

September 17, 2019

Dr. Kamal Al-Hallak
3514 McLean Crescent SW
Edmonton, Alberta
T6W 1M2

sent by email/original by mail

Dear Dr. Al-Hallak,

Re: Amendments to *Standards of Practice for Pharmacists and Pharmacy Technicians* (the “Standards”)

In your letter dated June 20, 2019, you ask for disclosure about the most recent amendments to “ACP Bylaws...affecting restricted activities.” By way of background, the Bylaws of the College do not govern the performance of restricted activities.

The legislative authority for clinical pharmacists to engage in restricted activities flows from the *Pharmacists and Pharmacy Technicians Regulation*. (See section 16(1)). The authority of a clinical pharmacist to perform a restricted activity is subject to a clinical pharmacist acting within the practice of pharmacists and in accordance with the *Standards of Practice for Pharmacists and Pharmacy Technicians*.

Under section 133 of the *Health Professions Act*, the Council may, in accordance with procedures set out in the Bylaws, develop and propose the adoption of a code of ethics and standards of practice for a regulated profession, and may develop and propose amendments to an adopted code of ethics or standards of practice.” Proposed amendments to the Standards are made available to all clinical pharmacists (and other stakeholders) for their review and comment. Before Council adopts or amends a standard, it reviews and considers the comments received. The Council can then adopt the proposed amendments, amend them further or not proceed with the proposed amendments.

In February 2019, Council approved Standards of Practice – Sexual Abuse and Sexual Misconduct as required by An Act to Protect Patients (Bill 21). In April 2019, Council proposed two additions to the *Standards of Practice for Pharmacists and Pharmacy Technicians*:

- a. a new definition for “emergency”; and
- b. a new standard that limits the purpose and when it is acceptable for a pharmacist to engage in the restricted activity of “inserting or removing instruments, devices, or fingers beyond the anal verge or beyond the labia majora.”

The proposed amendments were sent out for review and comment. Council reviewed and considered feedback from registrants and stakeholders, including other health professions and the Minister of Health, and adopted an amended version of the proposed standards, having taken into consideration all the feedback received during the consultation period. The amended version of the new Standards will come into effect on September 15, 2019.

Appended is an article published in the August 21, 2019 edition of *The Link*, informing ACP members about Council's decision, including why this was important to the public and the profession.

Sincerely,

A handwritten signature in blue ink, appearing to read "Eberhart", with a stylized flourish at the end.

Greg Eberhart BSc. Pharm
Registrar

Enclosure

Amendments to the Standards of Practice approved by Council

August 21, 2019

Council has approved amendments to the Standards of Practice for Pharmacists and Pharmacy Technicians (the standards), that will come into effect on September 15, 2019. Upon considering feedback from registrants and stakeholders, including other health professions and the Minister of Health, the standards have been amended by:

- adopting a new definition for “emergency”; and
- establishing a standard that limits the purpose and when it is acceptable for a pharmacist to insert or remove instruments, devices, or fingers beyond the anal verge or beyond the labia majora.

For the purpose of complying with the standards, “emergency” means *“a circumstance where a patient urgently requires a professional service that includes a restricted activity for the purposes of preventing imminent mortality or morbidity.”* While relevant to all standards, this definition is particularly relevant to Standards 11 (Complying with regulatory framework if prescribing) and 13 (Adhere to restrictions when prescribing in an emergency). By extension, it should be used to interpret Standard 6 (Implement a quality assurance program) of the Standards for the Operation of Licensed Pharmacies.

With the advent of Bill 21, and acute awareness to sexual abuse and sexual misconduct by health professionals, Council determined that it was in the interest of the public and the profession to establish a standard that clarifies the limitations of a pharmacist's role when inserting or removing instruments, devices, or fingers beyond the anal verge or beyond the labia majora. The authority to perform this restricted activity came in effect in 2007 at inception of the Pharmacists Profession Regulation. The profession sought this authority to enable pharmacists to meet patient needs in exceptional circumstances if other authorized professionals were not available to administer drugs via these routes. As this was not observed as a “regular” role of pharmacists, only intended to be performed in exceptional circumstances, development of standards was not prioritized at that time.

This notice is provided to create awareness, and additional communication will follow in advance of the effective date.

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