



**New Brunswick College of Pharmacists**  
**Ordre des pharmaciens du Nouveau-Brunswick**

# **Jurisprudence Examination Information**

| REFER TO THE [NBCP WEBSITE](#) FOR THE MOST RECENT VERSION OF THIS DOCUMENT |

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## A. General Information

The Jurisprudence Examination (JE) is designed to assess an applicant's knowledge of, and ability to interpret and apply, the legislation that impacts current pharmacy practice in New Brunswick. The JE is based on legislation contained in federal and provincial acts, their regulations and published policies and practice directives of the New Brunswick College of Pharmacists (NBCP) that pertain to pharmacy operations and member rights, privileges and responsibilities in the practice of pharmacy.

Although the JE does not assess all aspects of governance, all registrants of the New Brunswick College of Pharmacists (NBCP) are expected to be knowledgeable of their responsibilities and scope of practice as it relates to the practice of pharmacy.

The JE is based on the "NAPRA Pharmacy Jurisprudence Competencies" for pharmacists. These competencies have also been used as a guideline in developing the JE for pharmacy technicians. (Appendix A)

**Candidates are encouraged to complete practical training and other testing requirements for registration prior to writing the JE.**

## B. Study Information

Documents available to the general public in both official languages, French and English, are used for testing. The Study Guide outlines specific sections of legislation, policies and practice directives covered on the examination. (Appendix B)

Candidates are encouraged to use the NBCP website as the primary and most current source of information. [www.nbpharmacists.ca](http://www.nbpharmacists.ca)

## C. Examination Dates/Times

Regular JE sittings are held in Moncton, NB three times per year (February, June and October). Special JE sitting dates are available in April, August and December with an additional fee. Specific dates for sittings are announced on the NBCP website at least 2 months in advance of the examination date. Refer to Section E for information on examination sittings outside of Moncton.

## D. Eligibility/Application Procedure

All candidates for registration/licensure as a pharmacist or pharmacy technician in New Brunswick are required to successfully complete the JE.\*

To be eligible to register for the JE, you must provide proof of one of the following requirements:

- i. are or have previously been licensed/registered as a pharmacist or pharmacy technician in another Canadian jurisdiction and are applying for registration/licensure with the NBCP.
- or
- ii. are currently on either a student register or a conditional register of the NBCP and are applying for registration/licensure as an Active Pharmacist or Active Pharmacy Technician with the NBCP.\*

Candidates applying to write the JE should submit the JE application form, along with all required documentation, to the NBCP at least 14 days prior to the examination date.

All applicants will receive a confirmation of receipt of the application. If applicants have not received an acknowledgement of receipt of the application within 7 days of submitting the application form to the NBCP, the applicant should contact the NBCP office: [info@nbpharmacists.ca](mailto:info@nbpharmacists.ca)

If a candidate is not successful in achieving a passing score on the JE, candidates may write the JE exam more than once, but not more than three times within a 24 month period.\* An application must be submitted for each sitting with payment and proper advance notice.\* The NBCP strongly recommends that candidates take remedial action after two unsuccessful attempts prior to writing the examination a third time.\* The NBCP expects that all candidates will keep the JE confidential but those who have not achieved a passing score should use their insight into the content to assess their own knowledge base and apply this as a guide for further study. Candidates are encouraged to consult with their preceptor and further review legislation and practical application of pharmacy law.

### E. Outside-of-Moncton Sitting of Examination

Various locations throughout the rest of Canada have been pre-approved for those who wish to write the JE outside of Moncton. The site and invigilator will be determined by the NBCP. The dates available for these sittings are the same as those for sittings held in Moncton. (see Section C).

### F. Withdrawal/Refund Policy

The fee for the JE is non-refundable and non-transferable to a different location or a future examination sitting. Special consideration may be given for medical reasons (physician's note is required) and bereavement reasons. In these cases, a written request must be submitted to the NBCP and is subject to an administration fee of \$50.00 plus taxes.

### G. Scoring and Results

Each question on the JE is worth one point. The pass mark for the examination is 70%. There is no penalty mark assigned to wrong answers. Candidates are encouraged to attempt to answer all questions.

Candidates will be issued a "pass" or "fail" result. Actual scores will not be issued. In order to be fair to all candidates and protect the integrity of the JE detailed results will not be provided to individual candidates.

Candidates will be advised of their examination results by e-mail, 14 days after the examination sitting date. This allows time for proper evaluation and scoring of the JE.

JE results are valid for a period of two (2) years from the date the examination was written and successfully completed. Candidates who have not become registered and licensed as a pharmacist or pharmacy technician with the NBCP during this time period will be required to successfully complete the JE again prior to becoming registered/licensed.

## H. Examination Day Process and Security of Materials

### Admission and Identification:

1. All candidates must show a valid government issued photo-identification (e.g. driver's licence, Passport) and sign-in on the registration list for the JE.
2. Candidates will place their personal belongings in a secure area designated by the invigilator which shall be returned to each candidate upon completion of the examination.
3. No candidate shall be permitted to enter the examination room after the designated start time of the examination. Candidates should plan to arrive 30 minutes before the scheduled examination sitting time to register and receive briefing instructions on the examination from the invigilator.
4. Candidates may bring a snack packaged in a clear plastic bag and bottled water with labels removed.

### Applicant Materials/Conduct:

1. The examination consists of a specific number of pages. Candidates must ensure they have received a complete examination paper. Candidates must read, print their name and sign the examination cover sheets. In signing the examination paper, candidates agree to maintain the confidentiality of all questions contained in the examination paper as outlined in the declaration statement on the examination.
2. The JE is "closed book". No reference material is permitted.
3. Candidates are not permitted to use any electronic devices including calculators, adding machines, pagers, cellular phones and/or personal digital assistants (PDAs). Any devices brought to the examination should be stored with the candidate's personal items in the designated area. All electronic equipment notifications and alerts should be silenced.
4. The examination is scored based on the answers on the exam answer sheet **only**. Candidates are encouraged to use pencils and are responsible for bringing pencils and an eraser to the examination. Candidates may write on the examination test pages however these pages are not reviewed or considered in scoring the exam.
5. All procedures, including filling in answers on the examination answer sheet must be completed within the three (3) hour time allotment. Time will be called out when there is 2 hours, 1 hour, ½ hour and 15 minutes remaining in the examination. The NBCP encourages candidates to take advantage of the three-hour time frame to carefully read and consider the examination questions and answer choices.
6. Candidates found performing any of the following or similar dishonest practices shall be immediately dismissed from the examination, and the matter shall be reported to the Registrar.
  - a. Using any books, papers, or other materials other than those provided by the NBCP.

- b. Communicating with other candidates under any circumstances whatsoever during the examination period.
  - c. Exposing written papers to the view of other candidates.
  - d. Cheating on the examination.
  - e. Impersonating an examination candidate.
  - f. Belligerence or threatening behavior towards others.
7. Candidates who need to leave the examination for any reason may do so, one at a time, only with the permission of the invigilator and may require an escort.

### Sign-Out Procedure

1. No candidate shall be permitted to leave during the first 30 minutes of the examination.
2. Candidates are not permitted to leave the examination room in the last 15 minutes of the examination. Candidates remaining during the last 15 minutes of the examination must remain seated until the end of the examination period and then proceed to sign-out.
3. Candidates must return the entire examination paper and examination answer sheet to the invigilator.
4. Candidates must sign-out upon completion of the examination and the sign-out time is recorded.

### I. Examination Format

All questions on the JE are multiple-choice, one best answer.

The JE is composed of a maximum of 105 questions. One hundred (100) of these questions will be used in scoring. There may be a maximum of five (5) questions on the examination that have no value assigned. These questions are being trialed for inclusion in future examinations.

Approximately 80% of the questions on the JE are used in testing both pharmacists and pharmacy technicians. The remainder of the examination is designed to test on areas specific to each profession's scope of practice.

The following represents the major question categories on the JE and their approximate weightings:

<b>Categories</b>	<b>Percent of Questions</b>
<i>NBCP Pharmacy Act</i>	20%
<i>NBCP Regulations</i>	50%
<i>Drug Schedules; Food and Drugs Act, Regulations and Schedules; Controlled Drugs and Substances Act, Regulations and Schedules;</i> <i>Other legislation</i>	20%
<i>NBCP Policies, Practice Directives</i>	10%

## Sample Questions

Multiple Choice (one best answer)

On the answer sheet, **mark an X** on the same letter as the correct answer on the examination paper. Ensure that the question numbers on the answer sheet correspond with the question number on the examination paper. There is **only one best answer**.

**1. The committee that is identified in the New Brunswick Pharmacy Regulations as being responsible for developing, and monitoring compliance with, a Code of Conduct (including conflict of interest) and procedures for councilors and of Committees is the:**

- a) Complaints Committee
- b) Discipline and Fitness to Practise Committee
- c) Governance Committee
- d) Executive Committee

**2. While you are speaking to a client about her new prescription for fluconazole she tells you that the prescriber made inappropriate remarks of a sexual nature during her examination. You are obligated to report this incident to the New Brunswick College of Physicians and Surgeons or you:**

- a) are in breach of the Personal Health Information Act.
- b) are in breach of the Health Disciplines Act.
- c) are committing an act of professional misconduct.
- d) must report this to the New Brunswick College of Pharmacists.

**3. Schedule II products must be retained within an area of the pharmacy where there is no public access. Which one of the following is a Schedule II product?**

- a) Amoxicillin 250 mg capsules
- b) Gravol (dimenhydrinate) 50mg tablets
- c) Ferrous Sulphate 300mg tablets
- d) Clonazepam 0.5 mg tablets

**4. By definition in the New Brunswick Pharmacy Regulations, medicinal preparations made from living organisms and their products, which include, but are not limited to serums, vaccines, antigens, antitoxins are:**

- a) organics.
- b) injectables.
- c) biologicals.
- d) immunizations.

**5. The person, as designated by the New Brunswick Pharmacy Act, 2014, who ensures that all decisions of the Discipline and Fitness to Practise Committee are implemented is the:**

- a) Pharmacy Practice Advisor.
- b) Compliance Officer.
- c) Administrator.
- d) Registrar.

The correct answer to all of the above questions is “C”.

On the answer sheet **mark an X** on the letter “C” beside the number which corresponds to the number of the question on the examination.

## Appendix A – NAPRA Jurisprudence Competencies

### Pharmacy Jurisprudence Requirements

The second of six competencies in the "Professional Competencies for Canadian Pharmacists at Entry-to-Practice" relates to pharmacy jurisprudence. This Competency Unit states that:

"Pharmacists practise within legal requirements, demonstrate professional integrity and act to uphold professional standards of practice and codes of ethics."

NAPRA's "National Licensing Standards Committee" established the foundation for the jurisprudence sub-competencies and elements presented in this Report in early 1998. The NLSC was comprised of individuals appointed by pharmacy regulatory authorities, the Canadian Society of Hospital Pharmacists, the Association of Faculties of Pharmacy of Canada, the Pharmacy Examining Board of Canada, the Association of Deans of Pharmacy of Canada, the Canadian Council for Accreditation of Pharmacy Programs, and the Canadian Pharmacists Association. Building on this framework, representatives from all provincial pharmacy regulatory authorities and the Canadian Council for Accreditation of Pharmacy Programs further developed and refined the ten Sub-Competencies and 50 Competency Elements relating to this Competency Unit.

The primary intent of this Report is to provide definition to students and teachers of pharmacy jurisprudence across Canada. Provinces could use the Report to form the basis of a jurisprudence course outline, for education and assessment purposes. The project was funded in part by Human Resources Development Canada, because of its relevance to the development of a Mutual Recognition Agreement for the profession.

### *Jurisprudence Sub-Competency #1*

Pharmacists apply legal requirements and ethical principles, together with professional policies and standards, concerning patient care.

#### Competency Elements

Pharmacists:

- 1.1. accept responsibility for personal actions and decisions with regard to patient care
- 1.2. delineate and demonstrate all parameters of confidentiality
- 1.3. comply with monitoring requirements with regard to patients
- 1.4. adhere to legal requirements and ethical principles in promotion and advertising
- 1.5. comply with legal requirements and ethical principles regarding counselling and in the provision of pharmacist services
- 1.6. uphold legal and policy requirements with regard to referral of patients to other health care providers and/or agencies
- 1.7. comply with regulations with regard to refusal to fill prescriptions or refusal to sell products
- 1.8. comply with storage and disposal requirements regarding prescription records

## *Jurisprudence Sub-Competency #2*

Pharmacists apply legal requirements and ethical principles affecting the acquisition, storage, distribution, promotion and disposal of drugs and devices.

### Competency Elements

#### 2.1 Acquisition of drugs and devices

Pharmacists:

- i. apply their knowledge of legal requirements in the acquisition of drugs and devices adhere to established drug schedules and conditions of sale
- ii. determine the interchangeability of pharmaceutical products within provincial and territorial parameters
- iii.

#### 2.2 Storage of drugs, devices and related information... Pharmacists

- i. determine and apply the necessary security systems
- ii. ii document and securely store inventory
- iii. adhere to established labeling procedures for drugs and devices

#### 2.3 Distribution of drugs and devices

Pharmacists

- i. follow ethical principles and legal and practice requirements in the distribution of all products apply legal requirements and professional judgment in the processing of prescriptions
- ii. adhere to professional regulations regarding drug diversion
- iii. apply legal requirements and ethical principles in the use of pharmacy support personnel v. adhere to legal requirements and ethical principles in the transmission of prescriptions by electronic technologies
- iv. explain the national, and provincial or territorial processes for drug scheduling

#### 2.4 Promotion of drugs and devices

Pharmacists

- i. adhere to the legal requirements and ethical principles when advertising products and services.

## 2.5 Disposal of drugs and devices

### Pharmacists

- i. adhere to legal requirements and ethical principles in the disposal and/or reuse of returned or unused medications.
- ii. adhere to legal requirements and ethical principles in the disposal and/or reuse (where appropriate) of devices.

### *Jurisprudence Sub-Competency #3*

Pharmacists can elucidate the complaints and discipline processes and consequences for pharmacists and non-pharmacists

### Competency Elements

Pharmacists can

- 3.1 describe components of professional liability such as malpractice and negligence
- 3.2 explain the role and function of the complaints committee and complaints processes and procedures
- 3.3 explain the role and function of the discipline committee and the processes and procedures for disciplinary action
- 3.4 describe the concept of conflict of interest
- 3.5 describe what constitutes illegal sales and illegal signage respecting non-pharmacy outlets
- 3.6 explain the parameters of professional incompetence and incapacity, offenses and misconduct, including harassment and abuse issues, and the possible consequences for such behaviour
- 3.7 explain an individual's responsibilities in the reporting of suspected impairment and harassment cases, and professional misconduct.

#### *Jurisprudence Sub-Competency #4*

Pharmacists can specify the requirements for obtaining, maintaining and reactivating a licence to practise as a pharmacist

Competency Elements - Pharmacists can:

- 4.1 explain the registration process and the requirements for initial licensure
- 4.2 state the requirements for maintaining and reactivating a licence to practise pharmacy
- 4.3 differentiate between an internship and a clerkship
- 4.4 describe the requirements for the display of licence

#### *Jurisprudence Sub-Competency #5*

Pharmacists can explain the requirements for owning and managing a pharmacy

Competency Elements - Pharmacists can:

- 5.1 state the accreditation requirements to allow for the operation of a pharmacy
- 5.2 explain what is involved in the acquisition, sale, renovation, relocation, and closure of a pharmacy and describe the necessary procedures for such events as bankruptcy and death of the owner
- 5.3 explain what is meant by a sub-divided pharmacy and/or operation
- 5.4 detail the requirements for the supervision of a pharmacy
- 5.5 describe the purpose and operations of pharmacy inspections
- 5.6 detail the responsibilities of an owner and/or a manager
- 5.7 detail the necessary security measures

#### *Jurisprudence Sub-Competency #6*

Pharmacists can explain the code of ethics

Competency Elements - Pharmacists can:

- 6.1 outline the code of ethics
- 6.2 explain professional ethical principles

### *Jurisprudence Sub-Competency #7*

Pharmacists can demonstrate basic knowledge of the legal requirements for manufacturers of drugs and devices

Competency Elements - Pharmacists can:

- 7.1 explain the basic requirements regarding manufacturers' advertising
- 7.2 describe drug dosage limits, package size restrictions and labeling requirements
- 7.3 describe the basics of manufacturers' responsibility with regard to drug recalls
- 7.4 describe the basic requirements for the importation and exportation of drugs
- 7.5 describe "Notice of Compliance" and the "Drug Identification Number" (DIN)
- 7.6 describe the basics of Establishment Licensing and applications of the Good Manufacturing Practices (GMP) requirements

### *Jurisprudence Sub-Competency #8*

Pharmacists exercise professional judgment in ethical and legal decision-making

Competency Elements - Pharmacists can:

- 8.1 explain the peer review process as it relates to exercising professional judgment
- 8.2 assess situations and apply professional judgment in a reasonable manner as judged by peers
- 8.3 use gained knowledge and experience in legal decision-making

### *Jurisprudence Sub-Competency #9*

Pharmacists can explain the meaning of fundamental legal terms which are relevant to pharmacy

Competency Elements - Pharmacists can:

- 9.1 identify and define fundamental legal terms, for example
  - drug
  - hospital
  - intern
  - pharmacist
  - pharmacy
  - prescriber/practitioner
  - prescription

- sell
- registered pharmacy student
- pharmacy technician or assistant

9.2 explain the relevance of the legal terms to the practice of pharmacy

### *Jurisprudence Sub-Competency #10*

Pharmacists can describe the role, structure, function and mandate of the Provincial and Territorial Regulatory Authorities

Competency Elements -- Pharmacists can

10.1 define regulatory authority

10.2 describe the role and function of the administration, management and governance of the Provincial or Territorial Regulatory Authority

10.3 distinguish among by-laws, policies, rules, guidelines and regulations

10.4 discuss other professional acts and how other health professions are regulated

10.5 discuss scope of practice, authorized acts and protected titles

10.6 compare the public interest role with that of advocacy

## Appendix B – Jurisprudence Examination Content

Candidates should be familiar with all parts and sections of the following legislation. Those areas which might be included on the JE for testing are identified as relevant extracts.

### 1. Federal legislation

a. *Food and Drugs Act and Regulations*: [https://laws-lois.justice.gc.ca/eng/regulations/c.r.c.,\\_c.\\_870/index.html](https://laws-lois.justice.gc.ca/eng/regulations/c.r.c.,_c._870/index.html)

*The relevant extracts include:*

*PART C: DRUGS – Sections C.01.001, C.01.049, C.01A.001, C.01A.004, C.02.002, C.02.008*

*PART G: CONTROLLED DRUGS*

- *DIVISION 1: GENERAL – Sections G.01.001 - G.01.007*
- *DIVISION 3: PHARMACISTS*
- *DIVISION 4: PRACTITIONERS*
- *DIVISION 5: HOSPITALS*
- *DRUG SCHEDULE TO PART G – Part I, Part II, Part III*

*The Prescription Drug List*

<http://www.hc-sc.gc.ca/dhp-mps/prodpharma/pdl-ord/index-eng.php>

b. *Controlled Drugs and Substances Act, Schedule and Regulations*: <https://laws-lois.justice.gc.ca/eng/acts/c-38.8/>

*The relevant extracts include:*

i. *Narcotic Control Regulations* ([https://laws-lois.justice.gc.ca/eng/regulations/C.R.C.,\\_c.\\_1041/](https://laws-lois.justice.gc.ca/eng/regulations/C.R.C.,_c._1041/))

- *INTERPRETATION– section 2 o Pharmacists – section 30 - 52 o Practitioners – section 53 - 54 o Hospitals – section 63 – 65*
- *General – section 70 - 71 o Narcotic Drug Schedules*

ii. *Benzodiazepines and other Targeted Substances Extracts* (<https://laws-lois.justice.gc.ca/eng/regulations/sor-2000-217/index.html>)

- *Section 2- DESTRUCTION*
- *Part 2 – PHARMACISTS*
- *Part 3 – PRACTITIONERS*
- *Part 4 – HOSPITALS*
- *Schedule 2*

iii. *Subsection 56(1) class exemption for patients, practitioners and pharmacists prescribing and providing controlled substances in Canada* (<https://www.canada.ca/en/health-canada/services/health-concerns/controlled-substances-precursor-chemicals/policy-regulations/policy-documents/section-56-1-class-exemption-patients-pharmacists-practitioners-controlled-substances-covid-19-pandemic.html>)

## 2. Provincial legislation

### a. The Pharmacy Act of the New Brunswick College of Pharmacists

- Part I- Definitions and Interpretation
- Part III- Objects (Section 5)
- Part VI -Section 22 – Coming into effect of Regulations
- Part VIII – Membership in the College (Sections 32-36)
- Part IX – Right to Practise (Sections 37-68)
- Part X Sections 69-101 –Discipline and Competence
- Part XI – Investigations (Sections 117-121)
- Part XIII- Product Selection (Sections 128-129)
- Part XIV- General: Section 140- – Non-disclosure of confidential information and documents

### b. The Regulations to the Pharmacy Act of New Brunswick

- Part I- Definitions and Interpretation
- Part III- Officers and Duties
- Part V – Committees
- Part VI – Codes of Conduct
- Part XI –Registers
- Part XII –Registration of Members
- Part XIII – Registration of Pharmacies
- Part XIV - Pharmacy Standards of Operation
- Part XVI - Licences, Certificates and Permits
- Part XVII - Prescriptions, Dispensing and Records
- Part XVIII - Standards
- Part XX - Responsibilities and Delegation
- Part XXI - Prescribing by Pharmacists
- Part XXII - Administration of Drugs
- Part XXIII - Tests
- Part XXIV - Continuous Professional Development
- Part XXV – Insurance
- Part XXVII – Drug Schedules
- Part XXIX - Making, Amending and Repealing Regulations

### c. NAPRA Drug Schedules

<http://napra.ca/pages/Schedules/Overview.aspx>

### d. PHIPAA <http://www2.gnb.ca/content/gnb/en/departments/health/PersonalHealthInformationPrivacyAndAccess.html>

- Definitions
- Sections 7- 43

## **2. Other**

- a. NBCP Opioid Agonist Treatment Practice Directive
- b. NBCP Centralized Drug Order Processing (Central Fill) Practice Directive
- c. NBCP Administration of Injections Policy
- d. Code of Ethics

## Appendix C – Understanding Pharmacy Jurisprudence (Law) in New Brunswick

### **Legislation affecting the Practice of Pharmacy in New Brunswick**

The day to day practice of pharmacy is governed by many laws. Laws exist that dictate the qualifications/requirements for licensure as a pharmacist and as a pharmacy technician, the requirements to maintain that license to practice pharmacy, the requirements for day to day practice and the requirements to open and operate a pharmacy. Because members must deal with the laws of pharmacy practice every day and since “ignorance of the law is no excuse”, it is crucial that practicing pharmacists and pharmacy technicians know and understand the laws under which they practice.

The key legislation and regulations affecting the practice of pharmacy in New Brunswick include:

- The Pharmacy Act and Regulations of the NB College of Pharmacists
- The Food and Drugs Act and Regulations
- The Controlled Drugs and Substances Act and Regulations

*The Pharmacy Act of the New Brunswick College of Pharmacists* is a provincial statute, which governs the practice of pharmacy in New Brunswick. Through the Pharmacy Act, and its associated Regulations, the New Brunswick College of Pharmacists was created to regulate the profession of pharmacy in New Brunswick in the public interest.

*The Food and Drugs Act* is a federal act and provides legislation and regulations regarding food and drugs, including the process by which food, drugs, cosmetics and therapeutic devices are manufactured, marketed and sold in Canada. The regulations of this act include Part G: Controlled Drugs.

*The Controlled Drugs and Substances Act, the Narcotic Control Regulations and the Benzodiazepines and Other Targeted Substances Regulations* made under this legislation contain the federal rules relevant to the distribution of drugs and substances that have abuse potential. These rules, along with those found in the Food and Drugs Act and its regulations, ensure that the Canadian market has safe and effective drugs.

In addition to these key sets of rules, members also need to know and understand other pertinent federal and provincial legislation (e.g. NB Personal Health Information Privacy and Access Act – PHIPAA).

### **Overview of the Pharmacy Act of New Brunswick, the associated Regulations, the Standards of Practice, Practice Directives, Policies, the Code of Ethics, and Guidelines**

The Pharmacy Act of New Brunswick and its associated Regulations and related documents, regulate pharmacists, certified dispensers, pharmacy technicians, students, pharmacies and the practice of pharmacy in New Brunswick.

The **Pharmacy Act** (also called the legislation or statute) provides the foundation for regulating the practice of pharmacy. The provisions found in the Act are general in nature and often refer to the Regulations for the more specific requirements. The Act can only be amended by an act of the provincial legislature.

The **Regulations** provide, in more detail, the rules enabled by the Act. The Council of the New Brunswick College of Pharmacists may propose amendments to the Regulations in order to adapt to a dynamic profession but these amendments must be approved by the membership. Some Regulation changes also need to be approved by the Minister of Health. The Regulations include the provincial drug schedules which define the conditions and rules for selling specific groups of drugs, including non-prescription drugs.

In addition to the Act and its associated Regulations, **Standards of Practice** and issue-specific **Practice Directives** and **Policies** are in place to further define expected practice. The Regulations state that the Standards of Practice and applicable practice directives approved and issued by the Council must be followed by members in practicing their profession, directly or through delegation.

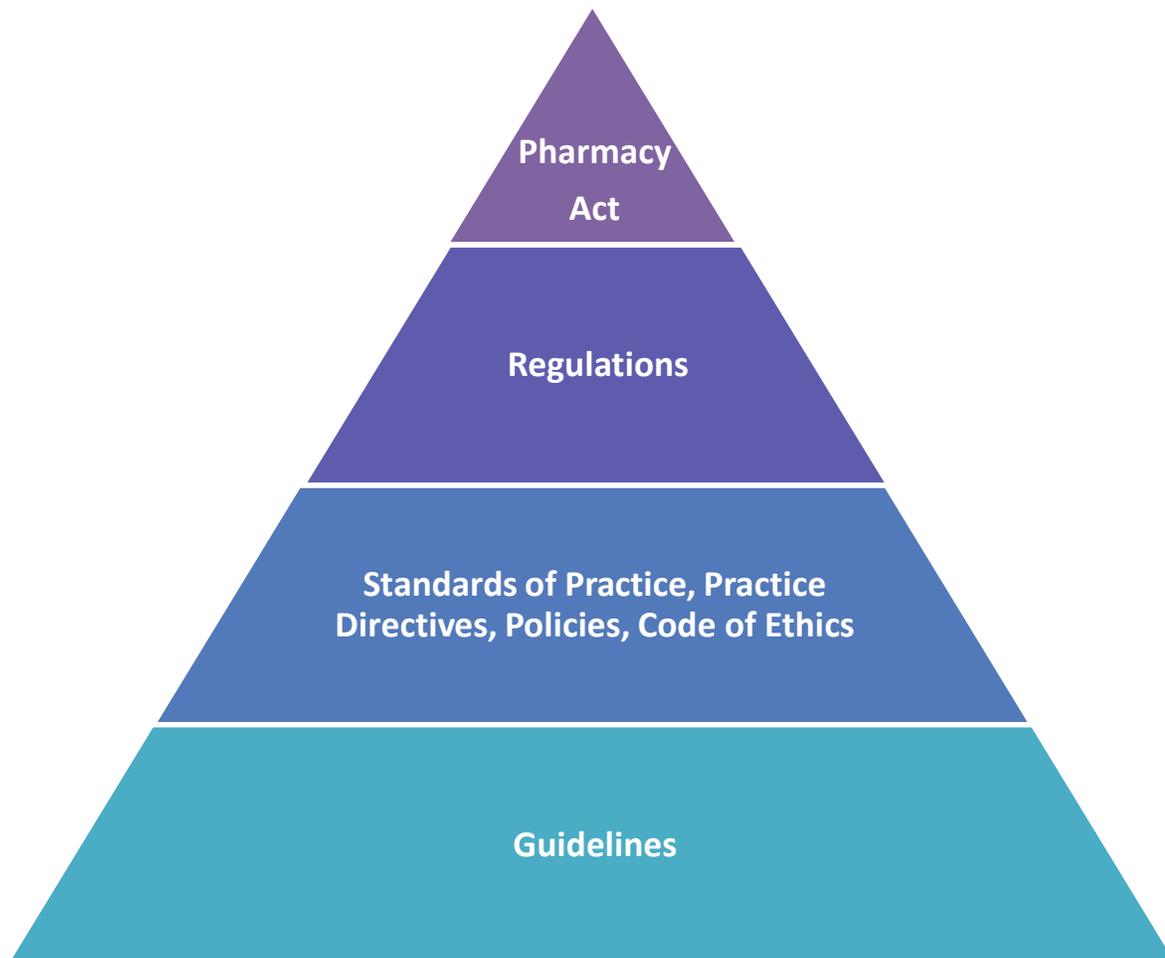
The **Code of Ethics** further aids in the regulation of the practice of pharmacy in the public interest. This document deals with the ethics, rather than the laws, governing pharmacy practice.

Laws and ethics of health care overlap considerably, since both share the concern that the conduct of health care professionals should reflect respect for the well-being, dignity and self-determination of the public. At the same time, there are situations in which the two domains of law and ethics may remain distinct and this Code of Ethics, while prepared with awareness of the law is addressed to ethical obligations.

This Code of Ethics defines and seeks to clarify the obligations of the pharmacists to use their knowledge and skills for the benefit of others, to be fair and just in their service to the public, to minimize harm and to respect patient autonomy. It educates pharmacists about their ethical duties and obligations and serves as a tool for self-evaluation and peer review. The Code of Ethics advises the public of the values and moral commitments which pharmacy regulators expect of pharmacists.

**Guidelines** are intended to assist members in better practice. These are issue-specific. While these are not strictly enforceable, members who do not abide by these recommendations should have policies and procedures in place to support their practices and reduce liability.

## Hierarchy of Rules-New Brunswick College of Pharmacists



### *The Pharmacy Act*

- Title and Definitions
- The New Brunswick College of Pharmacists (NBCP)
  - roles and responsibilities of the NBCP
- The Council of the NBCP
  - high level composition and powers of the Council
- Regulations
  - rules for the making or amending of the Regulations

- Membership
  - high level rules regarding membership, registration, licensure, right to practice and use of titles.
- Discipline and Competence
  - reporting, complaints, investigations, discipline hearings, settlement agreements, fitness to practice, incompetence, sanctions, penalties, reinstatement of licence to practise
- Product Selection
  - high level rules for product substitution

### *Regulations of the NBCP*

- Title and Definitions
- Council
  - composition, elections, voting, meetings
- Committees
  - Finance
  - Continuous Professional Development
  - Governance (codes of conduct, conflict of interest, professional misconduct)
  - Personnel
  - Registration (registration, refusal, restrictions, suspension)
- NBCP Administration
  - business, staff, documents
- Meetings
- NBCP Office Records
- Registration of Members
  - categories, processes, requirements
- Registration of Pharmacies
  - categories, processes, requirements
- Pharmacy Standards of Operation
  - physical requirements, quality management, opening a new pharmacy, changes to pharmacy, relocation, closing a pharmacy

### ***Regulations of the NBCP (continued)***

- Wholesaler registration
  - purchase and sale of drugs
- Licences, certificates and permits
  - renewal, requirements, absence from practice
- Prescription, Dispensing and Records
  - prescription: validity, verification, adjusting quantity, days supply limits, substitution, transfers, records
  - client: choices, profiles, access to records
  - drug: selling, purchasing, return to inventory, expired drugs
  - dispensing: packaging, labelling, delivery, compounding
- Standards of Practice
- Advertising
- Pharmacy Manager Responsibilities
- Pharmacist and Certified Dispenser Responsibilities
- Student Responsibilities
- Pharmacy Technician Responsibilities
- Prescribing by Pharmacists
  - including for Minor Ailments
- Administration of Drugs
  - including by injection
- Tests
  - ordering, interpreting, administering
- Continuous Professional Development
- Insurance
  - personal professional liability
- Communication with Members
  - publications
- Drug Schedules
- Complaints and Discipline
  - Administrator
- Making, amending and repealing Regulations
- Fee Schedule
- List of Minor Ailments
- Prescribing and Administration of Vaccines

### ***Standards of Practice***

- Model Standards of Practice for Canadian Pharmacists (NAPRA)
- Model Standards of Practice for Canadian Pharmacy Technicians (NAPRA)
- Supplemental Standards of Practice for Schedule II and III Drugs (NAPRA)
- Standards of Practice-Nonprescription Drugs (NAPRA)

### **Practice Directives**

- Central Drug Order Processing (Central Fill) Practice Directive
- Methadone Practice Directive

### **Policies**

- Administration of Injections Policy

### *The Code of Ethics*

The Regulations state that the Council shall adopt a Code of Ethics for members.

Members shall:

- I. hold the health and safety of each patient to be of primary consideration.
- II. form a professional relationship with each patient.
- III. honour the autonomy, values and dignity of each patient.
- IV. respect and protect the patient's right of confidentiality.
- V. respect the rights of patients to receive pharmacy products and services and ensure these rights are met.
- VI. observe the law, preserve high professional standards and uphold the dignity and honour of the profession.
- VII. continually improve their levels of professional knowledge and skills.
- VIII. cooperate with colleagues and other health care professionals so that maximum benefits to patient care can be realized.
- IX. contribute to the health care system and to societal health needs.