

October 2003

SECTION 56 CLASS EXEMPTION FOR PODIATRISTS

Pursuant to section 56 of the *Controlled Drugs and Substances Act* (CDSA), the podiatrists in the provinces of British Columbia, Alberta, Ontario, and Quebec, are exempted for medical purposes from the application of subsections 5(1) and 5(2) of the CDSA with respect to benzodiazepines, and from subsection 2(1) of the *Benzodiazepines and Other Targeted Substances Regulations* (hereafter referred to as the Targeted Substances Regulations).

In respect of this exemption,

Benzodiazepines means substances listed under Item 18, Schedule IV, of the CDSA and listed under Item 1, Part 1, Schedule 1 of Targeted Substances Regulations.

Podiatrist means a person who is registered and entitled under the laws of a province to practice in that province the profession of podiatry and to prescribe or administer benzodiazepines.

This exemption gives authority to podiatrists in the provinces of British Columbia, Alberta, Ontario, or Quebec to prescribe, administer, sell, provide, send, deliver or transport benzodiazepines to or for an individual in accordance with section 58 of the Targeted Substances Regulations, subject to the terms and conditions of this exemption.

This exemption is only applicable if the following conditions are met:

- (1) the podiatrist must satisfy all of the conditions and requirements of the Targeted Substances Regulations that are applicable to practitioners, including subsection 2(2) and sections 6, 7, 9, 58, and paragraphs 60(1)(a) to (c); and,
- (2) the provincial regulatory authorities for podiatry have appropriate mechanisms in place to ensure that all podiatrists practising in their province are in compliance with the terms and conditions of the exemption and to take appropriate enforcement action as required.

This exemption will remain in effect until revoked. **Failure to comply with the terms and conditions of this class exemption may, among other things, result in immediate suspension of this exemption, and ultimately, in its revocation.**

Original signed by Carole Bouchard

Director, Office of Controlled Substances, DSCS/HECS, for and on behalf of the Minister of Health