

PHARMACY ACT

R-013-2007

Registered with the Registrar of Regulations

2007-07-05

DRUG SCHEDULES REGULATIONS

The Commissioner, on the recommendation of the Minister, under sections 27 and 28 of the *Pharmacy Act* and every enabling power, makes the annexed *Drug Schedules Regulations*.

1. In these regulations,

"Canadian Immunization Guide" means the Canadian Immunization Guide published by Health Canada, as amended from time to time; (*Guide canadien d'immunisation*)

"Formulary" means the Nunavut Formulary published by the Department of Health and Social Services, as amended from time to time; (*liste de médicaments*)

"National Drug Schedules" means the National Drug Schedules published by the National Association of Pharmacy Regulatory Authorities, as amended from time to time; (*tableaux nationaux de médicaments*)

"Schedule I" means Schedule I of the National Drug Schedules; (*annexe I*)

"Schedule II" means Schedule II of the National Drug Schedules; (*annexe II*)

"Schedule III" means Schedule III of the National Drug Schedules. (*annexe III*)

2. For the purposes of the Act and these regulations, and to the extent set out in these regulations, the following, as amended from time to time, are adopted:

- (a) the National Drug Schedules;
- (b) the Formulary;
- (c) the Canadian Immunization Guide.

3. No person shall supply to a person a substance included in Schedule I, II or III except as authorized by the Act or these regulations.

4. No person other than a pharmaceutical chemist or a person under the direct personal supervision of a pharmaceutical chemist shall prepare, package or label a substance included in Schedule I, II or III.

5. A pharmaceutical chemist shall keep a substance included in Schedule I or II in a place

- (a) that is used only for that purpose;
- (b) that is kept securely locked at all times that a pharmaceutical chemist is not present; and
- (c) to which only a pharmaceutical chemist or a person under the direct personal supervision of a pharmaceutical chemist has access.

6. A pharmaceutical chemist shall keep a substance included in Schedule III in a place that is

- (a) immediately adjacent to a place described in section 5; and
- (b) open to the public only when a pharmaceutical chemist is present.

Drug Schedules Regulations

7. Subject to these regulations, a pharmaceutical chemist may supply a substance included in Schedule I to
- (a) a medical practitioner;
 - (b) a veterinary surgeon;
 - (c) a dentist;
 - (d) a person who has in his or her possession a written prescription signed by a person referred to in paragraph (a), (b) or (c); or
 - (e) a person named in an oral prescription provided to the pharmaceutical chemist directly by a person referred to in paragraph (a), (b) or (c).

8. (1) Subject to these regulations and the restrictions set out in the Formulary, a pharmaceutical chemist may supply the following to a nurse practitioner, a person who has in his or her possession a written prescription signed by a nurse practitioner or a person named in an oral prescription provided to the pharmaceutical chemist directly by a nurse practitioner:

- (a) a substance included in Schedule I that is listed in the Formulary;
- (b) a substance included in Schedule I that is not listed in the Formulary if the prescription is a renewal or subsequent renewal of a prescription initiated by a medical practitioner;
- (c) a substance included in Schedule II or III;
- (d) where authorized by an Act or regulation of Canada, a controlled substance or drug that is not included in a Schedule and
 - (i) that has been prescribed for a period not exceeding one week, or
 - (ii) that has been prescribed as a maintenance dose for a seizure disorder;
- (e) a vaccine recommended by the Canadian Immunization Guide that is listed in the Formulary;
- (f) medical supplies and equipment.

(2) Before prescribing the following, a nurse practitioner must take reasonable steps to satisfy himself or herself that a medical practitioner has reviewed the health status of the person for whom the substance is intended to be prescribed within the previous 12 months:

- (a) a substance referred to in paragraph (1)(b);
- (b) a renewal of a prescription for a substance referred to in subparagraph (1)(d)(ii).

(3) A pharmaceutical chemist may supply a substance under paragraph (1)(a), (b) or (c), subparagraph (1)(d)(ii) or paragraph (2)(b) for a period not exceeding six months.

(4) In this section,

"controlled substance" means a controlled substance within the meaning of the *Controlled Drugs and Substances Act* (Canada); (*substance désignée*)

"drug" means a drug within the meaning of the *Food and Drugs Act* (Canada) that is listed in that Act or in the regulations made under that Act. (*drogue*)

9. Before supplying a substance under an oral prescription, a pharmaceutical chemist shall
- (a) take reasonable steps to satisfy himself or herself that
 - (i) the person providing the oral prescription is a medical practitioner, veterinary surgeon, dentist or nurse practitioner, and
 - (ii) the person to whom the substance is delivered is the person who prescribed it or a person named by the person who prescribed it; and
 - (b) enter in a register kept exclusively for the purpose,
 - (i) the date and number of the prescription,
 - (ii) the name and address of the person prescribing the substance,
 - (iii) the name and address of the person for whom the substance is prescribed,
 - (iv) the name and quantity of the substance supplied, and

Drug Schedules Regulations

- (v) the directions given for the use of the substance and respecting the refilling of the prescription.

10. A substance included in Schedule II may be supplied to a person without a prescription by

- (a) a pharmaceutical chemist; or
- (b) a person under the direct personal supervision of a pharmaceutical chemist.

11. A substance included in Schedule III may be supplied to a person without a prescription if a pharmaceutical chemist is present and available for consultation.