

Responsibilities of a Pharmacy Manager

In accordance with *The Pharmacy Act, 1996*, and Bylaws, a licensed pharmacist assumes significant responsibilities when designated as the manager of a pharmacy. The purpose of this document is to outline these responsibilities and the expectations of the College in their fulfillment.

When a licensed pharmacist assumes the designation as pharmacy manager, that pharmacist also assumes the duties and responsibilities of a director of the corporation as specified in Section 19(1)(b) of *The Pharmacy Act, 1996*. There are specific responsibilities of being a director of a corporation that owns and/or operates a pharmacy, such as ensuring that the corporation meets its obligations, and that it is in this area that the College has sought elaboration and clarification of these obligations.

The accompanying memorandum has been prepared by MacPherson Leslie & Tyerman, legal counsel to the Saskatchewan College of Pharmacists. It discusses certain duties and responsibilities that are owed by the directors of a corporation, incorporated under the *Canada Business Corporations Act* (the “CBCA”). Similar duties and responsibilities are owed by directors of companies incorporated under *The Business Corporations Act (Saskatchewan)*.

The memorandum is intended solely for general informational purposes and should not be construed as, or used as a substitute for, legal advice with respect to specific issues or transactions, since such advice requires an evaluation of precise factual circumstances. Legal counsel should be consulted as to all questions that arise with respect to the laws, rules, regulations and other legal requirements discussed herein.

The pharmacy manager is the licensed pharmacist designated by the proprietor of the pharmacy to have the authority over, and be responsible for, the operation of the pharmacy. The pharmacy manager may delegate some of these responsibilities to other licensed pharmacists. These pharmacists must have an effective reporting mechanism with a clear understanding of all pertinent objectives, expectations, policies and procedures.

Under federal and provincial laws governing corporations, directors of corporations or companies owe other duties. Please refer to the attached memorandum, “Directors’ Duties and Responsibilities”, prepared by the College’s Solicitor for further information.

AREAS OF RESPONSIBILITY

A. Proprietary Pharmacy Permit

1. Every applicant applying for a proprietary pharmacy permit (i.e. a permit to operate a community or Internet pharmacy) shall:
 - a) Apply in writing to the Registrar on the prescribed form, include the applicable fees, and provide the following information:
 - name of proprietor
 - name and address (mailing and location) of pharmacy
 - name of licensed pharmacist having management of the pharmacy
 - name of all pharmacy employees
 - if corporate owner, the names of directors, and addresses as requested
 - current Corporate Registry Profile Report
 - b) display the permit conspicuously.
2. Change of location or cessation of business requires:
 - a) contact the SCP office
 - b) immediate removal of store signs and advertisements implying a pharmacy operation at the former location.
 - c) removal of Schedule I, II & III drugs. Advise SCP of the disposition of all drugs, especially Narcotic and Controlled drugs.
 - d) return of proprietary pharmacy permit to the College within ten days of address change or closure.
 - e) transfer of prescriptions to another pharmacy.
3. Amendments to proprietary pharmacy permit:
 - a) amended permits are required for: manager change; proprietor name adjustment; trading name; director change or location change.
 - b) the required form and prescribed fee must be submitted.
 - c) if a licensed pharmacist ceases to be engaged as a pharmacy manager, the proprietor shall notify the Registrar in writing five days prior to the change, providing the name of the new manager.

4. A new permit is required for a change in ownership.

B. Narcotic and Controlled Drugs

The pharmacy manager:

- a) is ultimately accountable for record keeping, the acquisition, storage and distribution of Narcotic and Controlled Drugs, according to the pertinent governing legislation.
- b) retains the right to designate which pharmacists may have signing authority for purchasing Narcotic and Controlled Drugs in a specific pharmacy.

C. Daily Pharmacy Responsibilities

1. A licensed pharmacist may be named as pharmacy manager in more than one pharmacy.
2. The pharmacy manager shall ensure that only licensed pharmacists or interns (under the immediate supervision of a licensed pharmacist) shall practise pharmacy and shall not permit a person who is not a pharmacist to direct, influence, control or participate in the management or operation of the pharmacy.
3. The pharmacy manager shall ensure a licensed pharmacist is on duty during all hours of operation.
4. The pharmacy manager shall ensure appropriate advertising, including the correct use of the trade name of the pharmacy, prescription labels, telephone directory listings, interior and exterior signs, stationary, etc.
5. The employer shall report to the College the termination of a member, where the employer reasonably believes the cause is professional incompetence or professional misconduct.

D. Operational Requirements

The pharmacy manager is required to:

- a) ensure adherence to the legislation governing pharmacy practice, including, but not limited to, the following:
 - *Food and Drugs Act and Regulations*
 - *Controlled Drugs and Substances Act*
 - *Narcotic Control Regulations*
 - *The Pharmacy Act, 1996, and Bylaws*
 - Saskatchewan College of Pharmacists policies, guidelines and standards
- b) be responsible for establishing policies and procedures to be followed by pharmacy personnel, which are in accordance with pharmacy law, acceptable pharmacy practice and professional standards.
- c) be accountable to SCP for all professional activities within the pharmacy.
- d) provide information to the Registrar concerning the operation or conduct of the pharmacy and pharmacists employed, if so required by the College.
- d) ensure a system of communication and documentation of information to provide consistency of care
- e) ensure the prescription processes and procedures used by the pharmacy are designed to minimize errors, protect the public and adhere to the Standards of Practice.
- f) ensure a system is in place for the implementation/ maintenance of a medication error follow up and reporting protocol.

E. Written Acknowledgement

When named pharmacy manager the pharmacist acknowledges that he or she has read, understood, and accepts responsibilities of their position and the operation of the pharmacy.

- a) The manager shall respond in writing to requests from the Registrar (or designate) regarding operation of the pharmacy and practice situations and, where applicable, identify the member involved in any matter under review.