COLLEGE OF PHARMACY
OF NEWFOUNDLAND AND LABRADOR

PHARMACY CLOSURE

Interpretation Guide

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1. INTRODUCTION

When a pharmacist-in-charge and pharmacy owner intend to permanently close a pharmacy, there are several time-sensitive tasks that must be carried out in accordance with section 31 of the *Pharmacy Act, 2024* and section 7 of the *Pharmacy Regulations, 2024*. This interpretation guide is intended to support pharmacy owners and pharmacists-in-charge in fulfilling these tasks.

2. APPLICATION PROCESS

The pharmacist-in-charge is required to apply to terminate the pharmacy licence through the CPNL Pharmacy Portal no less than 30 days before the planned closure date. The following information is required to complete the application:

- the date of closure (i.e., the first full day that the pharmacy will be closed);
- the name of the pharmacy to which patient records (both physical and electronic) will be transferred; and
- the plan for the disposition of drug inventory.

3. PATIENT CARE CONSIDERATIONS

The pharmacy closure process must minimize disruptions to patient care and ensure continuity of care to the extent possible. Once the application for the termination of the pharmacy licence has been approved, all patients must be notified of the pharmacy closure as promptly as possible.

Notification can be circulated through various channels, including personal phone calls, announcements via radio or social media, email, mail, and/or signage.

Appropriate signage must be displayed in the pharmacy in an area visible to the public (e.g. main entrance, prescription pick-up and/or drop off area of the dispensary counter) to inform the public of the closure date and the name and address of the pharmacy where physical and electronic patient records will be transferred so that patients can access them if needed.

Additionally, patients should be contacted to give them the opportunity to refill and pick up their medications, or to transfer to another pharmacy of their choosing, before the pharmacy closes.

Notification regarding the closure must also be conveyed to other healthcare providers in the vicinity or who regularly who collaborate with the pharmacy team. This is particularly crucial where the closing pharmacy is the only pharmacy in a community, for continuity of care for people receiving opioid agonist treatment from the pharmacy, and when the pharmacy provides medications and services to long-term care or personal care facilities.

4. PATIENT RECORDS

The pharmacist-in-charge of a pharmacy is designated as the custodian of personal health information under the provincial *Personal Health Information Act (PHIA)*. In this capacity, the pharmacist-in-charge is responsible for maintaining patient records while ensuring the confidentiality and security of personal health information. This obligation persists until the custodianship of the records is officially transferred to another person who is eligible to be a custodian under PHIA, generally another pharmacist-in-charge.

Patient health records must be retained, whether in physical or electronic form, for 10 years.

The pharmacist-in-charge and owner of a pharmacy that is closing must facilitate the secure transfer and ongoing accessibility of patient records, both electronic and physical, to a pharmacist-in-charge at another pharmacy.

PLEASE NOTE:

Pharmacy records must never be abandoned. Every effort must be made to secure another pharmacy to accept the closing pharmacy's records. In the event the pharmacist-in-charge and pharmacy owner are unable to arrange another pharmacy to take possession of patient records, the pharmacist-in-charge should consult with the Office of the Information and Privacy Commissioner and CPNL staff regarding an appropriate solution.

5. DRUG INVENTORY

When a pharmacy closes, the pharmacist-in-charge must arrange for the disposition of all prescription and non-prescription drugs (i.e., those included on Drug Schedules 1, 2 and 3).

In particular, for all controlled substances, pharmacists-in-charge must follow the *Controlled Substances Regulations (Canada)* and related guidance issued by Health Canada.

In the event of a pharmacy closure, controlled substances may be:

- sold or provided to a licensed dealer pursuant to a written order;

- sent to a licensed dealer who is licensed to destroy the substances pursuant to a written order; or
- sold or provided to another pharmacist who does not have a notice of restriction issued in their name by Health Canada and who is in good standing with their provincial or territorial regulatory body.

If controlled substances are transferred to another pharmacist, at the time of transfer, both pharmacists must sign the record of transfer, complete an inventory of the substances, and keep a record of the inventory for a minimum of 2 years to allow for audit.

PLEASE NOTE:

All reasonable steps must be taken to protect controlled substances from loss or theft during transport, including when substances are in transit between two pharmacies. If any loss or theft occurs, the pharmacist-in-charge must report this loss or theft to Health Canada's Office of Controlled Substances within 10 days of discovery.

6. OPERATIONAL REQUIREMENTS

When permanently closing a pharmacy, the pharmacist-in-charge and pharmacy owner must also:

- notify the Pharmacy Network team at Newfoundland and Labrador Health Services, to facilitate disconnection to the Pharmacy Network and retrieval of associated equipment;
- advise registered pharmacy professionals employed by the pharmacy to log into the CPNL Registrant Portal to update their employment information;
- notify third-party payers, including the Newfoundland and Labrador Prescription Drug Program (NLPDP), of the closure; and
- ensure all signs and symbols related to the practice of pharmacy are removed and/or no longer used, including:
    - interior and exterior signage (photographs must be send to CPNL office as proof of removal); and
    - any branded paper documents such as receipts and labels, packaging, etc.; and any physical or digital advertisements.

PLEASE NOTE:

There may be other circumstances particular to your own pharmacy that require specific instructions or assistance. If you have any questions concerning what is required, or need assistance in dealing with your particular situation, please contact the CPNL office.