Nova Scotia Pharmacy Regulator

Nova Scotia Pharmacy Regulator Bylaws

January 2026

TABLE OF CONTENTS

1. DEFINITIONS 5
2. FISCAL YEAR 10
3. CORPORATE SEAL 10
4. HEAD OFFICE 10
5. INITIAL BOARD 10
6. COMPOSITION OF SUBSEQUENT BOARDS 11
7. OFFICERS OF THE BOARD 11
8. CHAIR 12
9. VICE-CHAIR 12
10. REGISTRAR 12
11. GENERAL MEETINGS OF THE BOARD 13
12. SPECIAL MEETINGS OF THE BOARD 14
13. REMOVAL OF BOARD MEMBERS AND COMMITTEE MEMBERS 14
14. STANDING BOARD COMMITTEES 14
15. EXECUTIVE COMMITTEE 15
16. AUDIT COMMITTEE 15
17. GOVERNANCE COMMITTEE 16
18. EQUITY, DIVERSITY, AND INCLUSION ADVISORY COMMITTEE 16
19. STATUTORY COMMITTEES 16
20. REGISTRATION AND LICENSING COMMITTEE 17
21. REGISTRATION AND LICENSING REVIEW COMMITTEE 17
22. COMPLAINTS COMMITTEE 18
23. PROFESSIONAL CONDUCT COMMITTEE 19
24. FITNESS TO PRACTISE COMMITTEE 19
25. REINSTATEMENT COMMITTEE 20
26. EXPENSES 21
27. REMUNERATION 21
28. LICENCE CATEGORIES 21
29. QUALIFICATIONS FOR REGISTRATION AND LICENSING AS PRACTISING PHARMACIST 22
30. QUALIFICATIONS FOR REGISTRATION AND LICENSING AS PRACTICING PHARMACY TECHNICIAN 22
31. QUALIFICATIONS FOR REGISTRATION AND LICENSING AS A PHARMACY TECHNICIAN CANDIDATE 23

32. REGISTRATION AND LICENSING PERIOD AS A PHARMACY TECHNICIAN CANDIDATE 23
33. QUALIFICATION FOR REGISTRATION AND LICENSING AS PHARMACY STUDENT 24
34. REGISTRATION AND LICENSING PERIOD AS A PHARMACY STUDENT 24
35. REQUIRED REGISTRATION AND LICENCE TO WORK IN A PHARMACY 25
36. QUALIFICATIONS FOR REGISTRATION AND LICENSING AS INTERN 25
37. REGISTRATION AND LICENSING PERIOD FOR INTERNS 25
38. QUALIFICATIONS FOR REGISTRATION AND LICENSING AS AN INDIRECT PATIENT CARE PHARMACIST 25
39. QUALIFICATIONS FOR REGISTRATION AND LICENSING AS A PHARMACIST ASSESSMENT CANDIDATE 25
40. REGISTRATION AND LICENSING PERIOD AS A PHARMACIST ASSESSMENT CANDIDATE 26
41. PHARMACY STUDENT, INTERN OR PHARMACY TECHNICIAN CANDIDATE TO NOTIFY REGULATOR OF PRACTICE EXPERIENCE 26
42. PRACTICE EXPERIENCE FOR REGISTRATION AND LICENSING AS PHARMACIST 27
43. PRACTICE EXPERIENCE FOR REGISTRATION AND LICENSING AS PHARMACY TECHNICIAN . 27
44. PRECEPTORS: PHARMACY STUDENTS AND INTERNS 27
45. PRECEPTORS: PHARMACY TECHNICIAN CANDIDATE 28
46. REGISTRATION AND LICENSING DURING STATE OF EMERGENCY OR PUBLIC HEALTH EMERGENCY 29
47. STATEMENT OF DISCLOSURE REPORTING OFFENCES 29
48. TIME LIMITS 30
49. INSURANCE COVERAGE 30
50. CATEGORIES OF PRACTICE 31
51. CONTINUING EDUCATION 31
52. ANNUAL LICENCE RENEWAL 32
53. Fines 33
54. RESUMPTION OF PRACTICE 34
55. REGISTRATION AND LICENSING OF PHARMACIST AS PHARMACY TECHNICIAN 36
56. REMOVING OR AMENDING CONDITION 36
57. OWNER MAY APPOINT REPRESENTATIVE 36
58. ACCREDITATION AND LICENSING OF NEW OR NEWLY ACQUIRED PHARMACY 37
59. RENEWING PHARMACY LICENCE 37
60. NOTIFYING REGULATOR OF CHANGE OF STATUS OF PHARMACY MANAGER 38
61. APPLYING FOR NEW PHARMACY LICENCE ON REPLACEMENT OF PHARMACY MANAGER 38

62. PROCEDURE WHEN NO REPLACEMENT PHARMACY MANAGER 38
63. REPLACEMENT PHARMACY MANAGER—TIME PERIODS DURING STATE OF EMERGENCY OR PUBLIC HEALTH EMERGENCY 39
64. CLOSING A PHARMACY 39
65. APPLYING FOR ACCREDITATION OF LIMITED-SERVICE PHARMACY 40
66. LIMITED-SERVICE PHARMACY CONDITIONS 41
67. RENEWING LIMITED-SERVICE PHARMACY LICENCE 41
68. PHARMACY TECHNICIAN SCOPE OF PRACTICE 41
69. PHARMACIST – CONDITIONAL LICENCES: CONDITIONS OF PRACTICE 42
70. PHARMACY TECHNICIAN - CONDITIONAL LICENCES: CONDITIONS OF PRACTICE 42
71. VARIATION OF CONDITIONS FOR PRACTICE DURING STATE OF EMERGENCY OR PUBLIC HEALTH EMERGENCY 43
72. DELEGATION: ADMINISTERING DRUG THERAPY 43
73. DELEGATION OF TESTING ACTIVITIES 43
74. DISPENSING 44
75. ASSESSMENT OF DRUG THERAPY 44
76. COUNSELLING 44
77. MONITORING 44
78. PRESCRIPTIONS 45
79. PROVISION OF PHARMACY SERVICES OUTSIDE LICENSED PHARMACY 45
80. QUALIFICATIONS OF PHARMACY MANAGER 45
81. RESPONSIBILITIES OF THE PHARMACY MANAGER 45
82. CHANGES 47
83. REINSPECTION 48
84. PHARMACIST NOT PRESENT 48
85. SUPERVISION OF PHARMACIES 48
86. PERSONS PERMITTED IN DISPENSARY AND PHARMACY 49
87. SECURITY 49
88. SCHEDULE OF DRUGS - SCHEDULE I 49
89. SCHEDULE OF DRUGS - SCHEDULE II 50
90. SCHEDULE OF DRUGS - SCHEDULE III 50

Where there is conflict between a provision of these bylaws and a provision of the *Regulated Health Professions Act,* the *Regulated Health Professions General Regulations*, or the *Pharmacy Regulations,* the provisions of the Act and regulations prevail.

1. DEFINITIONS

1.1 All words used in these by-laws that are not otherwise defined in the by-laws have the same meaning as set out in the Act or regulations.

1.2 In these by-laws, unless the context requires otherwise:

(a) "Act" means the *Regulated Health Professions Act*, SNS 2023, c. 15;

(b) "Board" means the Initial Board or any Subsequent Board, as context requires;

(c) "Board Member(s)" means a member of the Board;

(d) "Board Policy" means any policy approved by the Board from time to time respecting the administration of the affairs of the Board and "Board Policies" has a corresponding meaning;

(e) "Board Recruitment and Appointment Policy" means a Board Policy governing the recruitment and appointment of Board Members and Committee Members;

(f) Chair" means the Chair of the Initial Board or the Chair of a Subsequent Board, as the context requires;

(g) "Code of Conduct and Sanctions Process Policy" means a Board Policy governing the conduct of Board Members and Committee Members;

(h) "Committee Member(s)" means a member of a committee;

(i) "compounding" means the pharmaceutical preparation of two or more ingredients, at least one of which is a drug, into a drug product, that is considered to be within the professional practice of pharmacy;

(j) "competence in jurisprudence", in relation to an applicant for a licence, means the successful completion by the applicant, within two years preceding the date of their application, of the examination in jurisprudence approved by the Board for use in assessing the pharmacy jurisprudence competencies of an applicant for a licence as a pharmacist or pharmacy technician, as the case may be, in Canada, with specific reference to Nova Scotia;

(k) "conditional register" means a register of conditional license holders;

(l) "continuing competence" means the ongoing ability of a registrant to apply the knowledge, skills and judgement required to practise safely and ethically in a designated role and setting;

(m) "direct patient care" means a practice of pharmacy that involves the care of individual patients;

(n) "direction" means the instruction and management by a person of the performance of a task or activity;

(o) "Director(s)" means a director level employee;

(p) "dispensary" means an area in which prescriptions are prepared, and drugs are compounded or dispensed, and includes the area containing active patient records;

(q) "fee" means the fees for registration, accreditation, reinstatement, licences, and applications determined by the Board under subsection 10(1) of the Act, unless the context otherwise requires, and includes any fees for late or dishonoured payments or late filings;

(r) "General Regulations" means the *Regulated Health Professions General Regulations* passed by the Governor in Council pursuant to the Act;

(s) "good standing" for purposes of registrant appointment to the Board or committee means the status of a registrant who:

(i) holds a practising licence or a conditional licence, unless there is a condition on the licence restricting the registrant from eligibility to serve on the Board or committee;

(ii) does not owe any outstanding fees or costs to the Regulator; and

(iii) is not subject to any licensing sanction or ongoing regulatory process that in the opinion of the Board, impacts their ability to ethically and competently serve as a member of the Board or committee, or would otherwise be contrary to the objects of the Regulator;

(t) "indirect patient care" means a practice of pharmacy that does not involve the care of individual patients;

(u) "indirect patient care pharmacist" means a person who is registered and licensed under the pharmacist conditional licence – indirect patient care register under the Act, the Pharmacy Regulations and these bylaws;

(v) "Initial Board" means the Board of the Regulator continued from the Legacy Board following the date of repeal of the Pharmacy Act, SNS 2011, c 11;

(w) "intern" means a person who is participating in a period of practice experience or assessment after having obtained a degree in pharmacy and is registered and licensed under a conditional register under the Act, the Pharmacy Regulations and these bylaws;

(x) "Legacy Board" means the Council of the Nova Scotia College of Pharmacists in existence immediately prior to the repeal of the Pharmacy Act, SNS 2011, c 11;

(y) "letter of standing" is a document from a pharmacy registration and licensing authority that includes all of the following:

(i) confirmation that the applicant is or has been registered and licensed in that jurisdiction and the current status of the registration and licence;

(ii) a statement of the registration class in which the applicant is or was registered and the details of any limits on the applicant's right to practise pharmacy in that jurisdiction;

(iii) a complete list of any complaints, discipline matters, discipline proceedings and sanctions against the applicant, including any settlements, warnings and cautions;

(iv) a statement as to whether there are any outstanding complaints or other disciplinary matters against the applicant;

(z) "licence", unless the context otherwise requires, means a practising licence or conditional licence to practise pharmacy issued to an individual pursuant to the Act, the Pharmacy Regulations and these bylaws;

(aa) "licensed" means in possession of a valid current licence from the Regulator that is not suspended or revoked;

(bb) "limited-service pharmacy" means a pharmacy that serves a limited clientele and does not serve the general public;

(cc) "Meeting Rules" means such rules approved by the Board that govern the conduct of meetings that are not inconsistent with these bylaws;

(dd) "officer(s)" means any one or more persons, respectively, who have been appointed as officers of the Board, and includes the Chair and Vice-Chair;

(ee) "permit" means a permit that authorizes a registrant or pharmacy to carry out activities as required and set out in these by-laws, and which has not expired, been suspended or revoked by the Regulator;

(ff) "pharmacist" means a person who is registered and licensed as a pharmacist licence holder under the Act, the Pharmacy Regulations and these bylaws;

(gg) "pharmacist assessment candidate" means a person who is enrolled in an approved pharmacist practice readiness program and is registered and licensed under a pharmacist conditional register under the Act, the Pharmacy Regulations and these bylaws;

(hh) "pharmacy licence" means a licence issued to a pharmacy under the Act, the Pharmacy Regulations and these bylaws;

(ii) "pharmacist practice readiness program" means a training program approved by the Board for preparing internationally educated pharmacists for readiness to practice in Nova Scotia;

(jj) "Pharmacy Regulations" means the *Regulations Respecting Pharmacy* passed by the Governor in Council pursuant to the Act;

(kk) "pharmacy standards" means standards for pharmacies established by the Regulator;

(ll) "pharmacy student" means a person enrolled in an approved education program who has not graduated and is registered and licensed with the Regulator under a pharmacist conditional register under the Act, Pharmacy Regulations and these bylaws;

(mm) "pharmacy technician" means a person registered and licensed as a pharmacy technician licence holder under the Act, the Pharmacy Regulations and these bylaws;

(nn) "pharmacy technician candidate" means a person enrolled in an approved education program who has not graduated or a person who is participating in a period of practice experience or assessment after having obtained a diploma from an approved education program and is registered and licensed with the Regulator under a pharmacy technician conditional register under the Act, the Pharmacy Regulations and these bylaws;

(oo) "physically present" means immediately accessible to a pharmacy or person being supervised under terms and conditions as the Board may prescribe in the public interest;

(pp) "practice assessment" means a process approved by the Registrar for

assessing competence;

(qq) "practice of pharmacy" means the services or restricted activities described in the Pharmacy Regulations and these bylaws provided by a pharmacist or pharmacy technician, including a registrant required to practice under the direction or supervision of a pharmacist or pharmacy technician pursuant to the Pharmacy Regulations and these bylaws;

(rr) "preceptor" means a person who is responsible for a registrant's practice experience in accordance with these bylaws;

(ss) "present in the pharmacy" means physically present in the pharmacy or other place where pharmacy services are provided under the conditions approved by the Board;

(tt) "regulations" means the General Regulations, and the Pharmacy Regulations passed pursuant to the *Regulated Health Professions Act*;

(uu) "Reserve Fund Investment Account" means a Reserve Fund investment account of the Regulator created in accordance with the Reserve Fund policy;

(vv) "Reserve Fund Policy" means the Reserve Fund policy overseen by the Audit Committee and approved by the Board;

(ww) "Standing Board Committee(s)" means any committee established by the Board which is a non-statutory committee;

(xx) "Statutory Committee" is any statutory committee as defined under and required by the Regulated Health Professions Act pertaining to the practice of the Regulator;

(yy) "structured practice experience" means practice experience that is structured as approved by the Board to attain specific competency requirements;

(zz) "Subsequent Board" means each Board appointed after the expiry of the term of the Initial Board;

(aaa) "supervision" means observation and direction by a person, who is physically present, of the performance of a task or activity;

(bbb) "testing" means ordering, receiving, conducting or interpreting a test;

(ccc) "Vice-Chair" means the Vice-Chair of the Initial Board or the Vice-Chair of a Subsequent Board, as the context requires.

PART 1: GOVERNANCE

2. FISCAL YEAR

2.1 The fiscal year of the Regulator begins on the first day of January in any year and ends on December 31st of that year.

3. CORPORATE SEAL

3.1 The seal of the Regulator shall be kept by the Registrar and shall have the words "Nova Scotia Pharmacy Regulator" endorsed thereon.

4. HEAD OFFICE

4.1 The head office of the Regulator shall be maintained within the province of Nova Scotia and located as to reasonably carry on the business of the Regulator.

5. INITIAL BOARD

5.1 The Initial Board shall consist of the members of the Legacy Board.

5.2 The term of the Initial Board is twelve months, or such earlier time as may be determined by the Initial Board.

5.3 A Board Member's term on the Initial Board does not count towards any term limit for Board Members appointed to Subsequent Boards after the expiry of the term of the Initial Board.

5.4 The officers of the Initial Board are the Chair and Vice-Chair.

5.5 The Chair of the Initial Board shall be the same individual as the President of the Legacy Board.

5.6 The Vice-Chair of the Initial Board shall be the same individual as the Vice-President of the Legacy Board.

5.7 The term of office for the Chair and Vice-Chair on the Initial Board is the same as the term of the Initial Board.

5.8 The quorum for the Initial Board is a majority of its members, one of whom is a public representative.

5.9 Where a vacancy occurs due to the resignation, removal or otherwise of a registrant member of the Initial Board who is not an officer, prior to the expiration of the term of the Initial Board, that vacancy may be filled with a registrant in good standing appointed by the Initial Board.

5.10 A registrant appointed by the Initial Board to fill a vacant position of a registrant member on the Initial Board pursuant to section 5.9 shall serve for the duration of the Initial Board's term. A registrant's replacement term on the Initial Board does not count towards any term limit for Board Members appointed after the expiry of the term of the

Initial Board.

5.11 An officer of the Initial Board may resign by written notice delivered to the Registrar.

5.12 The Initial Board, by a two thirds majority vote of the Board Members in attendance, may suspend or remove an officer.

5.13 Where a vacancy occurs due to the resignation, removal or otherwise of the Chair of the Initial Board, the Vice-Chair shall assume the role of Chair. The time served prior to the expiration of the Initial Board is not considered part of the Chair's term.

5.14 Where a vacancy occurs due to the resignation, removal or otherwise of the Vice-Chair of the Initial Board, that vacancy may be filled by the Initial Board with a member from amongst their number, in such manner as determined by the Initial Board. The time served prior to the expiration of the Initial Board is not considered part of the Vice-Chair's term.

6. COMPOSITION OF SUBSEQUENT BOARDS

6.1 Each Subsequent Board following the expiry of the term of the Initial Board shall consist of nine Board Members appointed in accordance with the Board Recruitment and Appointment Policy and will include:

(a) five registrants who are in good standing; and

(b) four public representatives.

6.2 The term of appointment for a Board Member is three years.

6.3 A Board Member must not serve for more than two consecutive terms.

6.4 In section 6.3, "consecutive" means twelve months or less have elapsed between the end of one term and the beginning of the next.

6.5 The recruitment and appointment of Board Members shall be done in accordance with the Board Recruitment and Appointment Policy.

7. OFFICERS OF THE BOARD

7.1 The officers of the Board are the Chair and the Vice-Chair.

7.2 The Board shall, at the last scheduled meeting of the Board in every second year, elect from among its members the Vice-Chair.

7.3 A Board Member whose term expires at the end of the year is not eligible for election as Vice-Chair unless the member has been re-appointed for a further term.

7.4 The term of office of the Vice-Chair is two years, commencing on the first day of January following the person's election.

7.5 Upon the expiration of the Vice-Chair's term of office, the Vice-Chair becomes the Chair.

7.6 The term of office of the Chair is two years, commencing when that person's term of office as Vice-Chair expires.

7.7 A Board Member who has served as Chair shall not be eligible to serve as Vice-Chair until two years has elapsed since they last served as Chair.

7.8 In the event that the office of Chair becomes vacant, the Vice-Chair becomes the Chair for the balance of the former Chair's term of office and for a subsequent full term of office.

7.9 In the event that the office of the Vice-Chair becomes vacant, the Board shall at its next meeting elect a Board Member to be the Vice-Chair for the balance of the term.

7.10 A Vice-Chair elected according to section 7.9 becomes Chair when the office of Chair becomes vacant, or the Chair's term of office expires.

7.11 The term of office of the Chair and the Vice-Chair as a Board Member is extended until the end of that member's term of office as Chair.

7.12 The appointment of a member to replace the Chair as a Board Member shall take place in accordance with the Board Recruitment and Appointment Policy during the appointment process immediately preceding the end of that officer's final term of office as Chair of the Board.

7.13 The Chair, if otherwise qualified, may apply to be a Board Member in accordance with the Board Recruitment and Appointment Policy during the appointment process immediately preceding the end of the Chair's term of office as Chair.

7.14 The appointment of a member to replace the Chair as a Board Member shall be for a term as set out in section 6 of these bylaws.

7.15 An officer may resign by written notice delivered to the Registrar.

7.16 The Board, by a two thirds majority of the members in attendance, may suspend or remove an officer.

8. CHAIR

8.1 The Chair shall preside at all meetings and direct the order and conduct of business at those meetings.

8.2 The Chair shall preside at all meetings of the Executive Committee.

8.3 The Chair shall perform additional functions as directed by the Board.

9. VICE-CHAIR

9.1 The Vice-Chair shall have the authority of and fulfill all the duties and responsibilities of the Chair in the event of the absence, inability or incapacity of the Chair, or at the request of the Chair.

10. REGISTRAR

10.1 The Registrar is responsible for planning and implementing the work of the Regulator in accordance with the objectives set out in the Act and the regulations, and the policies and objectives approved by the Board.

10.2 The Registrar is responsible for carrying out the duties and responsibilities conferred on the Registrar by the Act and the regulations.

10.3 The Registrar is responsible for the administration of the Regulator and its internal staffing and management and is accountable to the Board with respect to it.

10.4 No Board Member shall give instructions to any of the employees of the Regulator except through the Registrar.

10.5 Where a member of the Board resigns for the purposes of applying for a vacant position of Registrar, the member cannot be reappointed to the Board for a period, at minimum, equal to the length of a member of the Board's full term.

10.6 It is the responsibility of the Registrar to exercise a general supervision of the financial affairs of the Regulator, to prepare the annual budget in consultation with the Executive Committee, to present the budget to the Board, and to provide financial reports to meetings of the Board.

10.7 It is the responsibility of the Registrar to ensure that minutes of all meetings are prepared and kept, and that the correspondence of the Regulator is dealt with.

11. GENERAL MEETINGS OF THE BOARD

11.1 The Chair of the Board shall convene general meetings of the Board at least four times per year.

11.2 The Registrar shall ensure notice of the meetings is given to Board Members at least fourteen days in advance of the meeting, stating the time and whether the meeting is in-person, virtual, or hybrid.

11.3 The Board shall, at its last scheduled meeting in each year, elect officers, introduce new Board Members and conduct such other business as may be required.

11.4 A meeting may be held by conference call, video conferencing or other methods that permit Board Members to participate in the meeting.

11.5 Except as otherwise provided in these bylaws, all questions arising in the Board shall be decided by the majority vote of the Board Members in attendance.

11.6 The presiding officer may only vote to break a tie.

11.7 In the event of a tie vote that the presiding officer chooses not to break, the motion is lost.

11.8 Any Board Member who wishes to abstain from any vote must give a reason, which shall be recorded in the minutes.

11.9 An abstention shall be counted as a vote against the motion.

11.10 Points of order shall be determined by the presiding officer.

11.11 Any Board Member who disagrees with a ruling of the presiding officer on a point of order may appeal to the meeting which shall, by a vote of the majority, determine the question.

11.12 Meetings will be conducted in accordance with these bylaws and any Meeting Rules approved by the Board.

12. SPECIAL MEETINGS OF THE BOARD

12.1 The Chair of the Board may call a special meeting at any time required by the Chair or upon the written request of one-third of Board Members indicating the subject(s) to be considered.

12.2 At least three days prior to a special meeting, notice shall be issued to each Board Member. The notice shall state the purpose of the meeting. No matter shall be discussed at any special meeting apart from that specified in the Notice.

12.3 A quorum of such meetings is a majority of the Board Members, one of whom is a public representative.

12.4 The Board shall follow the meeting procedures prescribed in section 11.

13. REMOVAL OF BOARD MEMBERS AND COMMITTEE MEMBERS

13.1 Any Board Member who is absent from three consecutive regular meetings of the Board ceases to be a Board Member unless the absence is excused by the Board.

13.2 The Board may remove any Board Member for misconduct, incompetence, or neglect of duty.

13.3 Where the Board determines that a Board Member or Committee Member has failed to fulfil their fiduciary responsibilities or violated the requirements set out in the Act, the regulations, these bylaws, and Board Policies, the Board, may by special motion and through a two-thirds majority vote of the Board, remove a Board Member or Committee Member before the expiration of their term.

13.4 A decision made by the Board under this section is final.

13.5 Where a Board Member or Committee Member seat becomes vacant, the vacancy will be filled in accordance with these Bylaws and Board Recruitment and Appointments Policy.

14. STANDING BOARD COMMITTEES

14.1 In accordance with section 12(1)(x) of the Act, the following committees are established:

(a) Executive Committee;

(b) Audit Committee;

(c) Governance Committee;

(d) Equity, Diversity and Inclusion Advisory Committee.

14.2 Unless otherwise specified by these bylaws, the Board shall appoint the chair of each Standing Board Committee.

14.3 Except for the Executive Committee, Standing Board Committee members shall be registrants or public representatives but need not be Board Members.

14.4 The Board may approve and make available an application form to be completed by each person who seeks appointment to any Standing Board Committee.

14.5 Registrant members of Standing Committees must be in good standing.

14.6 The Board may conduct an interview process to appoint potential members of Standing Board Committees.

14.7 Appointment of any Committee Member to a Standing Board Committee shall be done in accordance with the Board Recruitment and Appointment Policy.

14.8 A quorum of any Standing Board Committee is a majority of its members, one of whom is a public representative.

15. EXECUTIVE COMMITTEE

15.1 The officers of the Board and a member at-large elected by the Board from among the Board Members are the members of the Executive Committee.

15.2 The term of office of the member-at-large on the Executive Committee is one year and may not be renewed.

15.3 A Board Member who has been appointed as the member-at-large on the Executive Committee may be appointed to the same position at any time except for the year immediately following a term of office as the member-at-large.

15.4 The Executive Committee shall take action upon any matter delegated to it by the Board or that requires attention between meetings of the Board.

15.5 The Executive Committee shall oversee and coordinate the work of the other Standing Board Committees.

15.6 The Chair is the chair of the Executive Committee.

16. AUDIT COMMITTEE

16.1 The Audit Committee is responsible for:

(a) oversight of the annual audit and financial reporting of the Regulator;

(b) ensuring compliance with legal and regulatory requirements in financial matters;

(c) making recommendations to the Board on financial policies, including the Reserve Fund Policy; and

(d) any other matter delegated to it by the Executive Committee, acting

reasonably.

17. GOVERNANCE COMMITTEE

17.1 The Governance Committee is responsible for:

(a) reviewing and developing internal governance policies at the request of the Board, for the Board's approval;

(b) recruiting candidates for the Board, Statutory Committees and Standing Board Committees and other Board appointments, in accordance with the Board Recruitment and Appointment Policy;

(c) orientation for new Board Members; and

(d) any other matter delegated to it by the Executive Committee, acting reasonably.

18. EQUITY, DIVERSITY, AND INCLUSION ADVISORY COMMITTEE

18.1 The Equity, Diversity, and Inclusion Advisory Committee is responsible for:

(a) advising the Board, Standing Board Committees, and the Registrar on diversity, inclusion, equity, reconciliation, and accessibility and systemic racism in regulation to the practice of pharmacy; and

(b) making recommendations to the Board on policies as they relate to diversity, inclusion, equity, reconciliation, and accessibility and systemic racism in the regulation of the practice of pharmacy.

19. STATUTORY COMMITTEES

19.1 The Statutory Committees are established under the Act and include:

(a) the Registration and Licensing Committee;

(b) the Registration and Licensing Review Committee;

(c) the Complaints Committee;

(d) the Professional Conduct Committee;

(e) the Fitness-to-practise Committee; and

(f) the Reinstatement Committee.

19.2 Statutory Committees are appointed and composed as provided for in the Act, the regulations, and these bylaws.

19.3 Statutory Committee Members shall be appointed in accordance with the Board Recruitment and Appointment Policy.

19.4 Registrant members of Statutory Committees must be in good standing.

19.5 A member of a Statutory Committee holds office until they resign or are replaced by

the Board.

19.6 Except as otherwise provided by the Act, regulations, and these bylaws, no Board Member may serve on a Statutory Committee.

20. REGISTRATION AND LICENSING COMMITTEE

20.1 In accordance with section 30 of the Act, the Board must appoint a Registration and Licensing Committee to exercise such powers and fulfill such obligations delegated to it under the Act and regulations.

20.2 In accordance with section 30 of the Act, the Registration and Licensing Committee must be composed of at least three persons, one of whom is a public representative and two of whom are registrants. One of the registrants must hold the same licence as the applicant, except where the application is for a conditional licence there must be at least one registrant who holds the corresponding practising licence to the applicant.

20.3 In accordance with section 17 of the General Regulations, a member of the Board may serve on the Registration and Licensing Committee.

20.4 In accordance with section 17 of the General Regulations, no more than one Board Member may serve on any panel of the Registration and Licensing Committee.

20.5 A quorum of the Registration and Licensing Committee is three members, one of whom is a public representative and one of whom is a registrant who holds the same licence as the applicant, except where the application is for a conditional licence there must be at least one registrant who holds the corresponding practising licence to the applicant.

21. REGISTRATION AND LICENSING REVIEW COMMITTEE

21.1 As set out under section 30 of the Act, the Board must appoint a Registration and Licensing Review Committee to exercise such powers and fulfill such obligations delegated to it under the Act and regulations.

21.2 In accordance with section 30 of the Act, the Registration and Licensing Review Committee must be composed of at least three persons, one of whom is a public representative and two of whom are registrants. One of the registrants must hold the same licence as the applicant, except where the application is for a conditional licence there must be at least one pharmacist.

21.3 In accordance with section 8(3) of the Act, Board Members shall not be members of the Registration and Licensing Review Committee.

21.4 The Registration and Licensing Review Committee may have the same membership as the Reinstatement Committee.

21.5 A member of the Registration and Licensing Review Committee must not be a member of the Registration and Licensing Committee.

21.6 In accordance with section 30 of the Act, the Board must appoint a chair and may appoint a vice chair of the Registration and Licensing Review Committee to act as chair in the absence of the chair.

21.7 The vice-chair must act as chair in the absence of the chair.

21.8 If neither the chair nor the vice-chair is available, the Registrar must name a member of the Registration and Licensing Review Committee to act as the chair.

21.9 A quorum of the Registration and Licensing Review Committee is three members, one of whom is a public representative and one of whom is a registrant who holds the same licence as the applicant, except where the application is for a conditional licence there must be at least one registrant who holds the corresponding practising licence to the applicant.

22. COMPLAINTS COMMITTEE

22.1 In accordance with section 66 of the Act, the Board must appoint a Complaints Committee to exercise such powers and fulfill such obligations delegated to it under the Act and regulations.

22.2 In accordance with section 66 of the Act, the Complaints Committee consists of the registrants and public representatives appointed by the Board.

22.3 In accordance with section 17 of the General Regulations, a member of the Board may serve on the Complaints Committee.

22.4 In accordance with section 17 of the General Regulations, no more than one Board Member may serve on any panel of the Complaints Committee.

22.5 The chair of the Complaints Committee may appoint a panel of at least three persons from the Committee, one of whom must be a public representative and two of whom must be registrants, to deal with any specific matter referred to the Committee. One of the registrants appointed must hold the same licence as the respondent, except where the respondent is a conditional licence holder there must be at least one registrant who holds the corresponding practising licence to the respondent.

22.6 In accordance with section 67 of the Act, a panel appointed by the chair of the Complaints Committee has all of the powers and duties of the Complaints Committee and is the Complaints Committee with respect to any matter that has been assigned to it.

22.7 In accordance with sections 67(2) and 67(3) of the Act, the chair of the Complaints Committee must name the chair of each panel appointed.

22.8 The chair of the Complaints Committee may name another member of the Complaints Committee to fill any vacancy that occurs in a panel.

22.9 In accordance with section 68(2) of the Act, a quorum of the Complaints Committee is two Complaints Committee panel members, one of whom is a public representative and one of whom is a registrant who holds the same licence as the respondent, except

where the respondent is a conditional licence holder there must be at least one registrant who holds the corresponding practising licence to the respondent.

22.10 In accordance with section 68(3) of the Act, each Complaints Committee decision requires a majority vote of the members of the panel that heard the matter.

23. PROFESSIONAL CONDUCT COMMITTEE

23.1 In accordance with section 90 of the Act, the Board must appoint a Professional Conduct Committee to exercise such powers and fulfill such obligations delegated to it under the Act and regulations.

23.2 In accordance with section 90 of the Act, the Professional Conduct Committee consists of the registrants and public representatives appointed by the Board.

23.3 No person on the Professional Conduct Committee may concurrently serve on the Complaints Committee or the Fitness to Practise Committee.

23.4 In accordance with section 91(1) of the Act, where a matter is referred to the Professional Conduct Committee, the chair of the Professional Conduct Committee must appoint a panel of at least three persons from the Committee, one of whom must be a public representative and two of whom must be registrants, to deal with each specific matter referred to the Professional Conduct Committee. One of the registrants appointed must hold the same licence as the respondent, except where the respondent is a conditional licence holder there must be at least one registrant who holds the corresponding practising licence to the respondent.

23.5 A panel of the Professional Conduct Committee has all of the powers and duties of the Professional Conduct Committee and is the Professional Conduct Committee with respect to any matter that has been assigned to it.

23.6 In accordance with sections 91(2) and 91(3) of the Act, the chair of the Professional Conduct Committee must name the chair of each panel appointed.

23.7 The chair of the Professional Conduct Committee may name another member of the Professional Conduct Committee to fill any vacancy that occurs in a panel before a hearing begins.

23.8 As set out in section 92(2) of the Act, a quorum of the Professional Conduct Committee is three Professional Conduct Committee panel members, one of whom is a public representative and one of whom is a registrant who has the same licence as the respondent, except in the case of a conditional licence holder there must be at least one registrant who holds the corresponding practising licence to the respondent.

23.9 In accordance with section 91(3) of the Act, each Professional Conduct Committee decision requires a majority vote of the members of the panel that heard the matter.

24. FITNESS TO PRACTISE COMMITTEE

24.1 In accordance with section 122 of the Act, the Board must appoint a Fitness to Practise Committee to exercise such powers and fulfill such obligations delegated to it under the Act and regulations.

24.2 In accordance with section 122 of the Act, the Fitness to Practise Committee consists of the registrants and public representatives appointed by the Board.

24.3 In accordance with section 123(1) of the Act, where a matter is referred to the Fitness to Practise Committee, the chair of the Fitness to Practise Committee must appoint a panel of at least three persons from the Committee, one of whom must be a public representative and two of whom must be registrants, to deal with any specific matter referred to the Committee. One of the registrants appointed must hold the same licence as the respondent, except where the respondent is a conditional licence holder there must be at least one registrant who holds the corresponding practising licence to the respondent.

24.4 A panel appointed by the Fitness to Practise Committee has all of the powers and duties of the Fitness to Practise Committee and is the Fitness to Practise Committee with respect to any matter that has been assigned to it.

24.5 In accordance with sections 123(4) and 123(5) of the Act, the chair of the Fitness to Practise Committee must name the chair of each panel appointed.

24.6 The chair of the Fitness to Practise Committee may name another member of the Fitness to Practise Committee to fill any vacancy that occurs in a panel.

24.7 In accordance with 124(2) of the Act, a quorum of the Fitness to Practise Committee is three Fitness to Practise Committee panel members, one of whom is a public representative and one of whom is a registrant who has the same licence as the respondent, except in the case of a conditional licence holder there must be at least one registrant who holds the corresponding practising licence to the respondent.

24.8 In accordance with section 124(3) of the Act, each Fitness to Practise Committee decision requires a majority vote of the members present.

25. REINSTATEMENT COMMITTEE

25.1 In accordance with section 116 of the Act, the Board must appoint a Reinstatement Committee to exercise such powers and fulfill such obligations delegated to it under the Act and regulations.

25.2 In accordance with section 116 of the Act, the Reinstatement Committee consists of the registrants and public representatives appointed by the Board.

25.3 In accordance with section 116(2) of the Act, the Board must appoint a chair and may appoint a vice-chair of the Reinstatement Committee.

25.4 The vice-chair must act as chair in the absence of the chair.

25.5 If neither the chair nor the vice-chair is available, the Registrar must name a member of the Reinstatement Committee to act as the chair.

25.6 In accordance with section 117(2) of the Act, a quorum of the Reinstatement Committee is three Reinstatement Committee Members, one of whom is a public representative and one of whom is a registrant who has the same licence as the respondent, except in the case of a conditional licence holder there must be at least one pharmacist.

25.7 The Reinstatement Committee may have the same membership as the Registration and Licensing Review Committee.

26. EXPENSES

26.1 Board Members and Committee Members are entitled to reimbursement of expenses with respect to attendance at meetings in accordance with a Board Policy governing the reimbursement of expenses.

26.2 Notwithstanding 29.1, Board Members and Committee Members may be disentitled to reimbursement of expenses in the event the Board finds they are in breach of the Code of Conduct and Sanctions Process Policy.

27. REMUNERATION

27.1 Board Members and Committee Members may be paid honoraria in accordance with a Board Policy governing remuneration.

27.2 Notwithstanding 30.1, Board Members and Committee Members may be disentitled to remuneration in the event the Board finds they are in breach of the Code of Conduct and Sanctions Process Policy.

PART II: REGISTRATION AND LICENSING

REGISTRATION AND LICENSING CATEGORIES AND REQUIREMENTS

28. LICENCE CATEGORIES

28.1 The licence categories are set out in sections 9 and 10 of the Pharmacy Regulations.

28.2 Pursuant to section 10 (c) of the Pharmacy Regulations, the following additional categories of conditional licences for pharmacy are established:

(a) pharmacist conditional licence - pharmacy student;

(b) pharmacist conditional licence - intern;

(c) pharmacist conditional licence – indirect patient care;

(d) pharmacist conditional licence – pharmacist assessment candidate;

(e) pharmacy technician conditional licence - pharmacy technician candidate.

PRACTICING LICENCES

29. QUALIFICATIONS FOR REGISTRATION AND LICENSING AS PRACTISING PHARMACIST

29.1 Except as provided in sections 29.2 and 29.3, an applicant must meet the requirements of sections 11, and 12 of the Pharmacy Regulations and satisfy the following qualifications, as applicable, to be eligible for registration and licensing as a practicing pharmacist:

(a) successful completion of structured practice experience as approved by the Board;

(b) successful demonstration of required professional competencies as approved by the Board.

29.2 Subject to section 29.4, an applicant who is licensed to practise pharmacy in another Canadian jurisdiction and who has attained competence in jurisprudence is eligible for registration and licensing as a practicing pharmacist.

29.3 Subject to section 29.4, an applicant who is licensed to practise pharmacy in a jurisdiction outside Canada and who has all of the following qualifications is eligible for registration and licensing as a practicing pharmacist:

(a) all of the qualifications set out in section 29.1

(b) successful completion of a practice assessment.

29.4 An applicant referred to in section 29.2 or 29.3 who is eligible to be registered and licensed must be registered and licensed in the same or an equivalent category as the category in which the applicant is licensed in the other jurisdiction.

30. QUALIFICATIONS FOR REGISTRATION AND LICENSING AS PRACTICING PHARMACY TECHNICIAN

30.1 Except as provided in sections 30.2, 30.3 and 30.4 for applicants to whom those sections apply, an applicant must meet the requirements of sections 11 and 12 of the Pharmacy Regulations and satisfy the following qualifications, as applicable, to be eligible for registration and licensing as a practicing pharmacy technician:

(a) successful completion of structured practice experience as a pharmacy technician candidate as approved by the Board;

(b) successful completion of an assessment of the applicant's basic competencies in a pharmacy practice setting as approved by the Board;

(c) successful demonstration of required professional competencies as approved by the Board.

30.2 An applicant who has all of the following qualifications is eligible for registration and licensing as a pharmacy technician:

(a) successful completion of an approved education program;

(b) at least 2000 hours of work experience in a direct patient care pharmacy

practice in Canada in the three-year period immediately preceding entering the program referred to in clause (a); and

(c) the qualifications set out in sections 30.1(b) and 30.1(c).

30.3 Subject to section 30.5, an applicant who is licensed to practise pharmacy as a pharmacist or pharmacy technician in another Canadian jurisdiction and who has attained competence in jurisprudence is eligible for registration and licensing as a pharmacy technician.

30.4 Subject to section 30.5, an applicant who is licensed to practise pharmacy as a pharmacist or pharmacy technician in a jurisdiction outside Canada and who has all of the following qualifications is eligible for registration and licensing as a pharmacy technician:

(a) all of the qualifications set out in section 30.1; and

(b) successful completion of a practice assessment.

30.5 An applicant referred to in section 30.3 or 30.4 who is eligible to be registered and licensed must be registered and licensed in the same or an equivalent category as the category in which the applicant is licensed in the other jurisdiction.

CONDITIONAL LICENCES

31. QUALIFICATIONS FOR REGISTRATION AND LICENSING AS A PHARMACY TECHNICIAN CANDIDATE

31.1 An applicant who meets the requirements of Sections 13 and 14 of the Pharmacy Regulations is eligible for registration and licensing as a pharmacy technician candidate.

31.2 Applicants who meet the requirements of Sections 13 and 14 of the Pharmacy Regulations, except sections 13(1)(b)(i) and 14(1)(b)(i), are eligible for registration and licensing as a pharmacy technician candidate where they provide proof of one of the following:

(a) enrolment in an approved pharmacy technician education program; or

(b) fulfilment of the requirements of an approved education program.

32. REGISTRATION AND LICENSING PERIOD AS A PHARMACY TECHNICIAN CANDIDATE

32.1 The registration and licence of a pharmacy technician candidate in a conditional register continues until the pharmacy technician candidate is otherwise registered and licensed by the Regulator or revoked.

32.2 The Registrar must revoke the registration and licence of a pharmacy technician

candidate in any of the following circumstances:

(a) the pharmacy technician candidate is expelled from or refused readmission to an approved pharmacy technician training program;

(b) the pharmacy technician candidate fails to complete an approved pharmacy technician training program within four years of initial enrolment in the program unless the Registrar grants an extension under section 32.3;

(c) the pharmacy technician candidate fails to register and licence as a pharmacy technician within six years after the date of registration as a pharmacy technician candidate unless the Registrar grants an extension under section 32.3.

32.3 On application by a pharmacy technician candidate, the Registrar may extend the time referred to in section 32.2 (b) and (c).

32.4 If the registration and licence of a pharmacy technician candidate is revoked for any reason, the person must not be re-registered or re-licensed as a pharmacy technician candidate until the person applies for reinstatement in accordance with the Act and General Regulations and the Reinstatement Committee accepts the reinstatement application pursuant to section 40 of the General Regulations.

33. QUALIFICATION FOR REGISTRATION AND LICENSING AS PHARMACY STUDENT

33.1 An applicant must meet the requirements of Sections 13 and 14 of the Pharmacy Regulations, except sections 13(1)(b)(i) and 14(1)(b)(i) and be enrolled in an approved education program to be eligible for registration and licensing as a pharmacy student.

34. REGISTRATION AND LICENSING PERIOD AS A PHARMACY STUDENT

34.1 The registration and licensing of a pharmacy student in a conditional register continues until the pharmacy student graduates from an approved education program, unless revoked.

34.2 The Registrar must revoke the registration and license of a pharmacy student in any of the following circumstances:

(a) the registrant is expelled from or refused readmission to an approved education program;

(b) the registrant fails to complete an approved education program within six years after the registrant's initial enrolment in the approved education program, unless the Registrar grants an extension under section 34.3.

34.3 On application by a pharmacy student, the Registrar may extend the time referred to in section 34.2 (b) within which the pharmacy student must complete the program.

34.4 If the registration and licence of a pharmacy student is revoked for any reason, the person must not be re-registered or re-licensed as a pharmacy student until the person applies for reinstatement in accordance with the Act and General Regulations and the Reinstatement Committee accepts the reinstatement application pursuant to

section 40 of the General Regulations.

35. REQUIRED REGISTRATION AND LICENCE TO WORK IN A PHARMACY

35.1 A pharmacy may only hire a person enrolled in an approved education program if they are registered and licensed as a pharmacy student, pharmacist assessment candidate or pharmacy technician candidate.

36. QUALIFICATIONS FOR REGISTRATION AND LICENSING AS INTERN

36.1 An applicant who meets the requirements of Sections 13 and 14 of the Pharmacy Regulations is eligible for registration and licensing as an intern.

36.2 An applicant who meets the requirements of Sections 13 and 14 of the Pharmacy Regulations, except sections 13(1)(b)(i) and 14(1)(b)(i), is eligible for registration and licensing as an intern where they provide proof of fulfilment of the requirements of an approved education program.

37. REGISTRATION AND LICENSING PERIOD FOR INTERNS

37.1 Unless the Registrar grants an extension under section 37.2, the registration and licensing of an intern in a conditional register continues for a period of no longer than twenty-four months immediately following the date of their registration as an intern, unless revoked.

37.2 On application by an intern, the Registrar may extend the intern's registration and licence period.

37.3 If an intern's registration and licence is revoked for any reason, the person must not be re-registered or re-licensed or re-licensed as an intern until the intern applies for reinstatement in accordance with the Act and General Regulations and the Reinstatement Committee directs the Registrar to reinstate the intern's licence.

38. QUALIFICATIONS FOR REGISTRATION AND LICENSING AS AN INDIRECT PATIENT CARE PHARMACIST

38.1 An applicant who meets the following requirements is eligible to be registered and licensed as an indirect patient care pharmacist:

(a) is registered and licensed to practice direct patient care and chooses to change licence category to the pharmacist conditional licence indirect patient care; or

(b) is registered and licensed to practice direct patient care but is no longer able to meet the requirements of section 52.3 (a) or 54.2 (a).

39. QUALIFICATIONS FOR REGISTRATION AND LICENSING AS A PHARMACIST ASSESSMENT CANDIDATE

39.1 An applicant must meet the requirements of Sections 13 and 14 of the Pharmacy Regulations, except sections 13(1)(b)(i) and 14(1)(b)(i), and be enrolled in a pharmacist practice readiness program to be eligible for registration and licensing as a pharmacist assessment candidate.

40. REGISTRATION AND LICENSING PERIOD AS A PHARMACIST ASSESSMENT CANDIDATE

40.1 The registration and licensing of a pharmacist assessment candidate in a conditional register continues until the pharmacist assessment candidate completes an approved pharmacist practice readiness program, unless revoked.

40.2 The Registrar must revoke the registration and license of a pharmacist assessment candidate in any of the following circumstances:

(a) the registrant is expelled from or refused readmission to an approved pharmacist practice readiness program;

(b) the registrant fails to complete an approved pharmacist practice readiness program within 24 months after the registrant's initial enrolment in the approved pharmacist practice readiness program, unless the Registrar grants an extension under section 40.3.

40.3 On application by a pharmacist assessment candidate, the Registrar may extend the time referred to in clause 40.2 (b) within which the pharmacist assessment candidate must complete the program.

40.4 If the registration and licence of a pharmacist assessment candidate is revoked for any reason, the person must not be re-registered or re-licensed as a pharmacist assessment candidate until the person applies for reinstatement in accordance with the Act and General Regulations and the Reinstatement Committee accepts the reinstatement application pursuant to section 40 of the General Regulations.

PRACTICE EXPERIENCE

41. PHARMACY STUDENT, INTERN OR PHARMACY TECHNICIAN CANDIDATE TO NOTIFY REGULATOR OF PRACTICE EXPERIENCE

41.1 Before beginning practice experience, a pharmacy student, intern or pharmacy technician candidate must:

(a) advise the Regulator of the pharmacy, hospital or other institution approved by the Board in which the practice experience will be undertaken; and

(b) provide the Regulator with a copy of a written agreement signed by the preceptor who has agreed to supervise or direct the practice experience.

41.2 A pharmacy student, intern or pharmacy technician candidate who is undertaking practice experience and their preceptor must each notify the Regulator immediately in either of the following circumstances:

(a) the location where the practice experience is being undertaken is changed;

(b) the preceptor has been replaced.

41.3 Sections 41.1 and 41.2 do not apply to structured practice experience provided through an approved education program.

42. PRACTICE EXPERIENCE FOR REGISTRATION AND LICENSING AS PHARMACIST

42.1 Except as provided in section 42.2, and subject to section 42.3, only the following practice experience is counted toward the qualification requirements in section 29 to be met by an applicant for registration and licensing as a pharmacist:

(a) practice experience that was undertaken by the applicant as a pharmacy student after the completion of the applicant's 1st year of enrolment in an approved education program;

(b) practice experience that was undertaken by the applicant as an intern.

42.2 Practice experience in another Canadian jurisdiction and the completion of structured practice experience 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.

42.3 The following practice experience must not be counted toward the qualifications required by section 29.1 to be met by an applicant:

(a) practice experience that a preceptor designates as unsatisfactory;

(b) if the applicant was a pharmacy student and that registration and licence was revoked, any practice experience completed by the applicant as a pharmacy student up to the date of the revocation;

(c) if the applicant was an intern and their registration and licence as an intern expired, any practice experience completed by the applicant after the expiry date.

43. PRACTICE EXPERIENCE FOR REGISTRATION AND LICENSING AS PHARMACY TECHNICIAN

43.1 Except as provided in section 43.2, and subject to section 43.3, only practice experience undertaken by the applicant as a pharmacy technician candidate is counted toward the qualification requirements in Section 30.1 to be met by an applicant for registration and licensing as a pharmacy technician.

43.2 Practice experience in another Canadian jurisdiction and the completion of structured practice experience 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.

43.3 The following practice experience must not be counted toward the qualifications required by section 30.1 to be met by an applicant:

(a) practice experience that a preceptor designates as unsatisfactory;

(b) if the applicant's registration and licence as a pharmacy technician candidate was revoked, any practice experience completed by the applicant as a pharmacy technician candidate up to the date of the revocation.

44. PRECEPTORS: PHARMACY STUDENTS AND INTERNS

44.1 A preceptor is responsible for the oversight of a pharmacy student or intern engaged

in practice experience, and must:

(a) provide reasonable instruction to the pharmacy student or intern;

(b) confirm to the Registrar that the pharmacy student or intern completed a certain period of practice experience while under the preceptor's oversight;

(c) confirm to the Registrar that the pharmacy student or intern completed the requirements of the period of practice experience undertaken under the preceptor's oversight;

(d) confirm to the Registrar that the pharmacy student or intern met or failed to meet the requirements of the period of practice experience; and

(e) confirm to the Registrar that the pharmacy student or intern has satisfactory language skills and is a fit and proper person to practise pharmacy competently, safely and ethically.

44.2 A preceptor must be a licensed pharmacist practising direct patient care in a Canadian jurisdiction.

44.3 A preceptor must have been licensed to practise in Canada for at least one year.

44.4 A preceptor must have no limitations on practice but need not have certification authorizing extended practice.

44.5 A preceptor must be approved by the Regulator.

44.6 A preceptor is required to ensure that any pharmacy student or intern engaged in practice experience has the level of personal supervision or direction, that, in the professional judgment of the preceptor, is required to ensure safe and effective patient care given the knowledge, skills and experience of the pharmacy student or intern.

45. PRECEPTORS: PHARMACY TECHNICIAN CANDIDATE

45.1 A preceptor for a pharmacy technician candidate is responsible for the oversight of a pharmacy technician candidate engaged in practice experience, and must:

(a) provide reasonable instruction to the pharmacy technician candidate;

(b) confirm to the Registrar that the pharmacy technician candidate completed a certain period of practice experience while under the preceptor's oversight;

(c) confirm to the Registrar that the pharmacy technician candidate completed the requirements of the period of practice experience undertaken under the preceptor's oversight;

(d) confirm to the Registrar that the pharmacy technician candidate met or failed to meet the requirements of the period of practice experience; and

(e) confirm to the Registrar that the pharmacy technician candidate has satisfactory language skills and is a fit and proper person to practise pharmacy competently, safely and ethically.

45.2 A preceptor must be a licensed practising pharmacy technician or a licensed pharmacist practising direct patient care in a Canadian jurisdiction.

45.3 A preceptor must have been licensed to practise in Canada for at least one year.

45.4 A preceptor must have no limitations on practice.

45.5 A preceptor must be approved by the Regulator.

45.6 A preceptor is required to ensure that any pharmacy technician candidate engaged in practice experience has the level of personal supervision, that, in the professional judgment of the preceptor, is required to ensure safe and effective patient care given the knowledge, skills and experience of the pharmacy technician candidate.

46. REGISTRATION AND LICENSING DURING STATE OF EMERGENCY OR PUBLIC HEALTH EMERGENCY

46.1 During a state of emergency or public health emergency, if the Board is satisfied that it is in the public interest to do so and that an applicant is otherwise competent, the Board may do any of the following:

(a) defer, waive or modify any requirement for registration or licensing for the applicant;

(b) waive or reduce any requirement under section 54 for the applicant to resume practice.

46.2 The authority set out in section 46.1 may only be exercised on and after the date that a state of emergency or a public health emergency is declared until the date the state of emergency or public health emergency ends.

47. STATEMENT OF DISCLOSURE REPORTING OFFENCES

47.1 An applicant for registration to whom any of the following apply must report the details in the statement of disclosure to the Registrar:

(a) as set out in section 61 of the Act and section 60 of the General Regulations, the applicant has pleaded guilty to, been convicted or found guilty of or, if the charge is still outstanding, been charged with any offence in or out of Canada that is inconsistent with the proper professional behaviour of a registrant, including an offence under any of the following, and a pardon has not been issued:

(i) the *Criminal Code* (Canada),

(ii) the *Food and Drug Act* (Canada) or its regulations,

(iii) the *Controlled Drug and Substances Act* (Canada) or its regulations;

(b) as set out in section 42 of the Pharmacy Regulations, the applicant has had privileges under the *Controlled Drugs and Substances Act* (Canada) suspended or withdrawn;

(c) the applicant has been found guilty of a disciplinary offence in another

jurisdiction or has entered into a settlement agreement that included recognition of a disciplinary offence;

(d) the applicant has had a licensing sanction imposed by another jurisdiction;

(e) the applicant is in breach of a settlement agreement;

(f) the applicant is in violation of a practice limitation imposed under the Act regulations, these bylaws or in another jurisdiction;

(g) the applicant is in violation of a licensing sanction;

(h) the applicant is the subject of an investigation or disciplinary process in any jurisdiction;

(i) the applicant has settled or lost a civil suit alleging professional negligence.

48. TIME LIMITS

48.1 A person who has graduated from an approved education program must qualify for and obtain a licence as a pharmacist within two years after the successful demonstration of required professional competencies as approved by the Board.

48.2 A person who has graduated from an approved education program must qualify for and obtain a licence as a pharmacy technician within two years after:

(a) the successful demonstration of required professional competencies as approved by the Board; and

(b) the successful completion of an assessment of the applicant's basic competencies in a pharmacy practice setting as approved by the Board.

48.3 The Board may, on application, extend the period in section 48.1 or section 48.2, subject to such conditions as the Board determines are appropriate.

49. INSURANCE COVERAGE

49.1 Every registrant who holds a licence must be insured at all times under a professional liability insurance policy in an amount not less than $2,000,000.

49.2 The professional liability insurance policy must

(a) be issued by an insurer authorized to conduct business in Nova Scotia;

(b) be issued in the name of the individual insured;

(c) apply to any practice setting in Nova Scotia;

(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 registrant may be authorized to provide under the Act, General Regulations and Pharmacy Regulations;

(f) allow an extended reporting period for 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 Regulator if the policy is cancelled, expires or ceases to meet the requirements of this regulation; and

(i) include a term to the effect that the policy continues in force in conformity with this regulation until the notice required by subsection (h) is received by the Regulator.

49.3 Legal defense payments for regulatory proceedings or other legal proceedings shall not erode the minimum limit of liability required to be available to satisfy claims.

49.4 The registrant must ensure that the Registrar is provided with the most current certificate of professional liability insurance from the registrant's insurer that confirms that the registrant is insured, and that the insurance complies with the Pharmacy Regulations.

50. CATEGORIES OF PRACTICE

50.1 A pharmacist must at all times be able to certify that the pharmacist has practised sufficient direct patient care pharmacy in the two preceding years to maintain the competence to practise direct patient care pharmacy, if the pharmacist is to continue to be eligible for registration and licensing in the pharmacist practising licence register, or where applicable, the pharmacist conditional licence register.

50.2 A pharmacist practising direct patient care may change categories to a pharmacist conditional licence – indirect patient care by filing a notice to that effect with the Registrar.

50.3 A registrant licensed as an indirect patient care pharmacist may change categories to pharmacist practising licence or pharmacist conditional licence by complying with the requirements under the Pharmacy Regulations and these bylaws.

50.4 A pharmacy technician must at all times be able to certify that the pharmacy technician has sufficient practice experience as a pharmacy technician in the two preceding years to maintain the competence to practise, if the pharmacy technician is to continue to be eligible for registration and licensing in the pharmacy technician practising licence register, or where applicable, the pharmacy technician conditional licence register.

50.5 The requirements of this section do not apply to pharmacy technician candidates, pharmacy students and interns.

LICENCE RENEWAL AND RESUMPTION OF PRACTICE

51. CONTINUING EDUCATION

51.1 To qualify for renewal of their licence to practise pharmacy for the following year, each

registrant holding a practising or conditional licence must, in the current licence year, complete 15 units of continuing education that meets the requirements approved by the Board.

51.2 Section 51.1 does not apply to:

(a) a pharmacist during the year of their graduation from an approved education program;

(b) a pharmacy technician in the year of their graduation from or, where applicable, the year of completion of an approved education program; or

(c) pharmacy technician candidates, pharmacists assessment candidates, pharmacy students or interns.

51.3 Continuing education for a registrant must meet the requirements approved by the Board.

51.4 A pharmacist or pharmacy technician transferring from another jurisdiction in Canada may apply to the Registrar for credit for any continuing education completed in the other jurisdiction, and the Registrar will allow credit for any continuing education credits that meet the criteria established for continuing education in the other jurisdiction.

52. ANNUAL LICENCE RENEWAL

52.1 In accordance with sections 10(f), 41, 42, 45, 46, and 60(1) (a) and (e) of the Act, section 7(1) of the General Regulations and section 12(1)(a)(iii) of the Pharmacy Regulations:

(a) Every registrant holding an active registration and licence who is engaged in the practice of pharmacy shall, in each year, comply with the requirements of the Act, Pharmacy Regulations and bylaws respecting licence renewal.

(b) The licence of a registrant who fails to comply with the requirements of the Act, Pharmacy Regulations and bylaws respecting licence renewal is suspended and, while suspended, the registrant is not entitled to practise pharmacy.

(c) The licence of a registrant whose liability insurance coverage lapses during the licence year is suspended until the Registrar receives proof that the insurance coverage has been reinstated and payment of any fees, and while it is suspended, the registrant is not entitled to practise pharmacy.

(d) The Registrar may, at the expense of the registrant in default, take such steps to bring the suspension to the attention of the public and other affected parties as the Registrar deems necessary in the circumstances.

(e) A licence suspended pursuant to this section shall be renewed if the registrant complies with the requirements of the Pharmacy

Regulations and bylaws.

(f) A practising licence and a conditional licence expires December 31 each year.

(g) A registrant who does not complete the requirements for licence renewal and submit a completed renewal application before November 30 in any year is subject to a late renewal fee, unless the registrant has previously applied to resign from a register.

52.2 The licence of a registrant who does not complete the requirements for licence renewal and submit a completed renewal application, including the payment of any late renewal fee, before December 31 in any year is suspended as provided by section 52.1(b), unless the registrant has previously applied to resign from a register..

52.3 To renew a licence, a registrant must meet the requirements set out in sections 42 and 46 of the Act, as applicable, and meet all of the following currency of practice requirements:

(a) the registrant must meet the practice requirement applicable to their licence category, as follows:

(i) if seeking renewal of a pharmacist practising licence or pharmacist conditional licence authorized to practise direct patient care pharmacy, the registrant must be able to certify to the Registrar that they have practised sufficient direct patient care pharmacy in the two preceding years to maintain the competence to practise direct patient care pharmacy; or

(ii) if seeking renewal of a pharmacy technician practising licence or pharmacy technician conditional licence, the registrant must be able to certify to the Registrar that they have sufficient practice experience as a pharmacy technician in the two preceding years to maintain the competence to practise as a pharmacy technician;

(b) the registrant must have completed the Board's requirements for continuing competence for the licensing category, including any self-assessment approved by the Board;

(c) the registrant must have met the continuing education requirement of section 51; and

(d) the registrant must continue to be insured as required by the Act, Pharmacy Regulations and bylaws.

52.4 In their renewal application, a pharmacist who is unable to certify to the Registrar that the registrant has met the requirements in section 52.3 (a) may apply to be re-licensed as an indirect patient care pharmacist.

53. Fines

53.1 53.1 In accordance with section 12(1)(u), of the Act, the Registrar may impose a fine on any registrant who engages in practice without a valid licence as follows:

(a) a fine of not more than $1,000 for a first offence; and

(b) a fine of not more than $2,000 for any subsequent offence.

54. RESUMPTION OF PRACTICE

54.1 In this section, "applicant" means a pharmacist or pharmacy technician to whom any of the following apply and who has completed an application in accordance with section 12 or 14 of the Pharmacy Regulations in order to resume practice:

(a) if a pharmacist, they currently do not practise direct patient care;

(b) if a pharmacy technician, they currently are not licensed to practice as a pharmacy technician;

(c) they have resigned from the register;

(d) their licence is suspended for reasons other than those set out in section 52.1 (b) and 52.1 (c).

54.2 To be registered and licensed as a pharmacist to practise direct patient care, an applicant who has been so licensed to practise direct patient care within the two years preceding the date of their application must:

(a) certify to the Registrar that the applicant has practised sufficient direct patient care in Canada in the two previous years to maintain the competence to practise direct patient care; and

(b) have completed the Board's requirements for continuing competence, including any self-assessment approved by the Board.

54.3 To be registered and licensed as a pharmacy technician, an applicant who has been so registered and licensed within the two years preceding the date of their application must:

(a) certify to the Registrar that the applicant has sufficient practice experience as a pharmacy technician in Canada in the two previous years to maintain the competence to practise as a pharmacy technician; and

(b) have completed the Board's requirements for continuing competence, including any self-assessment approved by the Board.

54.4 If an applicant is unable to certify to the Registrar under sections 54.2 (a) or 54.3 (a), the applicant must do one of the following:

(a) successfully complete 140 hours of practice experience for each year or part of a year since the applicant was last licensed to practise in the relevant licence category; or

(b) successfully complete the structured practice experience approved by the Board for returning to practice.

54.5 An applicant who has not been licensed to practise direct patient care or who has not been licensed to practice as a pharmacy technician within the two years preceding the date of their application, as applicable, but has been so licensed within the preceding five years, must meet all of the following requirements before being licensed in the relevant licence category:

(a) satisfaction of the Board's requirements for continuing competence, including any self-assessment approved by the Board;

(b) attainment of competence in jurisprudence; and

(c) successful completion of 140 hours of practice experience for each year or part of a year since the applicant was last licensed, to a maximum of 560 hours.

54.6 An applicant who has not been licensed to practise direct patient care or licensed as a pharmacy technician within the five years preceding the date of their application must meet all of the following requirements before being licensed in the relevant licence category:

(a) satisfaction of the Board's requirements for continuing competence, including any self-assessment approved by the Board;

(b) attainment of competence in jurisprudence;

(c) successful completion of the structured practice experience approved by the Board for returning to practice; and

(d) successful demonstration of required professional competencies as approved by the Board.

54.7 An applicant who is applying to resume practice as a pharmacist and who is required to undertake practice experience or structured practice experience must register as an intern upon meeting the applicable requirements to be licensed to practise direct patient care.

54.8 An applicant who was a pharmacist may apply to resume practice as a pharmacy technician, in which case, the applicant must be licensed as a pharmacy technician upon meeting the requirements of sections 54.3, 54.4, 54.5 or 54.6, as applicable.

54.9 An applicant who applies to resume practice as a pharmacy technician and who is required to undertake practice experience or structured practice experience must register as a pharmacy technician candidate before undertaking any of the required practice experience.

54.10 An applicant may apply to the Board to waive or reduce any requirements of this section, and the Board, on the favorable recommendation of the Registrar, may waive or reduce the requirement if the Board considers that the applicant, during the five years preceding the date of their application, obtained the equivalent to the requirement sought to be waived or reduced.

54.11 In addition to the application fee required by section 12(1)(b) of the Pharmacy Regulations, an application under this section must be accompanied by payment of the fees for reinstatement and any required examinations or assessments.

55. REGISTRATION AND LICENSING OF PHARMACIST AS PHARMACY TECHNICIAN

55.1 A pharmacist practising direct patient care may apply to the Registrar to be registered and licensed as a pharmacy technician.

55.2 On receipt of the request, and if there are no outstanding disciplinary complaints against the pharmacist, the Registrar must do all of the following:

(a) license the pharmacist as a pharmacy technician;

(b) cancel the pharmacist's licence to practise pharmacy as a pharmacist; and

(c) change the registration of the pharmacist from a pharmacist register to a pharmacy technician register.

56. REMOVING OR AMENDING CONDITION

56.1 A registrant whose licence is subject to a condition may apply to the Registrar to have the condition removed or amended.

56.2 On receipt of an application for removal of a condition, the Registrar must re-issue the registrant's licence without the condition if the Registrar is satisfied that:

(a) any requirement for removal of the condition has been met; and

(b) any time period for which the condition was imposed has expired.

56.3 On receipt of an application for removal of a condition to which section 56.2 does not apply or for an amendment of a condition, the Registrar must forward the application to the Reinstatement Committee, and the proceedings set out in the Act and General Regulations for an application for reinstatement apply with the necessary changes in detail to an application forwarded under this section.

Pharmacy Accreditation and Licensing

57. OWNER MAY APPOINT REPRESENTATIVE

57.1 In sections 58 and 59, "owner's representative", in relation to a pharmacy owner, means a person appointed by the pharmacy owner under this section.

57.2 A pharmacy owner may appoint a person as the owner's representative with authority to bind the pharmacy owner in undertakings provided to the Regulator with respect to the pharmacy, including the certification of compliance required by section 30(1)(b) of the Pharmacy Regulations before a licence is issued.

57.3 If a pharmacy owner appoints an owner's representative, any notice from the Regulator to the owner must be sent to the owner's representative.

58. ACCREDITATION AND LICENSING OF NEW OR NEWLY ACQUIRED PHARMACY

58.1 In this section, "accreditation" means the pharmacy accreditation granted by the registration decision maker under section 29 of the Pharmacy Regulations.

58.2 A person who proposes to open a new pharmacy or who proposes to acquire an existing pharmacy must apply for accreditation and a pharmacy licence at least thirty days before the proposed opening date of the new or newly acquired pharmacy.

58.3 In exceptional circumstances the Registrar may authorize a shorter notice period than the thirty days required by section 58.2.

58.4 In addition to compliance with subsection 30(1) of the Pharmacy Regulations, all of the following are required in an application for accreditation and a pharmacy licence:

(a) a completed application on a form supplied by the Registrar;

(b) a diagram of the pharmacy;

(c) the name and address of the owner of the pharmacy and, if applicable, the name and address of the owner's representative;

(d) the name of the proposed pharmacy manager;

(e) the name of each registrant employed by the pharmacy; and

(f) such other information requested by the Registrar to ensure the pharmacy complies with the Act, General Regulations, Pharmacy Regulations and these bylaws.

58.5 The Regulator must conduct an inspection of a pharmacy for which an application for accreditation has been received, to confirm that the pharmacy complies with the requirements of the Act, Pharmacy Regulations, and these bylaws.

59. RENEWING PHARMACY LICENCE

59.1 A pharmacy licence expires on December 31 in each year.

59.2 In addition to compliance with subsection 30(1) of the Pharmacy Regulations as required for renewal by subsection 31(1) of the Pharmacy Regulations, all of the following are required in an application for renewal of a pharmacy licence:

(a) a completed application on a form supplied by the Registrar;

(b) the name of the pharmacy manager;

(c) the name of each registrant employed by the pharmacy;

(d) the name and address of the owner of the pharmacy and, if applicable, the name and address of the owner's representative; and

(e) such other information requested by the Registrar to ensure the pharmacy complies with the Act, General Regulations, Pharmacy Regulations and bylaws.

59.3 On being satisfied that a pharmacy for which a licence renewal application has been

submitted complies with the Act, Pharmacy Regulations and bylaws, the Registrar must renew the licence in the name of the pharmacy manager.

59.4 A pharmacy for which the requirements for licence renewal are not completed by November 30 in any year is subject to a late renewal fee.

59.5 The licence of a pharmacy for which the requirements for licence renewal are not completed by December 31 in any year is suspended.

60. NOTIFYING REGULATOR OF CHANGE OF STATUS OF PHARMACY MANAGER

60.1 The owner of a pharmacy and the pharmacy manager must each advise the Regulator if the pharmacy manager ceases to be qualified as a pharmacy manager or ceases to be the pharmacy manager.

61. APPLYING FOR NEW PHARMACY LICENCE ON REPLACEMENT OF PHARMACY MANAGER

61.1 In this section, "new pharmacy licence" means a pharmacy licence issued under subsection 30(1) of the Pharmacy Regulations in the name of the new pharmacy manager when a pharmacy manager is replaced.

61.2 If the manager of a pharmacy is replaced, the owner of the pharmacy must advise the Regulator and apply for a new pharmacy licence.

61.3 An application for a new pharmacy licence must:

(a) be made in a manner as required by the Registrar;

(b) state the name and qualifications of the new pharmacy manager and any additional details required by the application form; and

(c) be accompanied by the applicable fee.

61.4 A new pharmacy licence must come into effect on the date the new pharmacy manager accepts responsibility for the pharmacy.

62. PROCEDURE WHEN NO REPLACEMENT PHARMACY MANAGER

62.1 Where the registrant in whose name the licence is issued ceases to be the pharmacy manager or ceases to be a registrant, the pharmacy licence terminates.

62.2 If a pharmacy manager ceases to be the pharmacy manager and there is no replacement pharmacy manager, the owner of the pharmacy must do one of the following:

(a) name an interim pharmacy manager and notify the Regulator on the form supplied by the Registrar that the registrant is now the interim pharmacy manager;

(b) name an emergency pharmacy manager in accordance with section 62.4;

(c) in the case that no registrant is designated causing the pharmacy license to terminate, the owner must close the pharmacy.

62.3 Except as provided in section 62.6, an interim pharmacy licence is deemed to be issued for a pharmacy for a period of sixty days from the date that a notice under section 62.2(a) is received by the Regulator with respect to the pharmacy.

62.4 If a pharmacy manager ceases to be the pharmacy manager of a pharmacy and no interim pharmacy licence is issued under section 62.3, the owner of the pharmacy may name an emergency pharmacy manager by providing the Regulator with the name of a registrant holding a pharmacist practising licence or a pharmacy technician practising licence who consents to be the emergency pharmacy manager.

62.5 Except as provided in section 62.7, a 72-hour pharmacy licence is deemed to be issued in the name of an emergency pharmacy manager for a period of 72 hours from the time that notification under section 62.3 is received by the Regulator with respect to the pharmacy.

62.6 A pharmacy owner may appoint an emergency pharmacy manager, with that pharmacy manager's consent, as the interim pharmacy manager, and on acceptance of the appointment by the Regulator an interim pharmacy licence is deemed to be issued for the pharmacy for a period of sixty days from the date that a notice under section 62.2(a) is received by the Regulator with respect to the pharmacy.

62.7 An interim pharmacy licence is not deemed to be issued if another interim pharmacy licence has been deemed to be issued with respect to the same pharmacy within the preceding ninety days.

62.8 A 72-hour pharmacy licence is not deemed to be issued if another 72-hour pharmacy licence has been deemed to be issued with respect to the same pharmacy within the preceding seven days.

63. REPLACEMENT PHARMACY MANAGER—TIME PERIODS DURING STATE OF EMERGENCY OR PUBLIC HEALTH EMERGENCY

63.1 During a state of emergency or public health emergency, the Board may waive or modify any time period set out in section 62 if the Board is satisfied that it is in the public interest to do so.

63.2 The authority set out in section 63.1 may only be exercised on and after the date that a state of emergency or public health emergency is declared until the date that the state of emergency or public health emergency ends.

64. CLOSING A PHARMACY

64.1 When a pharmacy ceases to provide pharmacy services to its patients or to the public it serves, the pharmacy manager must:

(a) provide for the orderly continuation of patient care;

(b) remove any signs and symbols related to the practice of pharmacy;

(c) immediately remove and dispose of all drugs and devices according to law;

(d) notify all patients as soon as possible, by newspaper advertisement or otherwise, of steps taken or proposed for the preservation of patient records and of any intended transfer of them;

(e) provide for the preservation of all patient records according to law and the return of patient records to any patient that so requests; and

(f) advise the Registrar in writing of the closure prior to the closure, specifying the steps to be taken to comply with the regulations and by-laws.

Limited-Service Pharmacies

65. APPLYING FOR ACCREDITATION OF LIMITED-SERVICE PHARMACY

65.1 A person may submit a request to the Board for permission to submit an application for accreditation of a limited-service pharmacy.

65.2 A request under section 65.1 must include all of the following information:

(a) a description of the specific clientele that would be served by the limited-service pharmacy;

(b) a list of any variations from the pharmacy standards that would be sought in the application for accreditation; and

(c) a description of how the public interest would be served by accrediting the limited-service pharmacy.

65.3 The Board may permit a person to submit an application for accreditation of a limited-service pharmacy if the Board is reasonably satisfied that its accreditation would be in the public interest.

65.4 An application for accreditation of a limited-service pharmacy must, in addition to complying with the application requirements of the Pharmacy Regulations and section 58, include all of the following:

(a) specific details of each variation from the pharmacy standards that is being sought; and

(b) a statement by the pharmacy manager certifying that allowing the variation will not prevent the pharmacy from being fully able to provide safe and effective pharmacy services to its clientele.

65.5 In accrediting a limited-service pharmacy, the Board may do either or both of the following:

(a) allow a variation from any pharmacy standard as it applies to the limited-service pharmacy;

(b) impose standards on the limited-service pharmacy in addition to the

pharmacy standards.

65.6 Only those variations from pharmacy standards that are allowed by the Board under section 65.5 are permitted for a limited-service pharmacy.

65.7 The accreditation granted to a limited-service pharmacy must specify:

(a) the clientele it is permitted to serve; and

(b) each variation from the pharmacy standards that the Board has allowed for it and, if applicable, each additional standard imposed on it by the Board.

65.8 The pharmacy licence issued for a limited-service pharmacy must specify the clientele that the limited-service pharmacy is permitted to serve.

66. LIMITED-SERVICE PHARMACY CONDITIONS

66.1 A limited-service pharmacy must serve only those clients who are included in the clientele specified in its accreditation and licence.

66.2 The public must be notified that a pharmacy is a limited-service pharmacy, and of the limited services that the pharmacy provides, by signage and other appropriate means that specifically state "pharmacy services limited to (specific clientele shown on licence)".

66.3 A limited-service pharmacy must not be described using a term such as "specialized" or "boutique", or any other term that implies greater competence than that of a pharmacy that serves the general public.

67. RENEWING LIMITED-SERVICE PHARMACY LICENCE

67.1 An application to renew a limited-service pharmacy licence, in addition to complying with the renewal requirements of the Pharmacy Regulations and section 59, must include a statement by the pharmacy manager certifying that the pharmacy continues to be fully able to provide safe and effective pharmacy services to its clientele and, subject to any variation allowed by the Board, continues to meet the pharmacy standards.

Part III: Pharmacy Practice

68. PHARMACY TECHNICIAN SCOPE OF PRACTICE

68.1 The practice of a pharmacy technician consists only of the technical aspects of the practice of pharmacy, including all of the following:

(a) preparing and compounding prescriptions;

(b) confirming the accuracy and completeness of compounds prepared for release;

(c) obtaining, entering and recording prescription information;

(d) receiving, transcribing and recording verbal prescriptions from practitioners;

(e) transferring prescriptions to and receiving prescriptions from other pharmacies, as permitted by law;

(f) providing copies of prescriptions to authorized recipients as required by the Act, regulations or bylaws;

(g) providing technical information when a therapeutic assessment or clinical judgment by the pharmacist is not required;

(h) administering drugs, including administering drugs by injection;

(i) conducting tests and services;

(j) authorizing the ordering of devices and supplies for a patient; and

(k) checking prescriptions prepared for release for technical accuracy; and compliance with the Act, regulations, bylaws and the standards of practice.

68.2 A pharmacy technician must not counsel a patient, directly or indirectly, about a drug or a medical condition, and a pharmacist may not delegate the responsibility to counsel a patient to a pharmacy technician.

68.3 A pharmacy technician may assist in gathering information necessary to assess the appropriateness of drug therapy, including by interviewing the patient, but the pharmacist remains responsible for obtaining sufficient information to assess the patient and the appropriateness of drug therapy.

68.4 A pharmacy technician must recognize when the professional expertise of a pharmacist is required and consult with a pharmacist in that case.

69. PHARMACIST – CONDITIONAL LICENCES: CONDITIONS OF PRACTICE

69.1 A pharmacy student may only practise pharmacy under the supervision of a pharmacist who is licensed to practice direct patient care and who is present in the pharmacy, including in a hospital pharmacy.

69.2 A pharmacist assessment candidate may only practice under the supervision of a pharmacist who is licensed to practice direct patient care and who is present in the pharmacy, including in a hospital pharmacy.

69.3 An intern may only practise pharmacy under the direction of a pharmacist who is licensed to practice direct patient care and who is present in the pharmacy, including in a hospital pharmacy.

70. PHARMACY TECHNICIAN - CONDITIONAL LICENCES: CONDITIONS OF PRACTICE

70.1 A pharmacy technician candidate may only practise pharmacy under the supervision of a pharmacist who is licensed to practice direct patient care or a pharmacy technician holding a practising licence, and who is present in the pharmacy, including a hospital pharmacy.

71. VARIATION OF CONDITIONS FOR PRACTICE DURING STATE OF EMERGENCY OR PUBLIC HEALTH EMERGENCY

71.1 For the purposes of this section, "conditions of practice" means requirements that must be met for a registrant to provide professional services to the public, including dispensing and compounding of drugs, prescribing, drug administration and testing.

71.2 In accordance with section 28(2) of the Pharmacy Regulations, during a state of emergency or public health emergency, the Board may direct a variation of conditions for practice if the Board is satisfied that it is in the public interest to do so.

71.3 The Board must provide notice to the Minister of any variation directed under section 71.2 within three business days of its decision.

71.4 The authority set out in section 71.2 may only be exercised on and after the date that a state of emergency or public health emergency is declared until a date the Board determines, which must not be more than three months after the date the state of emergency or public health emergency ends.

72. DELEGATION: ADMINISTERING DRUG THERAPY

72.1 A pharmacist who is authorized to administer drug therapy by injection may delegate the authority to administer drug therapy by injection to a pharmacy technician candidate, a pharmacist assessment candidate, an intern or a student.

72.2 A pharmacy technician who is authorized to administer drug therapy by injection may delegate the authority to administer drug therapy by injection to a pharmacy technician candidate.

72.3 The delegating pharmacist or pharmacy technician must ensure that they and the registrant to whom the authority to administer drug therapy by injection is delegated comply with all of the requirements set out in the standards of practice.

72.4 A registrant other than a pharmacist or pharmacy technician may only administer drug therapy by injection if:

(a) a pharmacist or pharmacy technician has delegated the authority to administer drug therapy by injection to the registrant pursuant to section 72.1 or 72.2; and

(b) the registrant holds a valid permit to administer drug therapy by injection.

72.5 The registrant to whom the authority to administer drug therapy by injection is delegated must administer the drug therapy safely and appropriately.

72.6 The requirements for the issuance and renewal of a valid permit to administer drug therapy by injection for a pharmacist or pharmacy technician as set out in standards of practice apply to all registrants to whom a valid permit to administer drug therapy is issued.

73. DELEGATION OF TESTING ACTIVITIES

73.1 A pharmacist may delegate the authority to conduct tests to a pharmacy technician candidate, a pharmacist assessment candidate, an intern or a student when done in accordance with the relevant standards of practice and where they have determined that the test is in the best interests of the patient.

73.2 A pharmacy technician may delegate the authority to conduct tests to a pharmacy technician candidate where a pharmacist has determined that the test is in the best interests of the patient.

73.3 The delegating pharmacist or pharmacy technician must ensure that they and the registrant to whom the authority to conduct tests is delegated comply with all of the requirements set out in the standards of practice.

73.4 A pharmacist or pharmacy technician must only delegate the authority to conduct tests to a registrant who has the knowledge and training to exercise the authority safely and in the best interests of the patient.

73.5 The registrant to whom the authority to conduct tests is delegated must have and maintain the knowledge and training to conduct tests safely and appropriately.

DRUG THERAPY MANAGEMENT

74. DISPENSING

74.1 A pharmacist must ensure that the patient has sufficient information for the safe and effective use of that drug by that patient before dispensing a drug, including refills.

74.2 All steps in the dispensing process must occur within the pharmacy from which a prescription is released unless otherwise provided in the standards of practice.

75. ASSESSMENT OF DRUG THERAPY

75.1 A pharmacist is responsible for the appropriateness of drug therapy for a patient.

75.2 Where the pharmacist identifies a drug therapy is not appropriate for the patient, the pharmacist must take necessary steps to resolve the issue.

76. COUNSELLING

76.1 A pharmacist must provide counselling.

77. MONITORING

77.1 A pharmacist is responsible for monitoring the ongoing appropriateness of drug therapy, including refills.

77.2 A pharmacist must communicate with the patient as appropriate to ensure the drug

therapy continues to be appropriate, including reviewing dosage regimen, adherence to prescription therapy, adherence to prescription instructions, efficacy and side effects.

78. PRESCRIPTIONS

78.1 A registrant must take reasonable steps to verify the validity and authenticity of a prescription, whether received in written format, electronically, verbally or in a recorded message, and to confirm its compliance with the relevant legislation, regulations, by-laws and standards of practice.

79. PROVISION OF PHARMACY SERVICES OUTSIDE LICENSED PHARMACY

79.1 A registrant who provides pharmacy services outside the jurisdiction of a licensed pharmacy must submit a completed registration form and an annual registration renewal form as supplied by the Registrar, describing the pharmacy services that will be provided and all requested information.

Pharmacies

80. QUALIFICATIONS OF PHARMACY MANAGER

80.1 A pharmacy manager must:

(a) be a licensed registrant on a practicing register;

(b) have been practising direct patient care pharmacy in Canada for a minimum of twelve months in the previous five years;

(c) practice pharmacy in that pharmacy location;

(d) have no limitations on practice; and

(e) have no limitations on their licence either as a registrant or as a pharmacy manager.

80.2 An emergency pharmacy manager and interim pharmacy manager must meet the requirements of section 80.1 (a), (d) and (e).

80.3 A registrant shall not be the manager of more than one pharmacy at a time except as an emergency pharmacy manager or interim pharmacy manager.

81. RESPONSIBILITIES OF THE PHARMACY MANAGER

81.1 A pharmacy manager is responsible for the operation of the pharmacy in accordance with the principle of optimal patient care and adherence to the Act, the regulations, bylaws, code of ethics and the standards of practice.

81.2 The pharmacy manager is responsible for:

(a) the day-to-day management of the pharmacy;

(b) the development, maintenance and enforcement of policies and procedures to

comply with the standards of practice, or otherwise required to ensure optimal patient care;

(c) ensuring that all staff members who present themselves as registrants are registered and licensed in Nova Scotia;

(d) notifying the Regulator of any changes in the registrants employed by the pharmacy;

(e) notifying the Regulator of any change in the ownership of the pharmacy and, in the case of a corporate owner, any change in the directors or registered agent of the corporate owner;

(f) notifying the Regulator of any changes in the pharmacy that would affect the information provided to the Regulator in the application for accreditation or a renewal;

(g) responding to any questions from the Registrar respecting the practice of pharmacy in the pharmacy;

(h) co-operating with any inspector appointed by the Board pursuant to the Act;

(i) establishing a staffing plan commensurate with patient care requirements and taking reasonable steps to implement it;

(j) notifying the Regulator as soon as possible of any change that may result in a substantive decrease to the pharmacy's staffing score as set out in policy by the Regulator;

(k) implementing policies that set out the practice roles and responsibilities of all non-registrant dispensary employees;

(l) adopting policies to ensure so far as possible that the pharmacy has adequate stocks of drugs and devices to meet the needs of its patients;

(m) adopting, implementing and enforcing policies for the security of the pharmacy and the dispensary and for maintaining security and confidentiality of personal information;

(n) ensuring that a patient record is prepared and maintained for each patient for whom a drug is dispensed;

(o) taking steps to ensure that all alerts, advisories and recalls respecting drugs and drug therapy are promptly implemented and are provided to all registrants employed by the pharmacy;

(p) ensuring that information directed to the pharmacy pertaining to drugs, devices, diversion tactics and the practice of pharmacy is provided to all staff and that any registrant employed by the pharmacy is informed of its availability;

(q) the adoption of policies for expired drugs and devices and for returned drugs;

(r) ensuring that all drugs in the pharmacy are secure from loss, theft or diversion;

(s) maintaining confidentiality with respect to all personal information;

(t) posting and adhering to the hours of operation of the pharmacy;

(u) ensuring the correct and consistent use of the operating name of the pharmacy as it appears on the pharmacy licence for all pharmacy identification including labels and packaging; and

(v) establishing and maintaining a continuous, documented quality assurance program that includes the monitoring of staff performance, adequacy of staff levels, equipment and facilities and adherence to the Act, regulations, bylaws, code of ethics and standards of practice.

81.3 A pharmacy manager shall report to the Regulator any information that calls into question the conduct, capacity, practice or professional competence of a registrant or the pharmacy, including breach of the:

(a) Act;

(b) regulations;

(c) bylaws;

(d) standards of practice;

(e) code of ethics.

81.4 A pharmacy manager shall report to the Registrar any matter set out in section 47.1 that, to the manager's knowledge, affects any employee of the pharmacy.

82. CHANGES

82.1 A pharmacy manager or the pharmacy owner must advise the Regulator in the form provided by the Registrar as soon as possible of any change:

(a) in the ownership of the pharmacy;

(b) in the pharmacy manager;

(c) in the operating name of the pharmacy;

(d) in the corporate name of the owner;

(e) in the location of the pharmacy; and

(f) that will result in changes to the diagram submitted as part of the application for accreditation.

82.2 A pharmacy must obtain a new certificate of accreditation if the ownership of the pharmacy changes.

82.3 A pharmacy must obtain a new display licence if:

(a) the pharmacy manager changes;

(b) the operating name or the corporate name of the owner changes; or

(c) the location is changed.

83. REINSPECTION

83.1 A pharmacy must be reinspected at its own cost when:

(a) a certificate of accreditation is issued after a change in ownership;

(b) a pharmacy changes its location; and

(c) changes are made to the pharmacy that result in changes to the diagram submitted as part of the application for accreditation.

PHARMACIST NOT PRESENT

84. PHARMACIST NOT PRESENT

84.1 When

(a) a pharmacist is not present;

(b) the pharmacy is closed; and

(c) the pharmacy is part of a larger premises,

the pharmacy manager may allow employees in the larger premises to:

(i) allow patients to pick up prescriptions that have been left in a secure and private location accessible to employees outside the pharmacy; and

(ii) receive deliveries from drug wholesalers containing scheduled drugs provided the containers are not opened and are kept in a secure location.

84.2 A registrant shall not leave a prescription to be picked up according to section 84.1 unless:

(a) a patient has requested the registrant to do so;

(b) adequate steps are taken to protect the confidentiality of any information respecting the patient; and

(c) adequate steps are taken to ensure the correct identification of the patient before releasing the prescription to the patient.

84.3 Nothing in this section reduces the obligations of a pharmacist to counsel the patient or to monitor the ongoing appropriateness of the patient's drug therapy.

85. SUPERVISION OF PHARMACIES

85.1 Every pharmacy must be under the supervision of a pharmacist when open to provide pharmacy services to the public.

85.2 Any part of the premises that is not separated from the pharmacy by a physical barrier

is part of the pharmacy for the purpose of this section.

85.3 Any part of the premises that is separated from the pharmacy by a physical barrier is not part of the pharmacy for the purpose of this section.

85.4 Only a registrant may be in the pharmacy, except in accordance with the regulations and bylaws.

86. PERSONS PERMITTED IN DISPENSARY AND PHARMACY

86.1 No person other than a registrant and a person specifically authorized by the pharmacy manager may be present in the dispensary.

86.2 The pharmacy manager and any pharmacist or pharmacy technician working in the dispensary is responsible for any person in the dispensary.

86.3 Anyone is permitted to be in the pharmacy when a pharmacist is present in the pharmacy unless prohibited by the pharmacy manager or a pharmacist who is present.

86.4 Only a person specifically authorized by the pharmacy manager may be in the pharmacy when a pharmacist or pharmacy technician is not present in the pharmacy.

87. SECURITY

87.1 Each registrant present is responsible for the security of the pharmacy, including the enforcement of provisions to protect against unauthorized entry and theft or diversion of drugs.

87.2 When the pharmacy is closed, the pharmacy premises must be secured to prevent and detect unauthorized entry.

Part IV: Schedule of Drugs Bylaw

88. SCHEDULE OF DRUGS - SCHEDULE I

88.1 The drugs and medicines in this Schedule are the drugs listed from time to time in Schedule I of the National Drug Schedules, which are part of Canada's National Drug Scheduling System published by the National Association of Pharmacy Regulatory Authorities, as that Schedule is from time to time amended.

88.2 The drugs and medicines in this Schedule require a prescription as a condition of sale.

88.3 The drugs and medicines in this Schedule, which are listed in the *Controlled Drugs and Substances Act (Canada)* and its regulations, must be sold in accordance with the *Controlled Drugs and Substances Act (Canada)* and its regulations, and the standards of practice from time to time approved by the Board.

88.4 The drugs and medicines in this Schedule, which are not listed in the *Controlled Drugs and Substances Act (Canada)* and its regulations, must be sold in accordance with the *Food and Drugs Act (Canada)* and its regulations, and the standards of practice

from time to time approved by the Board.

89. SCHEDULE OF DRUGS - SCHEDULE II

89.1 The drugs and medicines in this Schedule are the drugs listed from time to time in Schedule II of the National Drug Schedules, which are part of Canada's National Drug Scheduling System published by the National Association of Pharmacy Regulatory Authorities, as that Schedule is from time to time amended.

89.2 The drugs and medicines listed in this Schedule do not require a prescription as a condition of sale but are only available from a pharmacist and must be kept within an area of the pharmacy to which there is no public access and no opportunity for self-selection.

89.3 The direct involvement and professional intervention from a pharmacist is required prior to the release of the drug to the patient or the patient's agent.

89.4 The drugs and medicines in this Schedule must be sold in accordance with the standards of practice from time to time approved by the Board.

90. SCHEDULE OF DRUGS - SCHEDULE III

90.1 The drugs and medicines in this Schedule are the drugs listed from time to time in Schedule III of the National Drug Schedules, which are part of Canada's National Drug Scheduling System published by the National Association of Pharmacy Regulatory Authorities, as that Schedule is from time to time amended.

90.2 The drugs and medicines listed in this Schedule do not require a prescription as a condition of sale but are sold from the self-selection area of the pharmacy maintained under the personal supervision of a pharmacist.

90.3 A pharmacist must be available to assist the patient in making an appropriate self-medication selection.

90.4 The drugs and medicines in this Schedule must be sold in accordance with the standards of practice from time to time approved by the Board.