

April 27, 2023

Via Email: [consultations@ocpinfo.com](mailto:consultations@ocpinfo.com)

Ms. Shenda Tanchak  
Registrar and CEO  
Ontario College of Pharmacists  
483 Huron Street  
Toronto, ON M5R 2R4

Dear Ms. Tanchak:

**Re: Seeking Feedback on Registration Regulation Amendments – Emergency Class Provisions**

The Ontario Pharmacists Association ('OPA', the 'Association') is pleased to provide its comments and recommendations to the Ontario College of Pharmacists ('OCP', the 'College') on the proposed amendments to General Regulation 202/94 (Registration Parts V.1 and VI.1) under the *Pharmacy Act, 1991*, that seeks to align the College's existing provisions regarding the emergency assignment class of registration established in 2021 as a result of the pandemic, with the registration requirements outlined in Ontario Regulation 508/22 under the *Regulated Health Professions Act, 1991*.

OPA is committed to evolving the pharmacy profession and advocating for excellence in practice and patient care. With its 9,000 members, OPA is Canada's largest pharmacy-based advocacy organization and continuing professional development provider for pharmacy professionals. By leveraging the unique expertise of pharmacy professionals, enabling them to practice to their fullest potential, and making them more accessible to patients, OPA is working to improve the efficiency and effectiveness of the health care system.

Pharmacy professionals have played an important role not only in supporting COVID-19-related initiatives such as administering COVID-19 vaccines, conducting COVID-19 testing, and prescribing and dispensing nirmatrelvir/ritonavir (Paxlovid) for the treatment of COVID-19, but also in contributing to accessible care for all Ontarians and alleviating pressure from other parts of the health system through the provision of other pharmacy services including but not limited assessing and treating minor ailments, adapting and renewing prescriptions, and managing drug shortages. These services strengthen Ontario's health system by improving access to care, supporting better patient outcomes, and protecting public health.

OPA was fully supportive of the amendments made in 2021 to O. Reg. 202/94 under the *Pharmacy Act, 1991* that created the emergency registration certificate class of pharmacy professionals, allowing pharmacy graduates to practice without the need for direct supervision and pharmacy technician graduates to practice to their full scope while they work towards full registration as a pharmacist or pharmacy technician in Ontario, respectively. The emergency assignment class of registration has contributed to increasing capacity and reducing pandemic-related pressure on the pharmacy workforce and continues to support sustained access to pharmacy services across the province. OPA remains committed to working with the College and other stakeholders to monitor the evolving situation.

Overall, OPA is supportive of the proposed regulations that, if approved, support consistency across the health professions by codifying the circumstances that would initiate activation of the emergency assignment class of registration and the ability to transition to another class of registration at the conclusion of issuance of emergency assignment registration certificates. Establishment of the emergency assignment class of registration has been beneficial to supporting the profession during the pandemic, and these amendments will enable the College to act expeditiously in other future emergency circumstances to support and stabilize the pharmacy workforce and ensure that patient care is not compromised. However, it is critical that a reasonable and clear process is established to support individuals holding the emergency assignment certificate of registration to transition to another class of registration once the emergency situation has ended. With respect to the specific proposed amendments, OPA would like to provide the following commentary:

**1) A provision that allows issuance of emergency assignment certificates to be triggered when it is determined to be in the public interest.**

Pharmacy professionals are integral to the communities they serve. Beyond their impressive contribution to the Ontario pandemic response, pharmacy professionals throughout the province also support continuity of care in hospitals and long-term care (LTC) homes, conduct home visits and provide medication delivery services to the most vulnerable, provide assessment and treatment of minor ailments, and improve access to flu shots, to name a few. As such, it is imperative that provisions are in place to ensure that any situation that may negatively impact the pharmacy workforce can be addressed in a timely and efficient manner.

**OPA supports the amendments that change the activation of issuance of emergency assignment registrations from being solely pursuant to a request from the government to the provision that expands on this criterion and enables issuance of these certificates in situations where**

**the College's Council determines that it is in the public interest to do so to address emergency circumstances.** The COVID-19 pandemic highlighted the far-reaching impact that a public health emergency can have not only on immediate health human resources (HHR) to destabilize the pharmacy workforce but also on the personal careers and lives of graduates from pharmacy and pharmacy technician programs looking to join the Ontario workforce. A prime example is the significant interruption of the registration pathway to complete licensure of pharmacy professionals that occurred as a result of the inability of the Pharmacy Examining Board of Canada (PEBC) to conduct examinations. Since future emergency circumstances are unpredictable and disruptions could be a consequence of factors unrelated to public health emergencies, enabling the Council to declare that an emergency circumstance exists that requires the issuance of emergency assignment certificates of registration will support greater ability to adapt and respond to any future unforeseen situations.

To support the Council in declaring an emergency circumstance, OPA recommends that a set of guiding principles be established to provide a framework to determine situations which would be considered emergency circumstances. Furthermore, recognizing that not all circumstances are predictable, continued collaboration with the sector and enabling the opportunity to provide feedback to the College are imperative. Pharmacy professionals continue to play an increasingly larger role in a patient's circle of care, especially with the addition of expanded scope of practice initiatives, therefore, the ability to maintain a strong pharmacy workforce at all times is crucial to ensuring that all patients in the province, including those in remote or rural communities, can have access to uninterrupted pharmacy services that aim to protect and maintain their health and safety.

**2) Renewal period that allows an emergency certificate holder to transition to another class of registration at the conclusion of issuance of emergency assignment registration certificates, to avoid unnecessary interruptions in service delivery.**

A transition period from when an emergency circumstance is declared over and when the emergency assignment registration certificate expires is necessary to avoid unintended disruptions to the pharmacy workforce and sustain the delivery of patient care services. **OPA supports the inclusion of a transition period after either the Government of Ontario or the Council declares that the emergency circumstances that gave rise to the issuance of emergency assignment certificates of registration have ended, however, we are concerned about the proposed length of 3-months.** Although an affected individual has the opportunity to transition to another

class of registration, the timing of events may result in the individual needing to register for a class with a more limited scope, e.g., a pharmacist (emergency assignment) who has not had a chance to attempt the PEBC exams and to receive their results would need to register as a pharmacy intern and be unable to practice without a Part A pharmacist physically present on the premises. This may lead to employment changes for the individual and risk disruption to the workforce as pharmacy owners/designated managers would be required to rehire and provide training to fill the position.

The time required to complete some of the non-exemptible requirements for full registration including the Jurisprudence, Ethics and Professionalism exam; the PEBC exams; and the College's practice-based assessment of competence should be taken into consideration when determining the length of the transition period. For example, the PEBC Qualifying Exams are only held twice annually and require applicants to apply several months in advance in addition to waiting for up to 6 weeks after the exam to receive results. Although individuals practicing under an emergency assignment registration certificate are encouraged to continue to move forward with their remaining registration requirements throughout the process, this may not be feasible in all situations. For example, a pharmacy technician (emergency assignment) who is under considerable pressure working to support the HHR shortage in a hospital pharmacy may not have time to complete the requirements while continuing to fulfill their professional and personal obligations, both of which may be significantly impacted by the emergency situation. It is important that the transition period be a reasonable length of time to allow affected individuals the opportunity to complete all requirements. Consideration of these timelines will help to ensure that pharmacy professionals practicing under an emergency assignment registration certificate can do so with confidence that they will be able to complete the requirements for full registration.

Furthermore, with respect to the expiration date of emergency assignment certificates of registration, OPA seeks to clarify the relevancy and situation(s) in which provision 15.2(2)(a) would apply. This is important to support understanding of the intended purpose of the regulations, in addition to ensuring that all individuals who hold emergency certificate registrations have the same sufficient amount of time to transition to another class of registration to maintain consistency and fairness in the process in addition to avoiding unintended interruptions.

- 3) Ability for an emergency assignment certificate holder to apply for another class of registration, and to exempt some of the usual registration requirements that would normally apply.**  
**Enables the exemption of fees for applicants transitioning from an emergency assignment certificate to another class of registration.**

**OPA supports the proposed amendments to codify the ability for an individual with an emergency assignment certificate to apply for another class of registration, and to exempt some of the usual registration requirements that would normally apply as this will help to minimize any potential disruptions to the pharmacy workforce and support these individuals as they continue to work towards full registration.** In addition, OPA is in agreement with the College that for the intent of these transition provisions to be supported, concurrent approval of the registration regulation amendments previously submitted by the College to the Ministry in 2018 to create a pharmacy technician intern class of registration is required. Currently, the only class of registration for pharmacy technician applicants with the College is the full registration pharmacy technician class, thus individuals who do not meet all the requirements prior to the end of the transition period will have no other class of registration to apply to and will not be able to continue practicing to scope in the profession. Pharmacy technicians are integral to the pharmacy team and with their comprehensive training and knowledge, they help to increase workforce capacity in the pharmacy sector by undertaking technical tasks to alleviate the pressures from pharmacists, therefore enabling pharmacists to provide additional clinical patient care services. The approval to create a pharmacy technician intern class will provide an alternative registration option for individuals that will allow them to continue to practice in the profession and support workforce capacity as they pursue full registration as a pharmacy technician.

The Ontario Pharmacists Association appreciates the opportunity to provide the College with its comments and recommendations toward the proposed regulatory amendments that would align the College's existing provisions regarding the emergency assignment class of registration with the requirements of registration regulation 508/22 under the *Regulated Health Professions Act, 1991*. The emergency assignment class of registration is critical to ensuring the profession can adapt in a timely manner to address unforeseen emergency situations that may impact public access to care and could result in negative health outcomes. The proposed amendments allow for flexibility to activate emergency assignment registrations, and the provisions to establish a transition period at the conclusion of issuance of emergency assignment registration certificates along with the exemption of the associated fees, help to avoid unnecessary interruptions upon termination of the



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emergency circumstances. However, creation of a pharmacy technician intern class as well as further clarity of the expiration date of emergency assignment certificates and a reassessment of the transition period length would help to support affected individuals and minimize disruptions in service delivery.

Should you have any questions or comments related to this submission, please do not hesitate to contact me at your earliest convenience at [jbates@opatoday.com](mailto:jbates@opatoday.com) or by phone at 416-441-0788.

Yours sincerely,

Justin J. Bates  
Chief Executive Officer

cc: Tim Brady, Chair of the Board, Ontario Pharmacists Association  
Angeline Ng, VP, Professional Affairs, Ontario Pharmacists Association