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Prescription Copies: Pharmacist Obligations & Considerations (Updated: June 2024)

Legislation

A patient is entitled to a prescription copy, a right that is enshrined in both the Federal *Food and Drug Act* (FDA) and the Regulations to the *Pharmaceutical Act* under [Standard of Practice 10 –Transfer of Patient Care](#). If a patient asks a pharmacist to obtain a copy of a prescription from another pharmacy, the pharmacist requesting the copy is acting as an agent of the patient when making that request. Refusal of the request for the copy is not in compliance with either legislation. *The Personal Health Information Act* (PHIA) empowers, rather than blocks, the transfer of prescription copies.

Documentation

The transfer of the prescription copy may be done verbally, by fax, or with a written copy. When a copy is transferred verbally, confirmation of the information by fax is a useful safety tool.

- The information required on the prescription copy includes: patient name and address, drug and strength, drug quantity, directions, name, address and telephone number of the prescriber, original date the prescription was filled, number of refills remaining, date of the last renewal, pharmacy name and address, prescription number/transaction number, the name of the pharmacist providing the copy and the name of the pharmacist obtaining the copy.
- The pharmacist making the transfer needs to document on either the patient profile or on the original prescription; the date of transfer, the pharmacy who received the transfer, and the name of the pharmacist receiving the copy.

Delegation

Section 60(1) of the Regulations lists the tasks that may be performed by a pharmacy technician. The transfer of prescription copies is **not** listed as one of the tasks that may be completed by a pharmacy technician. Although Section C.01.041.1 of the Food and Drug Regulations states a pharmacist or pharmacy technician may transfer a prescription, the provincial legislation does **not** allow this task to be delegated to someone other than a pharmacist.

Eligible drugs

Drugs that may be transferred include all drugs that are on the Prescription Drug List as created by the Regulations to *The Food and Drug Act*, and Targeted Substances and Benzodiazepines.

- Once a prescription for a drug on the Prescription Drug List has been transferred to another pharmacy, the prescription at the transferring pharmacy is no longer valid and cannot be filled further. Should the patient want to return to the originating pharmacy, the prescription would need to be transferred back.

- Benzodiazepines and Targeted Substances may only be transferred once. The transferring pharmacy cannot fill the prescription any further and it cannot be transferred back to the originating pharmacy should the patient want to return to that pharmacy.*
- Narcotic and Controlled drugs prescriptions cannot be transferred.*

**The Health Canada subsection 56(1) exemption for prescription transfers is currently in place in Manitoba and permits pharmacists to transfer or receive transfers of prescriptions for narcotic, controlled, benzodiazepine and targeted drugs. It is recommended that pharmacists notify prescribers when a CDSA prescription they wrote is transferred out-of-province. Please see the [Prescription Transfers for Controlled Substances under Health Canada Subsection 56\(1\) Exemption FAQ](#) for more information.*

Ethics

In the transferring of a prescription copy, a balance of due diligence and professional courtesy is required by both the transferring pharmacist and the requesting pharmacist. PHIA allows the transferring pharmacist to convey information in addition to the information on the prescription including information about the individual's health, health care history and personal health information number. The Code of Ethics obliges both pharmacists to conduct themselves in a professional manner conducive to safe and effective health care as well as to respect the patient's autonomy to make health care choices.

Once a patient clearly provides authorization for the transfer of their prescription, the pharmacist at the transferring pharmacy should not be contacting the patient with the intent of changing his or her mind regarding the transfer. PHIA empowers the use of personal health information in a trustee's file for health care use only. If a pharmacist from the transferring pharmacy does contact the patient, the pharmacist should be prepared to demonstrate the reason for contact was in support of enhancing care and not for commercial interests of the pharmacy.

References

- Section 56(1) of the Pharmaceutical Regulations: Standards of Practice (10) – Transfer of Patient Care
- [Practice Direction – Transfer of Patient Care](#)
- Section C.01.041.1 to C.01.041.3, Part C, Division I of the *Food and Drug Regulations*: Requirements of a transfer of a prescription
- Section 22 of *The Personal Health Information Act*: Individual's consent to disclose
- Section 21 of *The Personal Health Information Act*: Restrictions on the use of PHI