



College of Pharmacists of Manitoba

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Practice Direction Permanent and Temporary Pharmacy Closures

1.0 Scope and Objective:

1.1 Expected Outcome

This document is a practice direction by Council concerning the proper procedure for permanent and temporary pharmacy closures through the authority of *The Pharmaceutical Regulations to The Pharmaceutical Act* and *The Pharmaceutical Act*

1.2 Document Jurisdiction (Area of Practice)

The pharmacy owner and manager of a pharmacy that will permanently or temporarily cease to operate for are expected to adhere to this practice direction.

1.3 Regulatory Authority Reference

Sections 45(1) and 45(3) of the regulations to the *Pharmaceutical Act* empowers Council to create this practice direction.

2.0 Practice Direction

Permanent Pharmacy Closures

2.1 Within seven days of the operation permanently ceasing, it is the joint responsibility of the owner and pharmacy manager to:

2.1.1 Notify the registrar of the location where the prescription records from the closed pharmacy will be stored. The records need to be kept in a location that complies with *The Personal Health Information Act* and be accessible upon request to the College and patients or trustees acting on behalf of the patient; and

2.1.1.1 The records must be retained for five years in total, either in hardcopy or electronic form; and

2.1.1.2 All acquisition/invoice records for items that can only be sold in a pharmacy must be accessible for two years; and

2.1.2 Surrender the pharmacy licence to the College; and

2.1.3 Remove all items that may only be sold in a pharmacy from the premises in a manner permitted by law; options include transfer to another licenced

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- pharmacy, or to a pharmaceutical wholesaler, unless an extension has been approved by the registrar; and
- 2.1.4 Remove all signs and advertisements that may lead the public to believe that the premise is a pharmacy; and
 - 2.1.5 Provide the registrar with a copy of the notice of permanent pharmacy closure.
- 2.2 Because the principle of continued care and availability of care must be maintained, the pharmacy manager or owner must:
- 2.2.1 At least 30 days before ceasing to operate (or as soon as possible and as soon as reasonable), advise the patients of the pharmacy closing and provide them with the name and contact information of the pharmacy where patient prescription records are to be located;
 - 2.2.1.1 If a patient does not wish to have their prescription record located at the pharmacy mentioned in the notice, the record may be transferred to another pharmacy specified by the patient (except for those prescriptions covered by the *Controlled Drugs and Substances Act*);
 - 2.2.2 Display signs on the premises indicating the pharmacy has closed and where the pharmacy records are located;
 - 2.2.3 Direct fax and phone lines to another licenced pharmacy, preferably the pharmacy responsible for record storage;
 - 2.2.4 Notify the community served by the pharmacy of the closure. Notification methods could include package inserts prior to closure, letters, signs, media announcements, etc.

Temporary Pharmacy Closures

- 2.3 It is permissible for a licensed pharmacy to be temporarily closed without surrendering its operating license, provided that the following conditions are fulfilled (the closures described below would be the closure of the whole pharmacy location and not situations presently covered under a Lock and Leave permit for the dispensary in a licenced pharmacy):
- 2.3.1 The pharmacy closure is for a maximum of 14 consecutive days (or other period as approved by the Council) each calendar year,
 - 2.3.2 Except in emergency/urgent situations, the pharmacy manager must obtain the approval of the College for the planned closure 30 days in advance of the temporary closure start date,
 - 2.3.3 All prepared prescription recipients must be contacted to advise of the closure and given the opportunity to obtain their prepared prescriptions prior to the temporary closure start date,

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- 2.3.4 Except in emergency/urgent situations, notices to the public (using in-store postings and media announcement, for example) must be made at least 30 days prior to the temporary closure start date,
- 2.3.5 Signage must be posted at the store entrance and a telephone answering machine message must be provided, advising the public about the closure, its duration, the location of the nearest licensed pharmacy, and other information to assist with obtaining necessary pharmacy services during the closure period,
- 2.3.6 In compliance with 6(1) (b) and 23(1.1) (b) of the *Personal Health Information Act Amendment Act (2)*, arrangements must be made to provide access to any request for personal health information within 72 hours of that request.
- 2.3.7 In single-pharmacy communities, alternate arrangements for medication access and provision of pharmacy services must be made with local prescribers or pharmacies in nearby communities.

3.0 Compliance Adjudication

- 3.1 All documentation must be readily accessible and open to regulatory review

4.0 Appendices

Not applicable

A College Practice Direction is a written statement made by Council for the purposes of giving direction to members and owners about the conduct of their practice or pharmacy operations. Compliance with practice directions is required under the Pharmaceutical Act.

The process for development, consultation, implementation, appeal and review has been published on the MPhA website.

Development Source:	Standards of Practice Committee
Regulatory Reference:	Section 45, <i>The Pharmaceutical Regulations</i>
Consultation Close:	June 9, 2014
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Revised:	
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