

MEMORANDUM

To: Registrants and Stakeholders
From: Fran Richardson
Date: November 2010
Subject: Draft Regulation Consultation: *Prescribing, Dispensing, Compounding, Using and Selling Drugs.*

On October 22, 2010 the CDHO Council approved the attached regulation for circulation and comment to registrants and stakeholders for the requisite 60 day period.

In 2009, the Ontario government passed Bill 179, the *Regulated Health Professions Statute Law Amendment Act, 2009*. The legislation expanded access to controlled acts for several regulated health professions, including dental hygiene. The new legislation permits the College of Dental Hygienists of Ontario to develop regulations regarding the prescribing, dispensing, compounding, using and selling of drugs. At this time, the regulation is limited to anticariogenics (fluoride and its salts) and antimicrobials (chlorhexidine and its salts).

CDHO is currently participating in an interprofessional working group with a mandate to develop common principles related to the controlled act of prescribing, dispensing, compounding and selling drugs. While CDHO registrants were already permitted to use drugs in their practices, it was deemed prudent to include that fact in the new regulation.

CDHO registrants have always been able to use drugs in their practices. When the review of the *Regulated Health Professions Act, 1991* occurred in 2007, the CDHO requested the opportunity to develop regulations regarding the prescribing, dispensing, compounding and selling of drugs. While the CDHO had hoped for a broader spectrum to meet client needs, the CDHO was permitted to draft regulations for both fluorides and chlorhexidine.

The making of the regulation is authorized by the recent amendments to the *Dental Hygiene Act*. New or alternative drugs cannot be added to the list without first amending the regulation. While the *Dental Hygiene Act* permits the making of a regulation that incorporates a list by reference, which list can be amended without going back to the Cabinet, the Ministry has not yet established the infrastructure for this option and is not permitting such regulations at this time for any College. This regulation does not affect the right that dental hygienists currently have to use drugs that are administered (e.g., topically) in the course of performing a procedure. It allows dental hygienists to send drugs home with the client.

Please forward comments to Jane Cain at jcain@cdho.org by 4:00 p.m. on January 7, 2011.

PART X
PRESCRIBING, DISPENSING, COMPOUNDING, USING AND SELLING OF DRUGS

1. (1) For the purposes of paragraph 3 of section 4 of the Act, a member may prescribe, dispense, compound or sell anti-bacterial rinses or lozenges in the course of engaging in the practice of dental hygiene, if the member complies with the standards of practice set out in section 2.

(2) For the purposes of paragraph 3 of section 4 of the Act, a member may prescribe, dispense, compound or sell fluorides in the course of engaging in the practice of dental hygiene, if the member complies with the standards of practice set out in section 2.

2. (1) Subject to the other provisions of this section, it is a standard of practice of the profession that a member who prescribes, dispenses, compounds or sells a drug designated in section 1 shall first have successfully complete relevant training in pharmacology which has been approved by the Council.:

(2) Despite subsection (1), a member may prescribe, dispense, compound or sell a drug designated in section 1, if,

(a) the action is done as part of training approved by the Council; and

(b) the action is performed under the supervision of a member who is authorized under section 1 to prescribe, dispense, compound and sell the drug.

(3) It is a standard of practice of the profession that the member shall only prescribe, dispense, compound or sell the drug for the purpose of treating the oral health of the patient.

(4) It is a standard of practice of the profession that a member shall store, handle, display, identify, label and dispose of drugs in a manner that is appropriate for the drug.

(5) It is a standard of practice of the profession that a member shall record details of the prescribing, dispensing, compounding, using and selling of drugs in a manner that is appropriate for the drug.

3. A member may use, administer, prescribe or order any drug or substance that may lawfully be purchased or acquired without a prescription.

Schedule I

Anticariogenics

Fluoride and its salts

Antimicrobial

Chlorhexidine and its salts