



Dispensing Drugs

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RELATED COLLEGE POLICIES:	Drug Samples (Clinical Evaluation Packages); Methadone Maintenance Treatment for Opioid Dependence
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Dispensing Drugs

INTRODUCTION

The College of Physicians and Surgeons of Ontario is aware that not all physicians dispense drugs. For those physicians who dispense or who are considering adding dispensing to their practice, the College, in collaboration with the Ontario College of Pharmacists, has developed a policy on dispensing which outlines the College's expectations for physicians who dispense drugs.

PURPOSE

This policy sets out the College's expectations of physicians who dispense drugs.

PRINCIPLES

1. The physician-patient relationship is the foundation of the practice of medicine.
2. A physician must act in the patient's best interests.
3. A physician must have the knowledge, skill and judgment to perform controlled acts, which includes dispensing drugs.

BACKGROUND

Under the *Medicine Act, 1991*, physicians are authorized to prescribe, dispense, sell or compound a drug.

Dispensing involves technical elements as well as the application of professional judgment. Technical aspects of dispensing include:

- providing the correct drug and the correct amount of the drug;
- selecting the appropriate container for the drug;
- accurately measuring liquids or diluents for reconstitution; and
- application of appropriate labelling.

Activities which involve applying professional judgment include:

- determining the appropriateness of the drug therapy;
- consultation, if necessary, with other health professionals; and
- any communication or counselling provided to the patient or other health professional.

POLICY

Physicians must meet the same standards of dispensing that a pharmacist must meet.

A physician must comply with all relevant legislation including, the *Controlled Drugs and Substances Act*, the *Narcotics Safety and Awareness Act*, the *Drug and Pharmacies Regulation Act*¹, the *Drug Interchangeability and Dispensing Fee Act*, and the *Food and Drugs Act*. These pieces of legislation set out the requirements for the sale and dispensing of drugs, including labelling, record-keeping and the retention of records.

¹ Section 156 of the *Drug and Pharmacies Regulation Act (DPRA)* sets out the requirements related to the information that must be recorded on a prescription, timelines for retention of records and the identification markings of the container in which the drug is dispensed.



Physicians are permitted to charge a dispensing fee; however, this fee cannot be excessive.² Physicians should also be aware that it is a conflict of interest for a physician to profit on the sale of a drug to a patient except in very limited circumstances.³

Dispensing Standards

Physicians who dispense drugs must meet the following dispensing standards. These standards recognize and address the potential for harm to patients from poor dispensing practice and are consistent with patient safety initiatives and the need for better drug information management.

Physicians must:

- dispense drugs only for their own patients;
- use proper methods of procurement in order to be assured of the origin and chain of custody⁴ of drugs being dispensed;
- store drugs securely;
- have an audit system in place in order to identify possible drug loss;
- store drugs appropriately to prevent spoilage (for example, temperature control where necessary);
- keep records of the purchase or sale of drugs;
- keep records which allow for the retrieval and/or inspection of prescriptions;
- not dispense drugs that are past their expiry date or that will likely expire before a patient has finished using them;
- provide appropriate packaging,⁵ labelling and patient related material for the drugs they dispense;⁶ and

- dispose of drugs that are unfit to be dispensed (expired or damaged) safely and securely and in accordance with any environmental requirements.

Providing Samples

For guidance on providing samples, physicians should refer to the College's policy on Drug Samples available under Policies at www.cpsso.on.ca.

2 It is a ground of professional misconduct to charge an excessive fee for a service (Paragraph 21, Subsection 1(1) Ontario Regulation 856/93 under the *Medicine Act*).

3 Where the drug is necessary for the immediate treatment of the patient, in an emergency, or where the services of a pharmacist are not reasonably readily available (Section 16 (d) Ontario Regulation 114/94 under the *Medicine Act*).

4 This includes documentation of each sale or transaction of the product, e.g., a packing slip from the manufacturer or wholesaler registered with the Ontario College of Pharmacists. A physician must have knowledge of:

- Who had the product;
- When they had the product;
- How long they had the product;
- How the product was stored;
- Who they bought it from; and
- Who they sold it to.

The Ontario College of Pharmacists suggests that physicians consider procuring drugs from wholesalers who are registered with the Ontario College of Pharmacists.

5 This includes using child resistant packaging unless: (a) the person to whom the drug will be dispensed to directs otherwise; (b) in the professional judgment of the physician who is responsible for the dispensing of the drug, it is advisable not to use a child resistant package given the particular circumstances; or (c) a child resistant package is not suitable because of the physical form of the drug (Section 45 Ontario Regulation 58/11 under the *DPRA*).

6 It is advisable to have standardized dispensing procedures (including labelling, instructions and documentation) in order to minimize errors.

DISPENSING DRUGS



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