



### **Plain Language Summary for Bill 31: An Act to Amend the Pharmacy Act**

There are two distinct changes included in the Bill 31: An Act to Amend the Pharmacy Act.

The Government of the Northwest Territories, Department of Health and Social Services is making amendments to the *Pharmacy Act* and regulations to allow for:

- the broader distribution of naloxone by un-scheduling naloxone and
- to authorize electronic prescribing (e-prescribing).

Initiation of the amendments began following engagement with the Chief Public Health Officer, the Northwest Territories Health and Social Services Authority, and the NWT Pharmaceutical Association.

In 2016, Canada declared a national “public health emergency” across Canada due to overdoses and deaths from use of opioids. Naloxone which is used to counter the effects of opioid overdose is currently a Schedule II drug. Schedule II drugs do not require a prescription and can only be sold, dispensed, or distributed under the direct supervision of a pharmacist. When a substance or drug becomes unscheduled, it can be sold or distributed without the supervision of a pharmacist and from any retail outlet.

When the amendments to the *Pharmacy Act* and the regulations are implemented, naloxone may be distributed to persons at risk of opioid overdose by non-health professionals and without supervision by a pharmacist.

The *Pharmacy Act* sets out how prescriptions may be communicated and include written, verbal, or faxed. E-prescribing is not included in the Act.

With the authorization of e-prescribing, patient safety and overall quality of care will improve, convenience for dispensing prescriptions will increase, and the risk of error and liability will decrease.

E-prescribing supports clear and secure communications between providers and reduces phone calls from pharmacies for clarification. Secure software and programs that support e-prescribing can provide warnings and alerts at the point of prescribing including an alert to the prescriber of potential drug allergies.

During the Covid-19 pandemic a temporary amendment to the *Pharmacy Regulations* was made to allow e-prescribing for the duration of the public health emergency. Prescribers have since communicated an urgency to authorize e-prescribing generally and to support this service method after the public health emergency ends. The amendments to the Act will authorize e-prescribing in the NWT.

Specifically, the amendments to the Act include:

- adding a definition of "unscheduled substance";
- allowing a person to sell an unscheduled substance from any retail outlet if certain conditions are met;
- requiring a person who sells a prescribed unscheduled substance by retail, or who supplies or distributes such a substance, to meet certain conditions when selling, supplying or distributing the substance;
- establishing regulation-making authorities relating to the retail sale, supply or distribution of prescribed unscheduled substances; and
- allowing a pharmacist to dispense a drug under the authority of an electronic prescription if certain conditions are met.

The *Pharmacy Act* has existing regulation making powers to un-schedule naloxone. The un-scheduling of naloxone will be provided for in an amendment to the *Pharmacy Regulations*.

Two minor housekeeping amendments are also provided in the Bill and include:

- replacing, in the English version, gender-specific language with gender-neutral language; and
- removing the reference to '*Schedule F to the Food and Drug Regulations (Canada)*' under subsection 20(5), and replace with a reference to the '*prescription drug list established under subsection 29.1(1) of the Food and Drugs Act (Canada), as amended from time to time*'.

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