar is satisfied that the applicant



meets the other requirements of subsection (3) and has obtained the following qualifications on or before December 31, 2018:

- (a) successful completion of a bridging program to educate and train persons as pharmacy technicians accredited by the Canadian Council for Accreditation of Pharmacy Programs;
- (b) completion of at least 2,000 hours of work experience under the supervision of a pharmacist or pharmacy technician in the three-year period immediately preceding entering the program referred to in clause (a);
- (c) successful completion of the examination;
- (d) successful completion of the Pharmacy Examining Board of Canada's qualifying examinations and, if applicable, its evaluating examination;
- (e) successful completion of an assessment of the following professional skills under the direction of a preceptor appointed by the Council:
 - (i) documentation of the drug distribution process,
 - (ii) prescription transfers,
 - (iii) technical check for accuracy in checking 500 consecutive prescriptions,
 - (iv) procedures respecting the release of a prescription to a patient,
 - (v) professional collaboration, and
 - (vi) communication and education.

Idem – other jurisdictions

- (5) An applicant who is licensed or registered in another Canadian jurisdiction is entitled to be registered as a pharmacy technician if the Registrar is satisfied that the applicant has
 - (a) successfully completed the examination;
 - (b) provided written verification that the applicant is in good standing with the professional regulatory bodies by which the applicant is or was previously authorized to practise pharmacy;
 - (c) provided proof of identity;
 - (c.1) provided evidence satisfactory to the Registrar that the applicant has not been convicted of an offence or subject to professional discipline in respect of a matter that, in the Registrar's opinion, makes the applicant unsuitable to practise pharmacy;
 - (d) provided proof of professional liability insurance coverage as required in section 21; and
 - (e) paid the fees established in the bylaws.

Practice experience

- (6) Practice experience obtained in another Canadian jurisdiction may be counted toward an applicant's qualifications if the Registrar considers it to be equivalent to practice experience in the province. (EC533/14; 535/15)

14. Registration renewal for pharmacy technicians

- (1) A pharmacy technician may apply to the Registrar, in the form approved by Council, for renewal of registration in the pharmacy technicians register.

Idem

- (2) An applicant shall submit the following with an application made under subsection (1):

- (a) proof satisfactory to the Registrar that the applicant meets the qualifications and requirements set out in subsection (3); and
- (b) payment of the fees established by the bylaws.

Requirements

- (3) A pharmacy technician is entitled to a renewal of registration if the pharmacy technician has
 - (a) provided proof satisfactory to the Registrar that he or she has completed the continuing education requirements set out in subsection 19(1) during the year immediately preceding the application;
 - (b) provided proof satisfactory to the Registrar that that he or she continues to meet the requirements of clauses 13(3)(g), (h) and (i);
 - (c) subject to subsection (4), practised as a pharmacy technician for a minimum of 180 hours in the year immediately preceding, or 600 hours in the three years immediately preceding, the application for renewal; and
 - (d) paid the fee established in the bylaws.

Refresher program

- (4) An applicant who has not accumulated the required number of hours of practice under clause (3)(c) is entitled to renewal of registration if the applicant has successfully completed a refresher program approved by the Council. (*EC533/14; 535/15*)

14.1 Conditional registration

- (1) Where an applicant under subsection 13(3) has not held registration in the three or more calendar years immediately preceding the application, the Registrar, if satisfied that the applicant meets the requirements of subsection 13(3), has successfully completed the refresher program required under clause subsection 13(4) and has paid the fee established in the bylaws, may
 - (a) register the applicant for a period of six months, subject to subsection (3), on the condition that the applicant
 - (i) successfully complete 140 hours of practice experience that meet the requirements of subsection 17(4) within that six-month period for each year or part of a year during which the person was not registered, under the preceptorship of a pharmacist registered in Part A of the pharmacists register or a pharmacy technician registered in the pharmacy technicians register, or
 - (ii) successfully complete
 - (A) within that six-month period, 280 hours of practice experience that meet the requirements of subsection 17(4) under the preceptorship of a pharmacist registered in Part A of the pharmacists register or a pharmacy technician registered in the pharmacy technicians register, and
 - (B) within the year immediately preceding the application, the Pharmacy Board of Canada's qualifying examination; and
 - (b) issue to the applicant a certificate of registration that states
 - (i) the name of the preceptor who will be required to provide direct supervision of the applicant, and
 - (ii) the name and address of the pharmacy or pharmacies where the applicant is authorized to practise during the term of the permit.



Practice experience

- (2) The provisions of subsections 17(1) and (4) and section 19 respecting the practice experience apply to the practice experience required to be obtained by an applicant under subsection (1).

Extension

- (3) The Registrar may, if satisfied that it is appropriate to do so, and on payment of the fee established by the bylaws, extend the term of a conditional registration under subsection (1) for one additional period of six months.

Removal of condition

- (4) If, on the expiry of the term of conditional registration under subsection (1), including an extension granted under subsection (3), if any, the Registrar is satisfied that the applicant has complied with the requirements of subsection (1) and continues to meet the requirements of subsection 13(3), the Registrar shall remove the condition from the applicant's registration and issue a certificate of registration accordingly.

Referral to Council

- (5) If the Registrar is not satisfied that an applicant has complied with the requirements set out in subsection (1) or continues to meet the requirements of subsection 13(3), the Registrar shall refer the application to the Council.

Review and decision

- (6) On receipt of an application referred by the Registrar under subsection (5), the Council shall review the application and
- (a) if satisfied that the applicant meets the requirements set out in subsection (1) and continues to meet the requirements of subsection 13(3), direct the Registrar to register the applicant in the pharmacy technicians register and to issue a certificate of registration to that effect;
 - (b) if not satisfied that the applicant meets the requirements set out in subsection (1) or continues to meet the requirements of subsection 13(3), provide to the applicant, in writing, its reasons for denying the application.

Registration after three years

- (7) Where an applicant under section 13 for registration in the pharmacy technicians register has not held registration within the three calendar years immediately preceding the application, the applicant, in addition to meeting the requirements of subsection 13(3), shall provide proof satisfactory to the Registrar that the applicant has completed the continuing education requirements set out in section 19 during the year immediately preceding the application.
(EC535/15)

Pharmacy Technician Students Register

15. Application for registration as a pharmacy technician student

- (1) A person may apply to the Registrar, in the form approved by the Council, to be registered in the pharmacy technician students register.

Idem

- (2) An applicant shall provide the following with an application made under subsection (1):
- (a) proof satisfactory to the Registrar that he or she meets the qualifications and requirements set out in subsection (3) or subsection (4); and

- (b) payment of the fees established by the bylaws.

Registration

- (3) An applicant is entitled to be registered in the pharmacy technician students register if the Registrar is satisfied that the applicant has:
 - (a) submitted an application in accordance with subsection (1);
 - (b) provided proof of enrolment in or successful completion of either
 - (i) an accredited pharmacy technician training program, or
 - (ii) an accredited degree program in pharmacy;
 - (c) provided proof of identity;
 - (d) provided proof of professional liability insurance coverage as required by section 21;
 - (d.1) provided written verification that the applicant is in good standing with the professional regulatory body in another jurisdiction with which the applicant is or was previously registered, if any;
 - (e) provided evidence to the satisfaction of the Registrar that the applicant has not been convicted of an offence or been subject to professional discipline for a matter that, in the Registrar's opinion, makes the applicant unsuitable to work in a dispensary;
 - (f) provided a copy of the current training agreement entered into with the preceptor under section 18;
 - (g) provided the name of the applicant's preceptor and the location of the pharmacy or dispensary at which the training will be delivered; and
 - (h) paid the fee established by the bylaws.

Renewal

- (4) A pharmacy technician student may apply to the Registrar, in the form approved by the Council, for renewal of registration in the pharmacy technician students register.

Requirements

- (5) An applicant shall submit the following with an application made under subsection (4):
 - (a) confirmation satisfactory to the Registrar that the applicant remains enrolled in
 - (i) an accredited pharmacy technician training program, or
 - (ii) an accredited degree program in pharmacy;
 - (b) evidence satisfactory to the Registrar that the applicant has not been convicted of an offence or been subject to professional discipline for a matter that, in the Registrar's opinion, makes the applicant unsuitable to work in a dispensary;
 - (c) provided proof of professional liability insurance coverage as required by section 21;
 - (d) provided the name of the applicant's preceptor and the location of the pharmacy or dispensary at which the training will be delivered; and
 - (e) paid the fee established by the bylaws. (EC533/14; 535/15)

Extended Practice Certificate for Pharmacists**16. Extended practice**

- (1) For the purposes of these regulations and the Practice of Pharmacist and Pharmacy Technicians Regulations, extended practice by a pharmacist includes any of the following activities:



- (a) administering a vaccine or drug therapy to a patient
 - (i) by intradermal, subcutaneous or intramuscular injection,
 - (ii) orally, including sublingual and buccal administration,
 - (iii) topically, including ophthalmic, otic and intranasal administration, and
 - (iv) by inhalation;
- (b) on and after April 1, 2016, dispensing methadone and suboxone;
- (c) prescribing drugs for minor ailments as authorized in the Practice of Pharmacist and Pharmacy Technicians Regulations;
- (d) ordering and interpreting the tests for patients specified in the Practice of Pharmacist and Pharmacy Technicians Regulations.

Certification required

- (2) Only a pharmacist who holds a valid and subsisting certificate in extended practice issued under this section may engage in extended practice.

Application for extended practice certificate

- (3) A pharmacist registered in Part A of the pharmacists register may apply to the Registrar, in the form approved by the Council, for a certificate in extended practice.

Requirements

- (4) An applicant shall provide with an application made under subsection (3) proof that the applicant has
 - (a) completed the education and training requirements relating to certification in extended practice set out in Schedule B to these regulations; and
 - (b) paid the fees established by the bylaws.

Issuance of certificate

- (5) If the Registrar is satisfied that the pharmacist meets the requirements set out in subsection (4), the Registrar may issue a certificate in extended practice to the pharmacist subject to any conditions that the Registrar considers advisable.

Referral to Council

- (6) If the Registrar is not satisfied that the pharmacist meets the requirements set out in subsection (4), or if the pharmacist objects to the conditions imposed on the certificate issued by the Registrar under subsection (5), the Registrar shall refer the application to the Council.

Review by Council

- (7) On receipt of an application referred by the Registrar under subsection (6), the Council shall review the application and
 - (a) if the Council
 - (i) is satisfied that the pharmacist meets the requirements set out in subsection (4), direct the Registrar to issue a certificate in extended practice to the pharmacist, or
 - (ii) is not satisfied that the pharmacist meets the requirements set out in subsection (4), provide to the pharmacist, in writing, its reasons for denying the application; and
 - (b) if the Council
 - (i) is satisfied that the conditions imposed by the Registrar under subsection (5) are appropriate, confirm the conditions, or

- (ii) is not satisfied that the conditions imposed by the Registrar under subsection (5) are appropriate, direct the Registrar to issue a certificate in extended practice to the pharmacist
 - (A) without those conditions,
 - (B) with no conditions, or
 - (C) subject to any other conditions the Council considers appropriate.

Expiry

- (8) Revoked by EC535/15.

Renewal

- (9) A pharmacist may apply for renewal of a certificate in extended practice by
 - (a) submitting an application in accordance with subsection (3);
 - (b) providing proof satisfactory to the Registrar that the pharmacist has complied with the requirements of section 2 of Schedule B to these regulations; and
 - (c) paying the fee established in the bylaws. (EC533/14; 535/15)

Practice Experience**17. Practical training programs**

- (1) Subject to subsections 4(6) and 13(6), practical training programs for members shall be delivered
 - (a) at a pharmacy, dispensary or other facility approved by the Registrar; and
 - (b) under the preceptorship of a pharmacist or a pharmacy technician who has been designated as a preceptor by the Council.

Practice experience for initial registration

- (2) Subject to subsection (5), the following practice experience satisfies the requirements of clause 4(2)(e) with respect to applicants who have successfully completed an accredited degree program in pharmacy in Canada:
 - (a) 280 hours of practice experience that was undertaken by the applicant as a pharmacy student during the applicant's enrolment in an accredited degree program in pharmacy;
 - (b) 280 hours of practice experience that was undertaken by the applicant as a pharmacy intern that includes the following topics:
 - (i) orientation to the pharmacy and its practice,
 - (ii) a review of the applicable legislation,
 - (iii) pharmaceutical care of patients,
 - (iv) the dispensing process,
 - (v) communication with other health care providers and patients,
 - (vi) non-prescription drug products, and
 - (vii) pharmacy management practices.

Idem

- (3) Subject to subsection (5), the required practice experience for the purposes of clause 4(2)(e) with respect to applicants who have successfully completed an accredited degree program in pharmacy outside Canada is



- (a) 700 hours of practice experience in a dispensary; and
- (b) 35 hours of monitoring by a preceptor appointed by the Council.

Practice experience – pharmacy technician students

- (4) Subject to subsection (5), the following practice experience satisfies the requirements of clause 13(3)(f) with respect to applicants who have successfully completed an accredited pharmacy technician training program or an accredited degree program in pharmacy in Canada:
 - (a) legal, ethical and professional responsibility;
 - (b) professional collaboration and team work;
 - (c) drug distribution methodology, and in particular
 - (i) prescription and patient information management,
 - (ii) product preparation,
 - (iii) product release, and
 - (iv) system and inventory control;
 - (d) public and peer education in the use of devices and health care aids;
 - (e) management of financial aspects associated with the provision of drugs, supplies, devices and health care aids; and
 - (f) quality assurance and the avoidance of medication errors.

Exceptions

- (5) The following practice experience does not satisfy the requirements of clause 4(2)(e):
 - (a) any practice experience that a preceptor designates as unsatisfactory;
 - (b) if the applicant's registration as a pharmacy student or pharmacy technician student was revoked, any practice experience completed by the applicant as a pharmacy student after the date of the incident that led to the revocation;
 - (c) if the applicant's registration as a pharmacy intern expired, any practice experience completed by the applicant after the expiry date. (*EC533/14; 535/15*)

18. Training requirements

- (1) Every pharmacy student, pharmacy technician student and pharmacy intern shall, before commencing a period of practice experience in a pharmacy,
 - (a) be registered in the pharmacy students, pharmacy technician students or pharmacy interns register, as the case may be;
 - (b) enter into a training agreement with a preceptor; and
 - (c) file a copy of the training agreement with the Registrar.

Duration of training agreement

- (2) A training agreement between a preceptor and a pharmacy student, pharmacy technician student or pharmacy intern continues in effect from the date of filing with the Registrar until the expiry of the student's or intern's registration, as the case may be, unless it is sooner terminated
 - (a) by either the pharmacy student, pharmacy technician student or pharmacy intern, as the case may be, or the preceptor;
 - (b) on the preceptor's ceasing to be registered or the preceptor's registration being suspended; or

- (c) on the pharmacy student's, pharmacy technician student's or pharmacy intern's ceasing to be registered.

New agreement required

- (3) A pharmacy student, pharmacy technician student or pharmacy intern shall enter into a new training agreement with another preceptor before applying to transfer to that preceptor.

Record of practice experience

- (4) A pharmacy student, pharmacy technician student or pharmacy intern shall
- (a) record the number and nature of hours worked in a form approved by Council;
 - (b) ensure that the record is initialled by the preceptor as to the number and nature of hours worked; and
 - (c) submit the form to the Registrar within 30 days of the conclusion of each completed work period or as directed by the Registrar. (EC533/14; 535/15)

Continuing Education Requirements

19. Continuing education

- (1) A pharmacist registered in Part A of the pharmacists register and a pharmacy technician shall, in the year immediately preceding an application for renewal of registration, complete at least 20 hours of continuing education in accordance with this section.

Subject areas

- (2) Subject to subsection (3), continuing education comprises the following subject areas:
- (a) patient care;
 - (b) professional collaboration;
 - (c) ethical, legal and professional responsibility;
 - (d) drug, therapeutic and practice information;
 - (e) drug distribution;
 - (f) communication and education;
 - (g) management knowledge and skills;
 - (h) safety and quality assurance;
 - (i) health promotion;
 - (j) administration of drugs and vaccines by pharmacists;
 - (k) prescribing by pharmacists;
 - (l) preceptorship;
 - (m) on and after April 1, 2016, dispensing of methadone and suboxone.

Approval

- (3) All continuing education shall be approved by one of the following bodies
- (a) the Canadian Council for Continued Education in Pharmacy;
 - (b) Dalhousie Continuing Pharmacy Education;
 - (c) the Accreditation Council for Pharmacy Education; or
 - (d) the Council.



Failure to comply, consequences

- (4) The Council may require a pharmacist or pharmacy technician who fails to comply with subsection (1) to
- (a) successfully complete a continuing professional education program approved by the Council;
 - (b) pass an examination administered or approved by the Council; or
 - (c) comply with both clauses (a) and (b),
- within the period specified by the Council.

Record

- (5) A member shall
- (a) keep a record, in a form satisfactory to the Registrar, of the activities that the member undertakes for the purpose of this section; and
 - (b) provide, on the request of and in accordance with the directions of the Registrar, copies of the record referred to in clause (a). (*EC533/14*)

Preceptors

20. Preceptors

- (1) A pharmacist or a pharmacy technician may apply in the form approved by the Council for designation as a preceptor if the pharmacist or pharmacy technician
- (a) has practised pharmacy for at least one year;
 - (b) is registered under these regulations and in good standing; and
 - (c) has entered into a training agreement with a pharmacy intern, pharmacy student or pharmacy technician student, as the case may be, under which the pharmacist or the pharmacy technician agrees to provide direct supervision of the pharmacy intern, pharmacy student or pharmacy technician student, as the case may be, for at least half of the time the pharmacy intern, pharmacy student or pharmacy technician student, as the case may be, works in the pharmacy during the term of agreement.

Idem

- (2) A pharmacist may apply in the form approved by the Council for designation as a preceptor if the pharmacist meets the requirements of clauses (1)(a) and (b) and has agreed to act as preceptor to an applicant pursuant to subsection 5(1) or a pharmacist pursuant to subsection 8(4).

Designation

- (3) The Council may designate a pharmacist or pharmacy technician as a preceptor if the Council is satisfied that the pharmacist or pharmacy technician meets the requirements of subsection (1) or (2), as the case may be.

Refusal

- (4) The Council shall refuse to designate a pharmacist or a pharmacy technician as a preceptor if
- (a) the Council or another Canadian pharmacy or other professional regulatory body has made a finding against the pharmacist or the pharmacy technician of professional misconduct, negligence or incompetence;
 - (b) the Council is satisfied that the pharmacist or pharmacy technician does not meet the requirements of subsection (1) or (2), as the case may be; or

- (c) a prohibition against serving as a preceptor has been imposed by the Council under clause 24(2)(d) and has not expired.

Authority - pharmacist

- (5) A pharmacist may act as preceptor to any of the following:
- (a) a pharmacy intern;
 - (b) a pharmacy student;
 - (c) a pharmacy technician; or
 - (d) a pharmacy technician student.

Maximum number

- (5.1) A pharmacist shall not act as preceptor to more than 2 of the persons specified in clauses (5)(a) to (d) and subsection (6) at one time.

Idem

- (6) Only a pharmacist registered in Part A of the pharmacists register may act as a preceptor to a pharmacist registered in Part B of the pharmacists register who is practising pharmacy under a permit issued by the Registrar under subsection 8(5).

Idem – pharmacy technician

- (7) A pharmacy technician may act as a preceptor only to a pharmacy technician or a pharmacy technician student.

Maximum number

- (7.1) A pharmacy technician shall not act as preceptor to more than 2 of the persons specified in subsection (7) at one time.

Revocation

- (8) A preceptor ceases to be qualified as a preceptor, and the preceptor's designation is revoked, if
- (a) the preceptor's registration expires, is suspended or is revoked; or
 - (b) the preceptor is the subject of a finding referred to in clause (4)(a).

Notice

- (9) The Registrar shall, where a preceptor ceases to be qualified, notify the preceptor and any person to whom the pharmacist or pharmacy technician was acting as preceptor of the loss of qualification and the revocation of the preceptor's designation, by written notice mailed to the person's most recent address in the records of the Registrar.

Duties

- (10) A preceptor shall
- (a) not act as preceptor pursuant to subsection 5(1) or 8(4) or under a training agreement with more than one pharmacist, pharmacy intern, pharmacy student, pharmacy technician or pharmacy technician student, as the case may be, during the same time period;
 - (b) carry out the responsibilities of a preceptor in accordance with these regulations; and
 - (c) ensure that the pharmacist, pharmacy intern, pharmacy student, pharmacy technician or pharmacy technician student, as the case may be, has the opportunity to complete the requisite practice experience. (EC533/14; 535/15)



Insurance Coverage

21. Insurance coverage

- (1) Every pharmacist registered in Part A of the pharmacists register and every pharmacy technician, pharmacy intern, pharmacy student and pharmacy technician student shall obtain and maintain professional liability insurance in an amount not less than \$2,000,000.

Requirements respecting policy

- (2) The professional liability insurance policy shall
- (a) be issued by an insurer authorized to conduct business in Prince Edward Island;
 - (b) be issued in the name of the individual insured;
 - (c) apply to any practice setting in Prince Edward Island;
 - (d) have a policy limit of not less than \$2,000,000 per claim or occurrence and an aggregate limit of not less than \$2,000,000, excluding legal or court costs;
 - (e) cover liability for any professional service the member may be authorized to provide under these regulations;
 - (f) allow an extended reporting period of at least three years in the case of a claims-based policy and have a minimum retroactive date of five years in the case of an occurrence-based policy;
 - (g) have a maximum deductible of \$5,000 per claim;
 - (h) include a term to the effect that the insurer will notify the College if the policy is cancelled, expires or ceases to meet the requirements of these regulations; and
 - (i) include a term to the effect that the policy continues in force in conformity with these regulations until the notice required by clause (h) is received by the College.

Current certificate

- (3) A person required to be insured under these regulations shall ensure that the Registrar is provided with the most current certificate of professional liability insurance from the person's insurer that confirms that the person is insured and that the insurance complies with the regulations. *(EC533/14)*

Conflict of Interest

22. Conflict of interest

It is a conflict of interest for a member to place himself or herself in or accept a situation which, in the opinion of Council,

- (a) results, by connection with his or her pharmaceutical practice, in monetary or other personal gain other than that earned from the sale of products and the performance of professional services in his or her practice, or in gain for a prescriber of drugs as a consequence of his or her prescribing; or
- (b) puts his or her professional integrity or his or her rendering of services at risk of being controlled or detrimentally influenced by other persons or by factors other than his or her professional judgment of what is best for the patient. *(EC533/14)*

23. Professional misconduct

The Council may find a member guilty of professional misconduct if the member has

- (a) failed to abide by the terms of registration;
- (b) failed to abide by the code of ethics;
- (c) revoked by EC535/15;
- (d) an unresolved conflict of interest;
- (e) failed to maintain current patient records;
- (f) attempted to deal with a patient's problem which the member recognizes or should, in the Council's opinion, recognize as being beyond the scope of his or her competence or expertise;
- (g) failed to refer a patient appropriately when the member recognizes or should, in the Council's opinion, recognize, a condition requiring the attention of another health professional;
- (h) permitted, in circumstances within his or her control, an unauthorized person to perform any of the member's functions except as may be authorized under the Practice of Pharmacist and Pharmacy Technicians Regulations;
- (i) maintained in his or her records, or signed, issued or submitted a record, report, certificate, claim or similar document which the member knows or should know contains false or misleading information or which, by omitting significant information, may give a misleading impression;
- (j) gave information regarding a patient's condition or treatment to a person other than the patient or the patient's representative without the consent of the patient, unless required to do so by law or for a purpose directly related to the patient's care;
- (k) purported to have a qualification or special expertise which the member does not in fact possess;
- (l) engaged in the practice of pharmacy while the member's ability to perform any professional act was impaired by alcohol or another drug or substance;
- (m) failed to cooperate with an appraisal or investigation authorized by the Council;
- (n) failed to dispense a prescription with full labelling information and such other instruction or advice as is required under the *Pharmacy Act*;
- (o) engaged in advertising that is, in the opinion of the Council, a contravention of section 92 of the Act or of the regulations under the *Pharmacy Act*;
- (p) attempted or carried out, without previously informing and obtaining the advice of the Council, research based on methods which do not conform to the member's training or to generally recognized contemporary custom;
- (q) failed to comply with directions issued by the Council in accordance with the Act and regulations; or
- (r) performed an act associated with the practice of pharmacy which, in the opinion of the Council, would reasonably be regarded as dishonourable to the member's profession or seriously offensive to a patient. (EC533/14; 535/15)

24. Professional incompetence

- (1) The Council may find a member guilty of professional incompetence if it concludes that a patient suffered demonstrable harm or serious risk of harm which can reasonably be attributed to something which the member did or failed to do or failed to take into account, if the act or omission was inconsistent with generally accepted standards of practice and procedures, and cannot be justified by the member to the satisfaction of the Council.



Terms and conditions

- (2) The terms and conditions that may be imposed by a hearing committee of the Council under clause 58(2)(d) of the Act shall be appropriate to the conduct of the respondent and include, but are not limited to,
- (a) a requirement that the respondent undergo random urine testing;
 - (b) prohibiting a respondent who is a pharmacist registered in Part A of the pharmacists register from being designated as a managing pharmacist under subsection 16(1) of the *Pharmacy Act*;
 - (c) a requirement that the respondent work only under the direct supervision of a pharmacist registered in Part A of the pharmacists register or a pharmacy technician, as the case may be; and
 - (d) prohibiting a respondent who is a pharmacist or pharmacy technician from acting as a preceptor.

Duration

- (3) A term or condition imposed by a hearing committee of the Council under clause 58(2)(d) of the Act applies during the period of time specified by the hearing committee. (EC533/14)

25. Criteria – professional misconduct

The criteria to be considered by a hearing committee of the Council for the purposes of imposing a fine under clause 58(2)(h) of the Act shall include

- (a) the extent of the pharmacist's or pharmacy technician's awareness of the fault;
- (b) the degree of risk or harm to the patient;
- (c) the potential further risk to the public;
- (d) the potential effect upon the person's profession;
- (e) the potential effect upon the person's ability to earn his or her livelihood;
- (f) any restitution or remediation voluntarily undertaken by the person. (EC533/14)

26. Accreditation bodies

The Canadian Council for Accreditation of Pharmacy Programs is hereby designated as an accreditation body for the purposes of subclause 12(2)(c)(ii) of the Act. (EC533/14)

27. Disclosure

Upon the request of a professional regulatory body in another jurisdiction regulating the practice of pharmacy or the use of titles relating to pharmacy, the Registrar shall disclose to that body

- (a) the nature of any ongoing complaints, investigations or hearing respecting a member; and
- (b) the nature and disposition of any complaint, investigation or hearing respecting a member
 - (i) that was resolved by agreement or by an order made with the consent of the member, or
 - (ii) where the hearing committee determined that the conduct of the member constituted professional misconduct or incompetence. (EC533/14)

Standards

28. Adoption of Schedules

(1) to (6) Revoked by EC535/15. (EC533/14; 535/15)

Health Profession Corporations

29. Business name

The name of a member's health profession corporation and any business name or partnership name under which the corporation carries on the practice of pharmacy shall

- (a) be, in the opinion of the Council, in good taste, dignified, and professional; and
- (b) not contain the words "and Company", "and Associated" or "and Partners", or similar words, unless a member other than the member denoted in the name is also carrying on the practice of pharmacy on behalf of the corporation. (EC533/14)

30. Application for permit

In addition to the requirements of section 15 of the Act, an applicant for a permit to operate as a health profession corporation is required to provide with the application

- (a) a copy of the corporation's letters patent or articles of incorporation, as applicable, including any amendments; and
- (b) proof acceptable to the Registrar that the corporation is in good standing in accordance with the legislation under which it was incorporated. (EC533/14)

31. Information in record

In addition to the requirements of subsection 17(3) of the Act, the Registrar shall include in the record for each health profession corporation for which a permit has been issued

- (a) the registered business address, telephone number, facsimile number and e-mail address of the corporation; and
- (b) the date of issuance of the corporation's permit. (EC533/14)

Transitional Provisions

32. Transitional registration - pharmacists

(1) On the coming into force of this section, a pharmacist who holds a valid and subsisting license issued under the *Pharmacy Act* R.S.P.E.I. 1988, Cap. P-6

- (a) is deemed to be registered in Part A of the pharmacists register; and
- (b) notwithstanding subsection 9(1) and clause 9(3)(c), is, on or before March 31, 2015, entitled to renewal in Part A of the pharmacists register.

Idem – pharmacy students

(2) On the coming into force of this section, a pharmacy student who is registered under the *Pharmacy Act* R.S.P.E.I. 1988, Cap. P-6, is deemed to be registered in the pharmacy students register under these regulations, and an agreement entered into between the pharmacy student and a pharmacist for the purposes of practical training that is in force on the coming into



force of this section is deemed to be a training agreement for the purposes of section 18 of these regulations. (EC533/14)

SCHEDULE A

Revoked by EC535/15.

(EC533/14; 535/15)

SCHEDULE B

1. The following are the training programs required to be successfully completed by a pharmacist for a certificate in extended practice under section 16:

- (a) for the purposes of clause 16(1)(a), the Canadian Council for Continued Education in Pharmacy Competency Mapped Immunization and Injection Education and Training Program or a program recognized by a Canadian pharmacy regulatory authority as the equivalent of that program;
- (b) for the purposes of clause 16(1)(b), the Centre for Addiction and Mental Health Opioid Dependence Treatment Core Course or a course approved by the Council as equivalent to that course;
- (c) for the purposes of clause 16(1)(c), an education program for minor ailment prescribing approved by the Council; and
- (d) for the purposes of clause 16(1)(d), an education program in laboratory testing and interpretation approved by the Council.

2. A pharmacist applying for renewal of a certificate in extended practice under subsection 16(3) shall provide proof to the Registrar on request that the pharmacist, in the year immediately preceding the application for renewal,

- (a) has administered at least one injection; or
- (b) has successfully completed a refresher course in the education and training program referred to in clause 1(a).

(EC533/14; 535/15)