

Proposed Amendments to the Drug and Pharmacies Regulation Act to enable Remote Dispensing – Comparison Chart

Existing Clause	Proposed New Clause	Rationale
<p>1(1) “pharmacy” means a premises in or in part of which prescriptions are compounded and dispensed for the public or drugs are sold by retail; (“pharmacie”)</p>	<p>1(1)“pharmacy” means a premises in or in part of which drugs are compounded or dispensed for the public or drugs are sold by retail, and includes a remote dispensing location.</p> <p>1(1) “remote dispensing location” means that part of a pharmacy holding a certificate of accreditation which has been authorized by that certificate to operate a remote dispensing location;</p>	<p>Corrects definition of pharmacy – prescriptions are not compounded and dispensed – drugs are.</p> <p>Clarifies that only accredited pharmacies which have been authorized to do so will be able to operate remote dispensing locations.</p>
<p>Supervision of pharmacist 146(1) No person shall operate a pharmacy unless,</p> <ul style="list-style-type: none"> (a) it is under the supervision of a pharmacist who is physically present; and (b) it is managed by a pharmacist who is designated as the designated manager by the owner of the pharmacy. R.S.O. 1990, c. H.4, s. 146(1); 2007, c. 10, Sched. L, s. 10(1). 	<p>Subsection 146(1) of the DPRA should be amended by striking out “No person” at the beginning and substituting “Subject to subsection (1.0.1), no person”.</p> <p>A new subsection (1.0.1) should be added to section 146 of the DPRA as follows:</p> <p style="padding-left: 40px;">“(1.0.1) the requirement under clause (1)(a) that a pharmacist be physically present in a pharmacy does not apply with respect to a remote dispensing location so long as the remote dispensing location is operated in accordance with the regulations.”</p>	<p>Enables remote dispensing by avoiding the necessity of having a pharmacist physically present. Remote dispensing will be regulated by the regulations under the DPRA in order to ensure public safety.</p>
<p>Dispensing of drugs 149(1) Subject to subsection (2), no person shall compound, dispense or sell any drug in a pharmacy other than,</p> <ul style="list-style-type: none"> (a) a pharmacist; (b) an intern acting under the supervision of a pharmacist who is physically present; (c) a registered pharmacy student acting under the supervision of a pharmacist who is physically present; or (d) a pharmacy technician acting under the supervision of a pharmacist who is physically present. 2007, c. 10, Sched. L, s. 13(1). (e) 	<p>Subsection 149(1) of the DPRA should be amended to strike out “Subject to subsection (2)” and to substitute “Subject to subsections (2) and (3)”.</p> <p>A new subsection (3) should be added to section 149 of the DPRA as follows:</p> <p style="padding-left: 40px;">“(3) The requirement in clause (1)(d) that a pharmacist be physically present to supervise does not apply with respect to a remote dispensing location as long as the remote dispensing location is operated in accordance with the regulations.”</p>	<p>Enables the compounding, dispensing and sale of a drug from a remote dispensing location where a pharmacy technician (member) is present (but no pharmacist) so long as there is compliance with the regulations governing remote dispensing.</p>
<p>161(1) “(m) prescribing standards for accreditation for pharmacies including their operation and the maintenance, space, equipment and facilities required therefor;</p>	<p>“(m.1) Prescribing standards for accreditation for pharmacies wishing to have a remote dispensing location including their operation and the maintenance, space, equipment and facilities required therefor;</p> <p>“(m.2) Governing remote dispensing including establishing requirements for the operation of remote dispensing locations;”</p>	<p>Expands the regulation making authority to allow the College to regulate remote dispensing.</p>