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CANADIAN PHARMACY LAW

Marie Berry

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The Canadian Pharmacy Law is a comprehensive and efficient working tool to help keep up with the changes in the law and the body of case law that follows. It explains the underlying principles and doctrines of law within the legal system as they apply to the practice of pharmacy and includes all of the latest case law, full legislation, jurisdictional comparison charts of practice in pharmacy, and much more.

What's New in this Update:

This release features updates to Chapter 2 (Drug Regulation—Federal and Provincial), Chapter 5 (Civil Liability and Professional Liability), Chapter 7 (Practice Issues), Chapter 9 (Selected Court Cases), Appendix A (Federal Legislation), Appendix B (Alberta), Appendix H (Nova Scotia), Appendix J (Ontario), Appendix L (Quebec) and Appendix M (Saskatchewan).

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Highlights

- **Author's Comments**—Discipline matters are becoming multitudinous in nature and there may be several reasons. Obviously, if a dispensing error is made, then the wrong drug or dose would have been dispensed and the pharmacist could not have counselled appropriately; thus at least two errors and two charges of professional misconduct. However, sometimes it is the pharmacist's less than professional actions that first draw an investigator's attention and then the investigator goes on to uncover numerous other deficiencies in the pharmacist's practice, resulting in many charges of professional misconduct, for example an allegation of improper billing may mean an investigator's visit to the pharmacist's dispensary, but when there, the investigator uncovers other deficiencies such as, improper record keeping, shortages of narcotic or controlled drugs, expired medication. The result is discipline hearing with many allegations coupled with costly investigations.
- **Case Law**—The difference between criminal law and administrative or regulatory law was evident in *Ontario (College of Pharmacists) v. Kaldus*, 2025 ONCPDC 3 (CanLII). The evidence consisting of various narcotic tablets discovered during a traffic stop, was excluded in the criminal trial for drug possession and trafficking-related criminal offences. The argument that the pharmacist had a reasonable expectation of privacy and the evidence seizure violated his Charter rights was accepted. The charges were dismissed. However, the Discipline Committee functions for public protection and the pharmacist's actions were considered to have called into disrepute the profession of pharmacy. In the administrative tribunal the pharmacist's actions and the various narcotic tablets were evidence of professional misconduct.
- **Legislation**—Amendments have been made to the Federal legislation and well as that in Nova Scotia and Saskatchewan to keep it current in the book.