

Summary of Public Consultation on ‘Seeking Feedback on Expanded Scope Regulatory Amendments’

In 2022-23, the province of Ontario experienced significant impacts to the health system when COVID-19 and respiratory syncytial virus (RSV) co-circulated with influenza during the respiratory illness season. As the 2023-24 respiratory illness season approaches, pharmacy may have the opportunity to help mitigate these impacts. Expanding the scope of pharmacists and pharmacy technicians to offer additional vaccines and treatments for these respiratory illnesses will improve patient access to care during the upcoming respiratory illness season, and subsequent years.

In June 2023, following discussions with the Ministry of Health, the Ontario College of Pharmacists proposed the following regulatory amendments to [Regulation 202/94](#) of the [Pharmacy Act, 1991](#) to the Board:

- Pharmacists and pharmacy technicians to administer the respiratory syncytial virus (RSV) vaccine;
- Pharmacy technicians to administer vaccines from [Schedule 3](#);
- Part A Pharmacists, interns and registered pharmacy students to prescribe Oseltamivir (Tamiflu);
- Removal of specific age restrictions for administration of influenza and other [Schedule 3](#) vaccines by pharmacists and pharmacy technicians; and
- Transition of authority for pharmacists and pharmacy technicians to administer the COVID-19 vaccine and for pharmacists to prescribe Paxlovid, from the [Regulated Health Professions Act, Controlled Acts Regulation \(107/96\)](#) to the [Pharmacy Act, General Regulation \(202/94\)](#).

The Board subsequently approved a 60-day public circulation and consultation of the proposed regulatory amendments. Further to that, to optimize the timing of such amendments to support the upcoming respiratory illness season, the Board also approved submission of these amended regulations to the Ministry, following circulation and pending the Board Chair’s determination that substantive changes would not be required.

Public Consultation Process and Response

The proposed regulations were posted on the College’s website on June 14, 2023, and the consultation closed at midnight on August 12, 2023. Registrants, stakeholders, and members of the public were informed of the proposal through the College’s website, the College’s major publications and digital newsletters, targeted outreach to key stakeholders, and promotion through social media posts.

The College received a total of 132 comments, via the [consultation page](#). Comments received during the open consultation were primarily from registrants (pharmacists and pharmacy technicians), but others including pharmacy assistants, applicants, and members of the public also provided comment.

A number of system partners were consulted and invited to provide feedback through the public consultation, in dedicated meetings, or through formal submissions via e-mail. These partners included:

- Post-secondary pharmacy programs
- Continuing education programs
- Practicing pharmacy professionals
- Pharmacy professional associations and advocacy groups
- Other health regulatory colleges
- Pharmacy regulatory authorities across Canada
- Pharmacy education accreditors
- Other health professional associations

System partners who provided a formal submission included:

- [Ontario Medical Association](#)
- [Ontario College of Family Physicians](#)
- [Neighbourhood Pharmacy Association of Canada](#)
- [Ontario Pharmacists Association](#)
- [Ontario Chamber of Commerce](#)
- [Ontario Long Term Care Association](#)
- [McKesson Canada](#)
- [Life Sciences Ontario](#)
- [Sobeys National Pharmacy Group](#)

Consulted system partners expressed overall support for the proposed amendments. Generally, there was support for the vaccination expansions and several system partners wished to see future expansion to include other vaccines, including expanded access to publicly funded vaccines. Among the schools of pharmacy, it was noted that current pharmacy curricula already include education and training to support these proposed amendments.

Among the open consultation respondents, 38% expressed an overall positive response to the proposed regulation amendments, and 22% expressed a mixed response. Respondents noted the potential improvement to patient access to care, and mitigating pressures across the health system at large. Some pharmacists expressed an appreciation for the opportunity to increasingly work to full scope, utilizing their knowledge and training. Among the positive commentary, there was support expressed for RSV vaccination and Paxlovid prescribing. Pharmacy Technicians expressed a largely positive response, welcoming the opportunity to better support patients and relieve workload from their pharmacy colleagues, and noting the positive step forward for the pharmacy technician role.

Concerns and Considerations

Among the open consultation respondents, 38% expressed opposition to further expanded scope more broadly or had specific concerns related to the proposed amendments. The concerns were primarily focused on the overall impact of these proposed amendments on exacerbating existing challenges within the pharmacy profession. These challenges, which included high workload and burnout, compensation for additional practice scope, employment standards for pharmacy professionals, setting minimum staffing requirements, patient safety concerns related to the compromises required by the environment and increased pressure from the public and pharmacy management, have been previously brought to the attention of the College by the pharmacy community and continue to be important considerations for the College moving forward. The Board of Directors has committed to prioritize and address these challenges as part of the new strategic plan beginning in January 2024. The planning for this work is well underway.

Concerns that were specific to the proposed regulatory amendments were voiced to a lesser extent. These concerns included:

- *Public Safety Risk:* 13% of respondents expressed concern that continued scope expansion and increase in workload may lead to increased errors and risk to public safety.
- *Administering Injections to Infants and Young Children:* 11% of respondents noted that many community pharmacies lack the necessary infrastructure and resources to appropriately administer injections to infants and young children.

- *Education and Training:* 10% of respondents noted that even with the available resources, they did not feel sufficiently trained to perform elements of the expanded scope. Specifically, several comments focused on the skills and confidence around injecting infants.
- *Tamiflu:* 4% of respondents and some system partners expressed concern around the efficacy and safety of Tamiflu as a treatment for influenza.
- *Infection Prevention and Control:* 2% of respondents expressed concern around increased exposure of the public to influenza and COVID-19 when patients who are actively ill seek treatment (i.e., Tamiflu and Paxlovid) in the community pharmacy environment.
- *Barriers to Implementation:* Concerns were raised regarding the lack of specific tools and resources to enable implementing the proposed expanded scope. For example, having more consistent access to patient laboratory results, access to Connecting Ontario ClinicalViewers, and the availability of point of care testing for influenza and COVID-19.

OCP Response

Some concerns raised are outside the mandate of the College, such as inquiry into the safety and efficacy of Tamiflu prescribing, for which the College continues to follow the most current, national, [evidence-based guidance available](#). The College shares the concerns around workload and human resources, and the potential risk to patient safety, as well as the concerns around the appropriateness of the pharmacy environment for injecting infants and young children. The College is expressly committed to addressing the issues of practice environments through the 2024-28 Strategic Plan.

The commitment of pharmacy professionals and operators to uphold their responsibilities and obligations under the [Standards of Practice](#) and [Standards of Operation](#), respectively, follow available guidance (e.g., [IPAC Policies and Procedures](#)), clinical best practices, and [professional jurisprudence](#) continues to be a fundamental element of patient safety. Registrants should continually self-assess their ability to provide safe patient care, and to implement the necessary safeguards where needed.

Ensuring appropriate and adequate education and training to support the proposed expanded scope is a key implementation consideration for the College. The College will continue to work diligently to ensure proper clinical guidance, practical training and support are in place to enable safe administration of the RSV, influenza, COVID and other vaccines among all age groups, expansion of vaccination authority among pharmacy technicians, and prescribing of evidence-based treatments such as Tamiflu and Paxlovid.

In summary, the College has reviewed and considered all the feedback received through the consultation process. Pharmacists with the knowledge, skills, and abilities to safely adopt these changes to practice scope have expressed willingness and enthusiasm to do so. Patient safety continues to be the primary mandate of the College, and it is through the practice decisions of individual pharmacy professionals based on available evidence and standards of practice, that enables continued patient safety. Implementing these regulatory amendments will support the object to increase access to routine and seasonal vaccinations and manage the demand for assessment and treatment during the 2023-24 respiratory illness season across the health system.

The [proposed regulatory amendments](#) were submitted to the Ministry on August 31, 2023. After it is submitted to the Minister of Health, the regulation undergoes the Ministry's policy review. On September 11, 2023, the Ministry of Health posted the proposed regulatory changes on the [Public Registry](#) for public consultation. Comments are due by September 26, 2023. The regulation will not take effect until it is

approved by the Ontario government and given Royal Assent, however, the College hopes that approval will occur in time to support the 2023 influenza season.