

College of Pharmacists of British Columbia



PODSA NEW PHARMACY OWNER REQUIREMENTS ENGAGEMENT REPORT

May 26, 2017

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INTRODUCTION

In May 2016, the Provincial Government approved amendments to the *Pharmacy Operations and Drug Scheduling Act*.

These changes permit the College to know the identity of all pharmacy owners, determine their suitability for pharmacy ownership and hold them accountable for providing safe and effective care by ensuring their pharmacies are compliant with legislative requirements for pharmacies in BC.

The College is currently drafting amendments to the *Pharmacy Operations and Drug Scheduling Act* Bylaws and forms, and updating its pharmacy licensure processes to incorporate the new pharmacy ownership requirements.

The new requirements are scheduled to [come into effect on March 1, 2018](#).

Feedback through stakeholder engagement is needed to help inform the College's approach to operationalizing the new pharmacy ownership requirements.

More information about the new pharmacy ownership requirements is available at bcpharmacists.org/ownership.

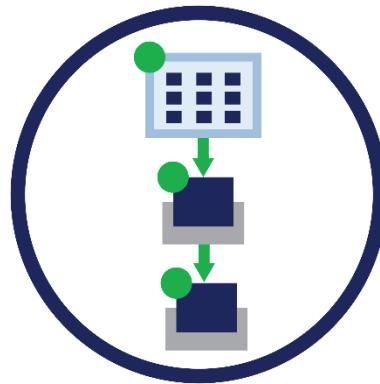
Purpose

The College drafted amendments to the *Pharmacy Operations and Drug Scheduling Act* Bylaws and forms to incorporate the new pharmacy ownership requirements. Engagement was needed to help inform the College's approach to operationalizing the new pharmacy ownership requirements through its bylaws, pharmacy licensure process and communications.

Specifically, the engagement was conducted to:

- Confirm that the draft bylaws clearly describe the requirements direct owners, indirect owners and managers must meet for a new pharmacy licence or pharmacy licence renewal.
- Hear from stakeholders on any requirements that may be confusing or difficult to understand.
- Confirm with stakeholders that they are able to determine their ownership type and hear from them about how we make this determination clearer, if needed.
- Confirm with stakeholders that they are able to determine what information they need to provide during the pharmacy licensing process based on their pharmacy's ownership type, and identify any opportunities to make this process clearer.
- Hear from stakeholders about any challenges they may face in obtaining the information and documents required for pharmacy licence applications.
- Receive input from stakeholders about who should have access to the College's web services (eServices) to update pharmacy information and complete pharmacy licence applications.
- Receive input from stakeholders about how the College can best reach pharmacy owners who are not pharmacists, to ensure that they are aware of the new requirements.

ENGAGEMENT PROCESS

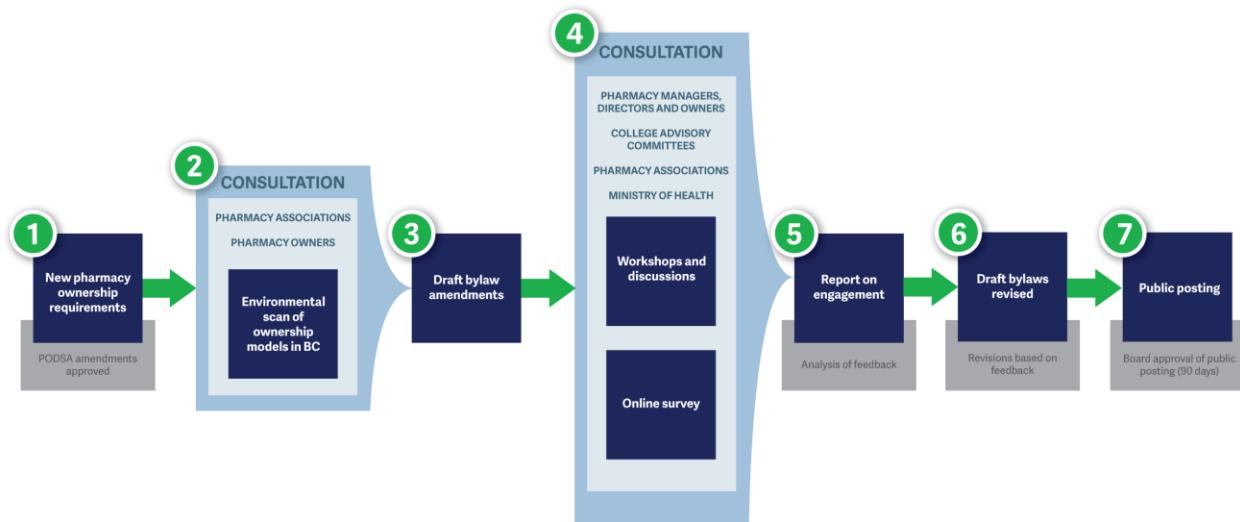


The College followed [International Association for Public Participation](#) (IAP2) best practices in planning and developing the new pharmacy ownership requirements. The College clearly communicated the engagement process to stakeholders, including identifying how the feedback received would be used and how the results of the engagement would be shared – this is an essential part of an effective and transparent engagement strategy and following IAP2 Core Values.

A dedicated [New Pharmacy Ownership Requirements web page](#) was published on the College's website which provided an overview of the new requirements, the purpose of the engagement and the engagement process. The page was also intended to include the results of the engagement with the publication of this report.

The New Pharmacy Ownership Requirements Engagement ran from April 4, 2017 to May 1, 2017. The College received feedback on draft bylaws, which outline the new requirements, through a variety of methods ranging from an in-person workshop, and meetings with stakeholder group representatives, to responses through an online survey. The College continues to welcome stakeholders to contribute further feedback through the engagement's dedicated email ownership@bcpharmacists.org. Analysis and reporting on the results of the engagement occurred in May, 2017.

The resulting Engagement Report was prepared by College staff and shared with the College Board to aid in decision making. The Engagement Report was also made available on the College's website – an important step in providing the results of the engagement back to participants, demonstrating transparency and following IAP2 best practices.

NEW PHARMACY OWNERSHIP REQUIREMENTS ENGAGEMENT PROCESS

The amendments to the *Pharmacy Operations and Drug Scheduling Act* bylaws will also be posted on the College's website for a 90-day public posting period. This is required as part of the College's bylaw making authority under [section 21\(1\)\(8\) of the Pharmacy Operations and Drug Scheduling Act.](#)

WHO WE HEARD FROM



The College reached out to pharmacy owners, managers and related stakeholder groups as part of the New Pharmacy Ownership Engagement. We would like to thank everyone who provided feedback during the consultation period as well as those who helped build awareness of the opportunity to provide input.

Engagement Overview

The College conducted stakeholder engagement to solicit feedback on the draft amendments to the *Pharmacy Operations and Drug Scheduling Act* Bylaws and related pharmacy licensure processes developed to incorporate the new pharmacy ownership requirements.

Consultation focused solely on the application of the Act changes to the College's pharmacy licensure process, as the new pharmacy ownership requirements have [already been set by the Provincial Government](#).

The College reached out to all registrant pharmacy managers and directors with the opportunity to provide feedback on draft bylaws and to help inform them of the new pharmacy licensure process. Recognizing that the College does not have contact information for non-registrant pharmacy owners, the College also encouraged pharmacy managers and directors to share consultation opportunities with non-registrant pharmacy owners. An in-person/online workshop and an online survey provided multiple opportunities to contribute feedback, and an overview of the changes together with draft bylaws were shared with participants.

The College also invited the BC Pharmacy Association and Neighbourhood Pharmacy Association of Canada to participate in discussions with the College to provide feedback on the draft bylaws. The College also welcomed the insights into pharmacy ownership in BC provided by the pharmacy associations. The pharmacy associations also helped encourage pharmacy owners and managers to participate in the consultation process by share the online survey with their members.

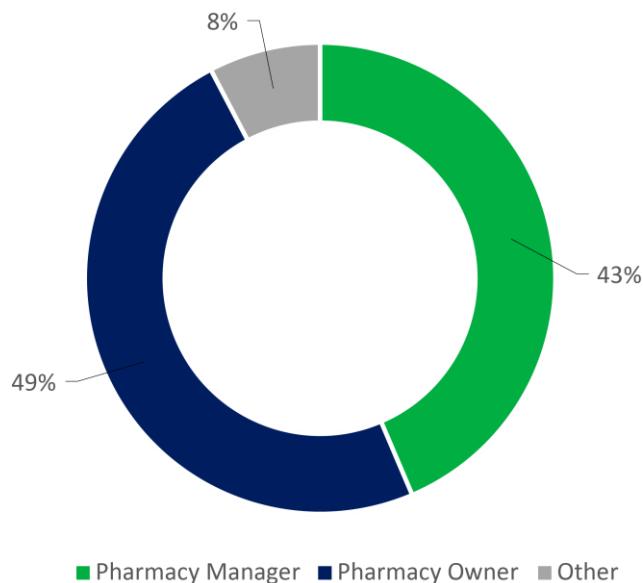
Participation in the New Pharmacy Ownership Requirements Engagement

- 60 respondents providing 314 comments through an online survey
- 35 participants in an in-person/web-conference workshop
- Meetings with pharmacy associations (BC Pharmacy Association, Neighbourhood Pharmacy Association of Canada)

Online Survey Demographics

The College heard from 60 respondents through our New Pharmacy Ownership Requirements online survey. Almost all the respondents (97%) indicated they were a pharmacist registered with the College. Only 2 respondents indicated they were not a College registrant. This is not surprising given that the College's primary pharmacy contacts are pharmacy professionals registered with the College.

Almost 50% indicated they were pharmacy owners, while just over 40% indicated they were pharmacy managers. Just over 40% of pharmacy owners also indicated they were pharmacy managers. Other respondents included pharmacy head office respondents, pharmacists and other types of directors.



CLARITY OF THE NEW REQUIREMENTS



The College sought feedback on the clarity of the new requirements. This included confirming with stakeholders that the draft bylaws developed by the College clearly describe the requirements direct owners, indirect owners and managers must meet for a new pharmacy licence or pharmacy licence renewal. In particular, the College wanted to hear from stakeholders about any requirements that may be confusing or difficult to understand.

Overall Clarity of Requirements

Overall, respondents indicated that the draft bylaws clearly describe the requirements direct owners, indirect owners and managers must meet for a new pharmacy licence or pharmacy licence renewal. Some respondents also stressed the importance of the new requirements to better protect the public.



"The draft bylaws are clear. Any registrant...should be able to understand the meaning and intent of the draft bylaw requirements that direct owners, indirect owners and managers must meet for a new pharmacy license or pharmacy licence renewal."

– Pharmacy Owner

"Looks clear to me." – Pharmacy Owner

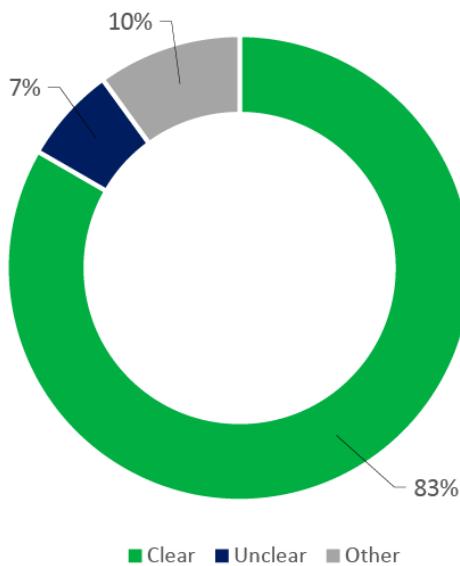


"This is important legislation. In hindsight, this is something that should have been done when non-pharmacists were permitted to own pharmacies."

– Pharmacy Owner

Out of the 60 responses to the online survey, over 80% indicated that the draft bylaws clearly described the requirements for a new pharmacy license or renewal. Six respondents highlighted specific scenarios that they felt needed further clarification, while four respondents indicated the requirements were unclear.

The draft bylaws clearly describe the requirements for a new pharmacy licence or pharmacy licence renewal



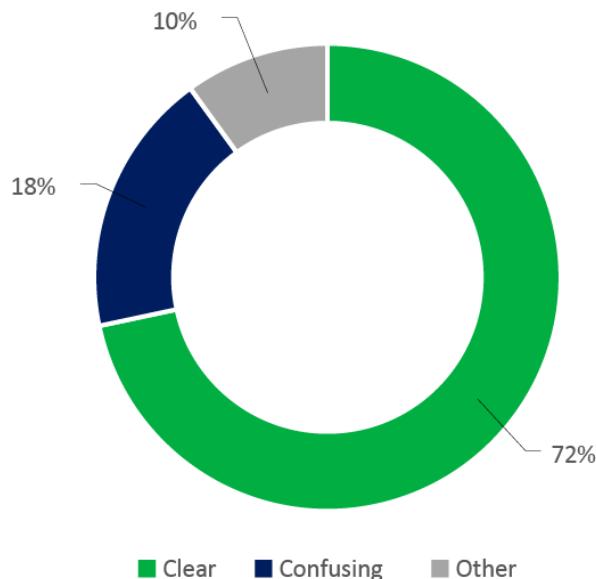
"The ownership requirements are clear for the independent pharmacy owners. I'd like to see more details that describe the application of the new bylaws towards the pharmacy chains and the big corporations. It would be fair to be transparent about those big players as well."
– Pharmacy Owner



"Yes [the requirements are clear], but I have to admit I had to read them over a few times to sort through the legalese." – Pharmacy Manager

Similarly, 72% indicated that the pharmacy ownership requirements were not confusing or difficult to understand. However, 18% (11 respondents) felt the new requirements were confusing. Another six respondents provided comments highlighting specific scenarios they felt needed further clarification or on the possible operational impact of the changes.

Are the pharmacy ownership requirements confusing or difficult to understand?



"I think the ownership requirements are quite clear but it would be helpful to have some FAQ's ready to go." – Pharmacy Owner



"I find the definitions confusing. I need some examples." – Pharmacy Owner

Respondents felt that the following issues require further clarification: the Criminal Record History requirement; roles and responsibilities of direct and indirect owners; ensuring appropriate privacy safeguards; how to identify indirect owners; and other eligibility criteria questions.

Roles and Responsibilities of Direct and Indirect Owners

The new pharmacy ownership requirements bring new roles and responsibilities to pharmacy owners. In particular, many expressed concerns or had questions about what role indirect owners, such as non-pharmacist shareholders, should have in ensuring a pharmacy is compliant with legislative requirements. Questions were raised about how a shareholder, who is not involved in the day-to-day operations of a pharmacy and who is not a registered pharmacy professional, would know if all the College's requirements were being met. Related to this, respondents were concerned that non-pharmacist shareholders could seek to become more involved with the operations of the pharmacy, which could have a perceived negative impact. Some also suggested it would be important for managers and owners to have training available on the responsibilities of being a manager or owner.



"Role and responsibilities of Pharmacist Director (who is not owner) of Pharmacy (corporation) owned by holding corporations should be more clear. For Example Is Director responsible for everything including operational and financial responsibilities of pharmacy? -A Pharmacy (corporation) owned by 4 corporations. Will it be required for all 4 holding corporations to have their director be a pharmacist? or Just the company owning the Pharmacy?"

– Pharmacy Manager

"Provide clarity around a situation where the pharmacy owner is also the pharmacy manager. How will this affect the pharmacy renewal process?" – Pharmacy Owner



"This has the potential to create all kinds of operational problems for pharmacies and because it makes non-pharmacists legally obliged to manage critical high-risk aspects of pharmacy operations." – Pharmacy Association

The suggestion was also made that pharmacy owners should be able to access the completed Pharmacy Review Report when a pharmacy is reviewed through the College's [Practice Review Program](#) to help owners gain greater insight into the compliance of the pharmacy. Similarly, the suggestion was also made to notify registrants of any complaints related to the pharmacy.

"Since the College bylaws would hold the owners more accountable for maintenance and renewal of pharmacy licenses, the bylaws should require Registrants to inform the owners of any complaints against or the College enquiries of the Registrants." – Pharmacy Owner



Some respondents also asked about the requirement for the majority of directors in a corporation (or partnership of corporations) to be pharmacists. This is a specific ownership requirement under [section 5\(2\)\(b\) and \(c\) of the Pharmacy Operations and Drug Scheduling Act](#). This requirement has not changed as part of the new amendments to the Act. However, with the additional responsibilities and accountabilities added to direct and indirect owners with the new Act amendments, questions were raised about the legislative requirement for the majority of directors in pharmacy corporations to be pharmacists.

For instance, some wondered if this requirement would extend to all indirect owners, including parent corporations. Some also suggested that this requirement is no longer needed if all owners are held accountable for the pharmacy's compliance with legislated requirements. Others suggested that all directors should be required to be a pharmacist.



"I'm not sure what an indirect owner is and if they need to be a pharmacist."
– Pharmacy Owner



"...Since the College will now have oversight including criminal history checks for direct and indirect owners, the requirement for non-publicly traded companies to have majority of directors to be pharmacists should be removed."
– Pharmacy Owner



"Consider allowing ONLY pharmacists to be owners or directors of a pharmacy. Hopefully we can rid the profession of both unscrupulous owners AND the pitfalls associated with being part of a large, corporate retail chain." – Pharmacy Manager



"Non-pharmacist owners should not be allowed. It is bringing down the job. Even directors at corporate level is putting too much pressure on pharmacist." – Pharmacy Manager

Criminal Record History

The College received a number of questions and comments regarding the new Criminal Record History requirements.

Under the [eligibility requirements for pharmacy ownership](#), if within the previous 6 years the owner (direct or indirect) or manager has been convicted of an offence under the Criminal Code (Canada), the ownership application could be ineligible, or may require further information, or that conditions be imposed. These applications must be referred to the College's new Application Committee for review. The Application Committee could take a number of next steps, including refusing the application, allowing the application with conditions, or requesting further information, etc.

To determine if an owner (direct or indirect) or manager has been convicted of an offense under the Criminal Code, the draft bylaws include new Criminal Record History requirements.

Respondents in the survey and participants in the workshop were not clear on what the College would be reviewing as part of the Criminal Record History check. They were also unclear on what constitutes an offense under the Criminal Code.

For example, questions were raised if a speeding ticket is a Criminal Code offense. Questions were also raised about if the College would differentiate between *any* Criminal Code offence, and those that specifically relate to pharmacy practice and the safety of patients. Additionally, operational questions were raised including, how long a Criminal Record History check would be valid. This feedback identifies the importance of clearly communicating the Criminal Record History requirements and what information will be reviewed.

"I would like to know exactly what criminal convictions could be used to prevent the ownership of a pharmacy. Just to be clear I have no criminal convictions of any sort. But I as a matter of human rights those convictions that do not relate to pharmacy ownership should not have the potential of interfering with pharmacy ownership." – Pharmacy Manager



"What information will be searched in "history of charges and convictions"?" (Pharmacy Association)

"It should clearly describe the impact it would have on a registrant that the college already penalized for past actions and criminal records that are not related to the profession of pharmacy or billing contraventions." – Pharmacy Owner



"How far in advance of the application/renewal can the check be done and still be accepted by the College? (Applications must be submitted no later than 30 days prior to license expiry, but how early can they be submitted?) What happens if there are delays?" – Pharmacy Association



"The College should notify (in writing) the registrant whenever they are conducting a Criminal background check or now this Criminal History check, as 5 years can go by extremely fast... once the information has been received, I think the College should be letting the registrant know there are no issues and the check has been completed." – Pharmacy Owner

Information and Billing Contraventions

Under the eligibility requirements for pharmacy ownership, an application would be ineligible or may require conditions to be imposed, if the owner (direct or indirect) or manager has been subject to an order or conviction for an information or billing contravention. Unlike offenses under the Criminal Code, there is no timeframe set for this requirement. Applications where an owner or manager was subject to an order or conviction for an information or billing contravention must be referred to the Application Committee for review.

Some respondents were unclear about what constitutes an order or conviction for an information or billing contravention. For example, questions were raised if this would include billing and paperwork errors, or other issues that might be identified and resolved through a PharmaCare audit. They stressed the importance of considering the difference between “errors and paperwork” and purposeful acts that do not comply with requirements.



“An order or a conviction for an information or billing contravention’ this requires a clear description and it should make a distinction between errors and paper work mistakes in a pharmacy which can be addressed by implementing new procedures and training on one hand from DISHONEST , CHEATING AND FABRICATIONS IN BILLINGS. In my opinion the errors and paper work mistakes should not be considered ‘billing Contravention’”. – Pharmacy Owner



“The ‘billing intervention’ requirement is confusing, and could be better detailed so that pharmacy owners can better understand what qualifies as a billing intervention that would render an owner ineligible.” – Pharmacy Owner



*[For the requirement] ‘Owner/manager has been subject to an information or billing contravention,’
Is there a time limit (say in last 6 years) or is it indefinite. Does it matter if there’s a pending application for review or appeal made to the said contravention? – Pharmacy Owner*

Privacy

Questions were also raised about the privacy of the information collected through the pharmacy licensure process, such as the Criminal Record History, and the retention schedules for the information required through the pharmacy licensure process. The College is currently working with a privacy and security expert to ensure best practices and privacy and security requirements (FIPPA) are incorporated into the pharmacy licensure process.

"How long will the College retain the background check information? Does it have a way to ensure that the information is destroyed if the individual ceases holding an interest in a pharmacy?" – Pharmacy Association



Other Eligibility Questions

Other questions were raised about the eligibility criteria. These include: what would the appeal process be if an applicant disagrees with a decision made by the Application Committee; how issues being appealed in court relate to the eligibility requirements would be considered in a pharmacy licence application; and how owners can proactively ensure all the owners of a pharmacy meet the eligibility criteria.



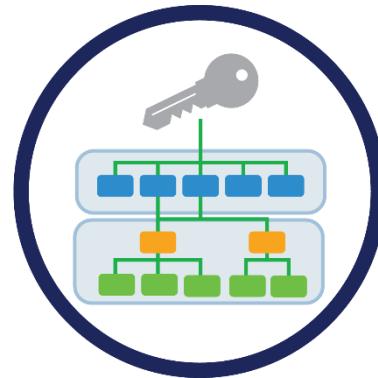
*"[The requirements are clear] except as regards to:
'owner/manager has, within the previous 6 years, had a judgment entered against him or her
in a court proceeding related to commercial or business activities that occurred in relation to
the provision of drugs or devices, or substances or related services within the meaning of the
Pharmaceutical Services Act.'*

*Does it matter if the said Judgement has been appealed in a higher court?"
– Pharmacy Owner*

*"I would be interested to discuss a situation where I am a very minor shareholder in a company
that is full or part owner of 30+ stores. Want to make sure that potential issues that occur in
that group does not adversely affect my pharmacy business..." – Pharmacy Owner*



CLARITY OF PHARMACY OWNERSHIP TYPES



The College sought feedback on the clarity of the pharmacy ownership types. This included confirming with stakeholders were able to identify their ownership type. This was also an opportunity to hear from stakeholders about how to more clearly communicate information about the different ownership types.

The type of ownership of a pharmacy determines what information is required as part of the pharmacy licensing process. This makes it important for owners to be able to identify their ownership type to ensure they meet the requirements for renewing their pharmacy licence or opening a new pharmacy. As a result, helping owners identify their ownership type will aid in the efficiency of the new pharmacy licensing process for both owners and the College.

Overall Clarity of Ownership Types

Overall, respondents indicated that they were able to identify their ownership type as defined under the new requirements. Some did cite specific examples where they were uncertain about which ownership type would apply. Questions and comments primarily focused on indirect ownership.



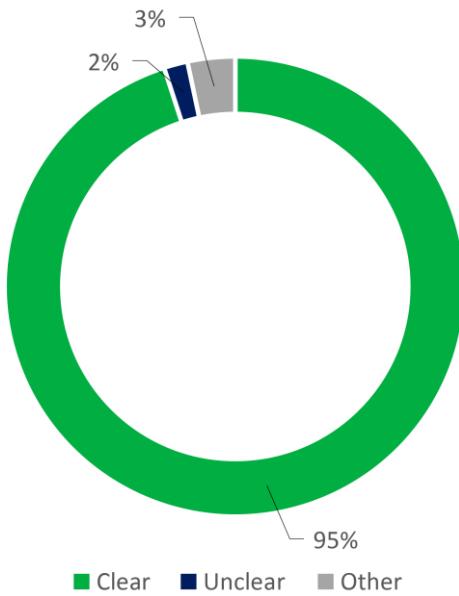
"I thought it was quite straight forward." – Pharmacy Owner



"I thought it was quite straight forward." – Pharmacy Manager

Out of the 60 responses to the online survey, 95% indicated that the draft bylaws were clear. The remaining respondents highlighted specific ownership type scenarios that they felt needed further clarification, or indicated they were not certain of their ownership type.

Are you able to determine your ownership type?



“PHARMACY OWNER”

“Yes it's clear for only the independent pharmacies. I would like to see more details on the corporate chains especially [associate owner] business model.” – Pharmacy Owner

“Yes we are able to determine our ownership type; however, for a non-publicly traded company (which is the type of ownership for majority of independent pharmacies in the province), you can make a clearer distinction between a direct owner (the company) and indirect owners (director, officers and shareholders).” – Pharmacy Owner

“PHARMACY OWNER”

“PHARMACY OWNER”

“Yes [I can determine my ownership type] because I'm a pharmacist and the sole director of the company.” – Pharmacy Owner

“I am not 100% sure of my company's ownership type. Is there any way that you could place “examples” under the different ownership types?” – Pharmacy Manager

“PHARMACY MANAGER”

Indirect Ownership

Indirect owners for publicly traded and non-publicly traded corporations (or partnership of corporations) are defined in the [amendments to the Pharmacy Operations and Drug Scheduling Act](#). However, with complex pharmacy corporate ownership structures, questions have been raised about the many different types of indirect owners. Hearing questions from managers and owners about indirect ownership is important as the College works to operationalize the new requirements.



"For Pharmacy License Renewal, an Indirect shareholder such as an existing cooperation with no pharmacist director in place has not been clarified. This requirement can cause financial issues, tax liabilities responsibilities for a cooperation that is an existing shareholder and does not have majority of directors to be pharmacists!!"

– Pharmacy Owner

I am still unclear about the differentiation between an indirect owner (corporation) versus a direct owner. For example, I am a pharmacist. I have a corporation that includes myself, another pharmacist, and her non-pharmacist husband. I own the corporation 50-50 with the pair of them. Only the other pharmacist and myself have voting rights for the corporation. Who is the direct owner? Who is the indirect owner? I interpret that none of us are direct owners because we are all owning under the corporation. Or do you interpret this as the two pharmacists are direct owners? – Pharmacy Owner



"My reading of the draft bylaws suggests that any indirect owner must comply with the ownership requirements and I'm prepared to abide by the new requirement. What do you do with a privately held corporation of 1000 shareholders? You need to clearly and emphatically state that owners of common voting, non-voting preference or virtually any other class of shares in a privately held corporation will need to comply." – Pharmacy Owner

"I have a corporation that operates my pharmacy. I am the sole director but my spouse is also a shareholder, does that make her an indirect owner?" – Pharmacy Owner



Trustees as Pharmacy Owners

Several questions were raised about trusts. Under the new *Pharmacy Operations and Drug Scheduling Act* amendments, shareholders of non-publicly traded corporations are identified as indirect owners. Questions have been raised regarding instances when shares are held in a trust. Questions focused on whether trustees or beneficiaries of trusts would be considered indirect owners.



[The requirements are] pretty simple. The flow chart makes it easy. Except as regards to a corporation where one of the share holders is a private corporation owned by a non discretionary family trust. Non discretionary family trust usually have beneficiaries ranging from children to adults, to other corporations or organizations who would (in this case) be indirect shareholders.

– Pharmacy Owner

“What documentation is required if a shareholder is a Trust? As an owner of a corporation that operates a [...]Franchise, what documentation is required? How does my relationship with [the corporation] factor into this.”

– Pharmacy Owner



INFORMATION NEEDED IN PHARMACY LICENSING PROCESS



The College sought feedback on the information that will be needed as part of pharmacy license applications under the new requirements. This included asking stakeholders if they would face any challenges in obtaining the information and documents required for pharmacy license applications. In particular, the College wanted to hear what information would be challenging to obtain, and why.

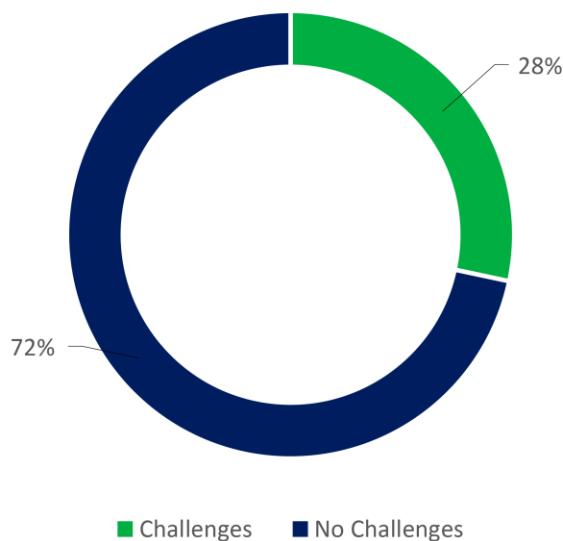
To bring all pharmacies into compliance with the new requirements, pharmacies will initially need to submit the information necessary to demonstrate that they meet the new eligibility requirements, as part of the pharmacy licence renewal process. Pharmacy renewals starting March 1, 2018 will be part of a transition process designed to bring all pharmacies into compliance with the new requirements. The transition period renewal, which is only required once, resembles the more detailed process for new pharmacy license applications. Pharmacy diagrams, photos and videos are not required to be submitted during the transition period renewal.

The College recognizes that additional work will be needed during this transition period. Hearing from stakeholders about any challenges they may face in obtaining new information and documentation requirements is helpful as the College updates its pharmacy licensure process and develops resources to support the new requirements.

Overall Ability to Provide Information Required for a Pharmacy Licence Application

Overall, pharmacy owners and managers indicated they would be able to provide the information required. However, some expressed that they would face challenges in co-ordinating the collection of the information required or cited concerns about additional operational costs associated with collecting and submitting all the necessary information.

Will you face any challenges in obtaining the information and documents required for pharmacy license applications?



Over 70% of respondents to the online survey indicated they would not face any challenges in obtaining the information and documents required for pharmacy license applications. And, 23% of respondents indicated they would face challenges in obtaining the information required.

"It is not that they are difficult to obtain, it is the complexity of multiple shareholders owning stores in different ownership groups and getting the shareholders to obtain the criminal record check due to age of shareholder, lack of computer or email, lack of scanner for sending validation id for crc [Criminal Record History]. Also complexity going forward of getting attestations every month from 40 plus people who are mostly not registrants." – Pharmacy Owner

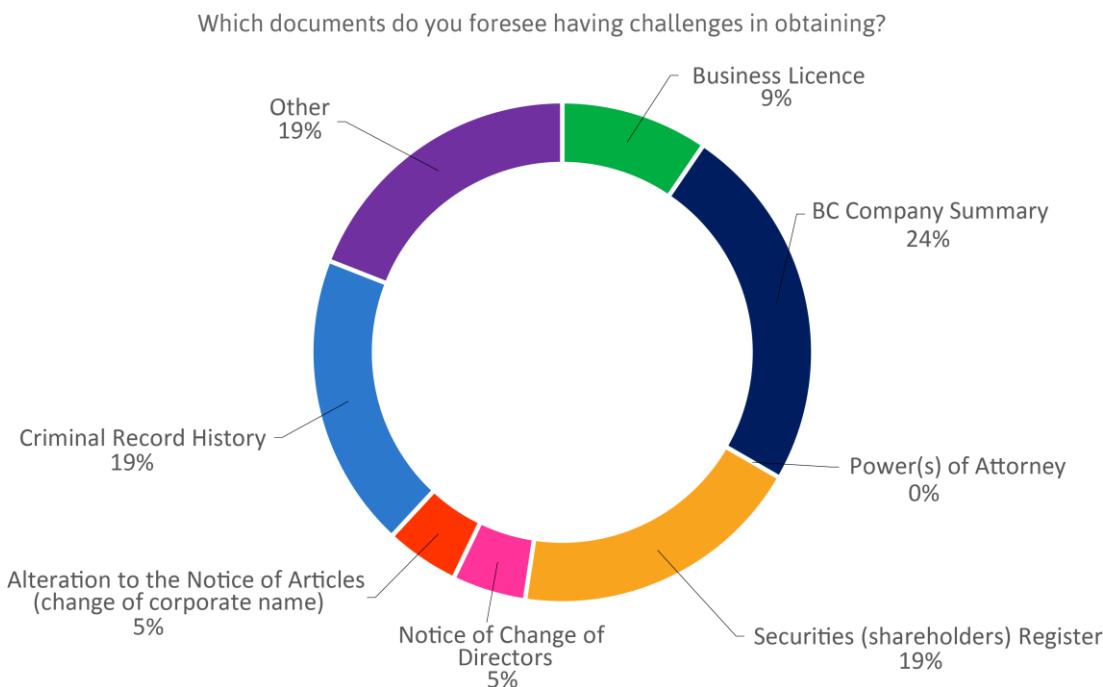


"I don't think any would be difficult to obtain." – Pharmacy Owner



Challenges in Obtaining Information Needed for Pharmacy Licence Applications

The College asked survey respondents who expressed they would face challenges to identify which specific pieces of information or documentation would be challenging to obtain.



Of the 17 respondents, 24% selected the “BC Company Summary”, 19% specified “Other”, and 19% identified “Securities (shareholders) Register and “Criminal Record History” each. Only 9% identified “Business Licence”. Very few respondents identified an Alteration to the Notice of Articles (change of corporate name) (5%) or Notice of Change of Directors (5%).

“Other” items respondents indicated would be difficult to obtain, included:

- Proof of eligibility
- Pharmacy diagrams, photos or videos of existing pharmacies
- Pharmacy layout drawing (that are imperial not metric)
- Change to an existing corporation in place as shareholder

Respondents also expressed concerns about the costs associated with collecting and providing the information required for a pharmacy application. They also conveyed concerns about the challenges they may experience in attempting to reach all indirect owners, especially those who are elderly and may be difficult to contact by email. Others indicated that it may be difficult to change a shareholder if they do not meet the eligibility criteria.



"I worry that there will be individuals "missed" in needing to submit the appropriate documentation to the College in order to apply for a license renewal. I think the college needs to list "who" belongs to a certain group like "officers" of a company." – Pharmacy Manager

"These documents are kept filed at my lawyers office, not necessarily difficult to obtain, but not readily available to me either." – Pharmacy Owner



"They will cost me \$\$.. Why does every change the college makes cost me more money." – Pharmacy Owner

"One of our directors, a retired pharmacist and majority shareholder, is 87 years old." – Pharmacy Owner



"It is not possible to change an existing corporation's ownership that is shareholder of an existing pharmacy for many years." – Pharmacy Owner

"Many of these documents take time to obtain and are often in the possession of lawyers. There is an extra cost associated with obtaining all of these items." – Pharmacy Owner



"There is no description of how this proof [of eligibility] is to be provided." – Regional Office Pharmacy Support

Pharmacy Diagrams

The College has an existing requirement for pharmacy diagrams and pre-opening inspection reports (including photos and videos) to be provided as part of new pharmacy license applications (or renovations). However, some respondents suggested that these items may be difficult to obtain. Additionally, while these documents will not be required for pharmacy renewals during the transition period, there appears to be a misconception that these documents would be required.

"Pharmacy diagrams, phot[os] or videos of existing pharmacies; most have already gone through this process at opening or last renovation; it is additional burden." – Pharmacy Owner

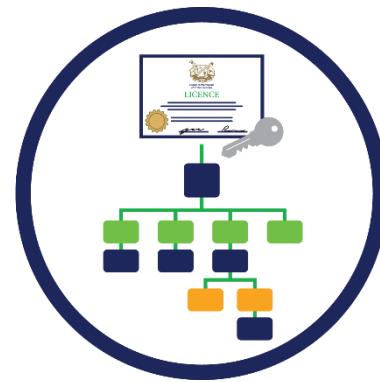


It was also suggested the imperial units specified in the bylaws (rather than metric) may present challenges if architecturally drawn diagrams are provided using metric measurements. However, this is a current College operational requirement and concerns have not been commonly raised about it. In such cases, the College could work directly with applicants to resolve this issue.



"Our pharmacy layout drawing is in metric not imperial as that is how architects in Canada draw plans." – Pharmacy Manager

PHARMACY LICENSURE PROCESS



The College sought feedback on the pharmacy licensure process. The College is updating the online pharmacy license application process to reflect the new requirements. Where possible, the College is working to find efficiencies that will optimize the application process for both the College and applicants. In particular, the College wanted to hear about who should have access to the College's web services (eServices) for a series of different functions associated with the pharmacy licence.

Finding Efficiencies

The College is in the process of developing an online application process using the College's (eServices) site to support the new licensure processes. The eServices secure site is already used for pharmacy licence renewal applications, and the College intends develop out further functionality to support the new requirements. Information provided by pharmacy owners will be associated with a pharmacy owner profile in eServices. Where possible, information provided during one application will be already available for subsequent applications that require the same information.

Stakeholders suggested that the ability to submit necessary information or review and attest to information early – such as up to 6-12 months ahead of the required deadline – would improve efficiency and reduce redundancy for pharmacy licence renewals. Similarly, it was suggested that those who may be identified as an owner of more than one pharmacy, such as shareholders of non-publicly traded companies, could be provided once and applied to multiple pharmacies. It was also suggested that the College look into how to improve the efficiency of attestations for owners of more than one pharmacy. For example, the College could look into allowing an owner of multiple pharmacies to review and attest to ownership and eligibility information for all of the pharmacies they own, at one time per year.

Others suggested that an owner and/or director should be able to review the overall status of their pharmacy license application. The status information should clearly identify which components (e.g., a shareholder who has not submitted a Criminal Record History check) are yet to be completed. This would help pharmacies in coordinating the completion of pharmacy licence applications.

"Will these forms be online and will they auto-populate so that an individual can provide one attestation for multiple pharmacies?" – Pharmacy Association



"There needs to be a way to only have to attest once per year for the indirect owners that nothing has changed that impacts their ability to own a pharmacy for multi store owners where the registration for different stores comes up on a monthly basis." – Pharmacy Owner

"I would like to know if we will be prompted before our license renew date to provide the all the documents required or should we collect them all up and provide them ASAP."

– Pharmacy Manager



"How far in advance can renewal applications be submitted (can larger companies do it e.g. quarterly?)" – Pharmacy Association



"Communication on where the individual's registration is at (whether it is their practice license or pharmacy license) will be key to the success of a smooth implementation of these new requirements." – Pharmacy Manager

Some also noted that a significant amount of information is also provided as part of PharmaCare Enrollment applications. Suggestions were made to look into opportunities to share information with PharmaCare to reduce duplication. The College is open to considering information sharing agreements to improve efficiency, where the information required by the College and PharmaCare is the same. However, some information requirements are significantly different, requiring the College to obtain that information directly from applicants. Additionally, the development and approval of an information sharing agreement with PharmaCare will likely take time; so, the College has developed bylaws requiring relevant information should such an agreement not be reached prior to March 2018.

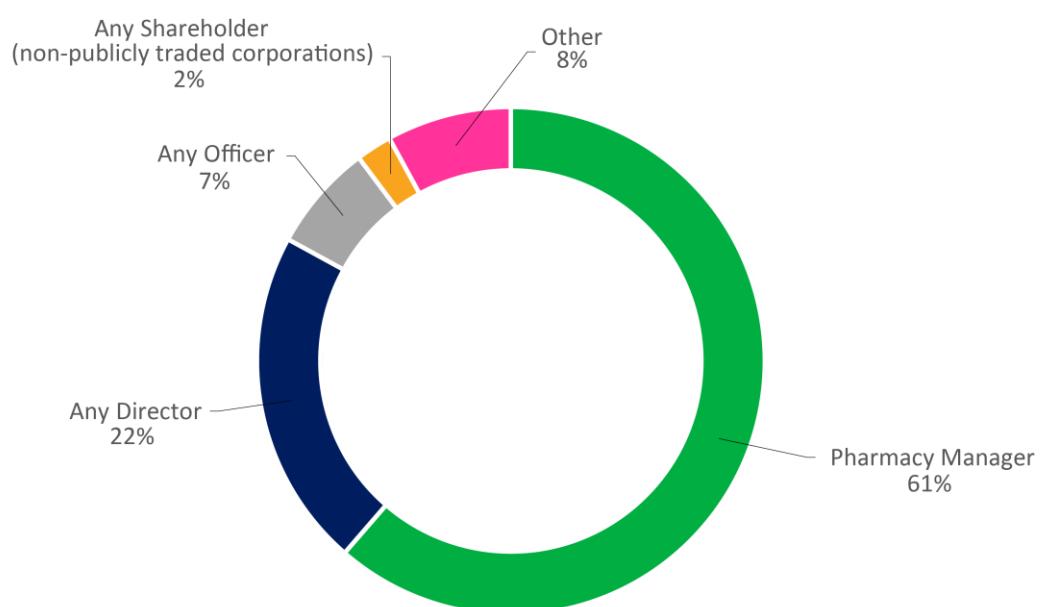


"Seems to duplicate the exact paperwork for the recent Pharmacare application all stores were mandated to complete." – Pharmacy Owner

Updating Pharmacy Information

The College sought to hear from stakeholders on who should have access to the College's web services (eServices) to update pharmacy information such as, hours of operation and who works at the pharmacy. Overall, the majority of respondents indicated that the pharmacy manager should be responsible and have access to eServices to update this kind of information. However, over 20% suggested that a director should be able to update this kind of information. Additionally, some respondents suggested that only a single individual should be responsible for updating this information.

Who should have access to the College's web services to update pharmacy information ?



"Should be one person only to avoid conflict/confusion - should be the pharmacy manager who reports directly to owner/shareholders." – Pharmacy Owner



"Any directors or officers have chosen a pharmacy manager to be responsible for the day to day management of the pharmacy. It should be only one person who makes changes on eservices to avoid miscommunication. If you can't trust your pharmacy manager to do a simple task like changing hours of operation, they should not hold that position." – Pharmacy Owner

"Only one individual should be responsible for and answer for pertinent information such as hours of operation and pharmacy roster. The pharmacy manager is the only individual that is aware of the day to day operations." – Pharmacy Owner



"Other" suggestions for who should have access to update this information, included:

- Designated directors, officers, owners or shareholders (not automatically granted)
- A pharmacy manager, director or officer designated by the owner
- Any registrant attached to the pharmacy
- Chief Executive Officer of the Corporation
- Owner pharmacist
- Pharmacist Only
- Any Director of the pharmacy company only (not a parent company)

**“
PHARMACY
OWNER
”**

"Currently as a director I cannot access this part of the e-services and must rely upon pharmacy managers who are not necessarily owners keeping this up to date. As an owner I should have access to it as I am signing documents saying it is accurate but I cannot make it accurate."

– Pharmacy Owner

**“
PHARMACY
OWNER
”**

"The CEO of a corporation should have the power to designate a pharmacy manager (so long as the manager is compliance with all legal requirements of a pharmacy manager)."

– Pharmacy Owner

**“
PHARMACY
OWNER
”**

"If the pharmacy manager is not an owner then it would be helpful to allow directors to be able to access that information." – Pharmacy Owner

**“
PHARMACY
OWNER
”**

"Pharmacy managers as well as corporate officers should have access to the College's eservices website in order to ensure that all applicable operational details and documentation relevant to the day-to-day operations of the pharmacy are correct, up-to-date and readily accessible to the College Registrar." – Pharmacy Owner

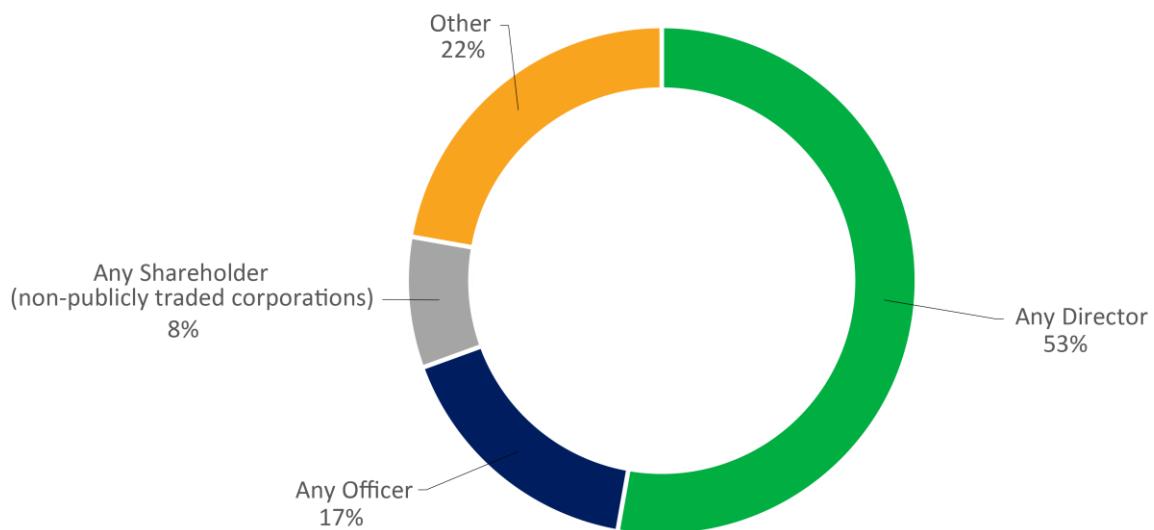
**“
PHARMACY
MANAGER
”**

"Pharmacists owners should not access e-service because they will abuse this information for their profit and make difficult for manager to operate pharmacy." – Pharmacy Manager

Change of Pharmacy Manager

The College sought to hear from stakeholders on who should have access to the College's web services (eServices) to change a pharmacy manager. The majority of respondents (53% of 56 respondents) indicated that this should be done by a director. Twenty-two percent provided alternative options, while 17% indicated that an Officer should be able to update the pharmacy manager. Only 8% felt that the shareholder should have access for this purpose.

Who should have access to the College's web services to change a pharmacy manager?



"Other" suggestions for who should have access to update this information included:

- Designated directors, officers or owners
- A director or officer designated by the owner
- Pharmacy manager who is taking over the position
- Any director or any one listed with the College as a "special designate" not just any company officer
- Manager or director
- One officer or director assigned to staff hiring and firing
- Registrants only
- Chairman of the board or CEO of a corporation
- Only pharmacist director
- Pharmacist only
- Director not from a parent company but the pharmacy company only
- Pharmacy manager

“**PHARMACY OWNER**”

“Owners who are not part of a company may need access also.”
– Regional Office Pharmacy Support

“Should be only one person – president or another designate from the officers.”
– Pharmacy Owner

“**PHARMACY OWNER**”

“**PHARMACY MANAGER**”

“To have just any director or officer accessing this website would not be in the best interests of that college or the pharmacy.” – Pharmacy Manager

“Any officer that is a licensed pharmacist.” – Pharmacy Owner

“**PHARMACY OWNER**”

“**PHARMACY MANAGER**”

“The current pharmacy manager should have this capability too.” – Pharmacy Manager

“Since pharmacy managers and directors can often be employees of the pharmacy (as well as have shareholder stakes), only officers should have access to the college’s eservices website in order to ensure that details applicable to the pharmacy’s current management are up-to-date and readily accessible to the college registrar.”

– Pharmacy Owner

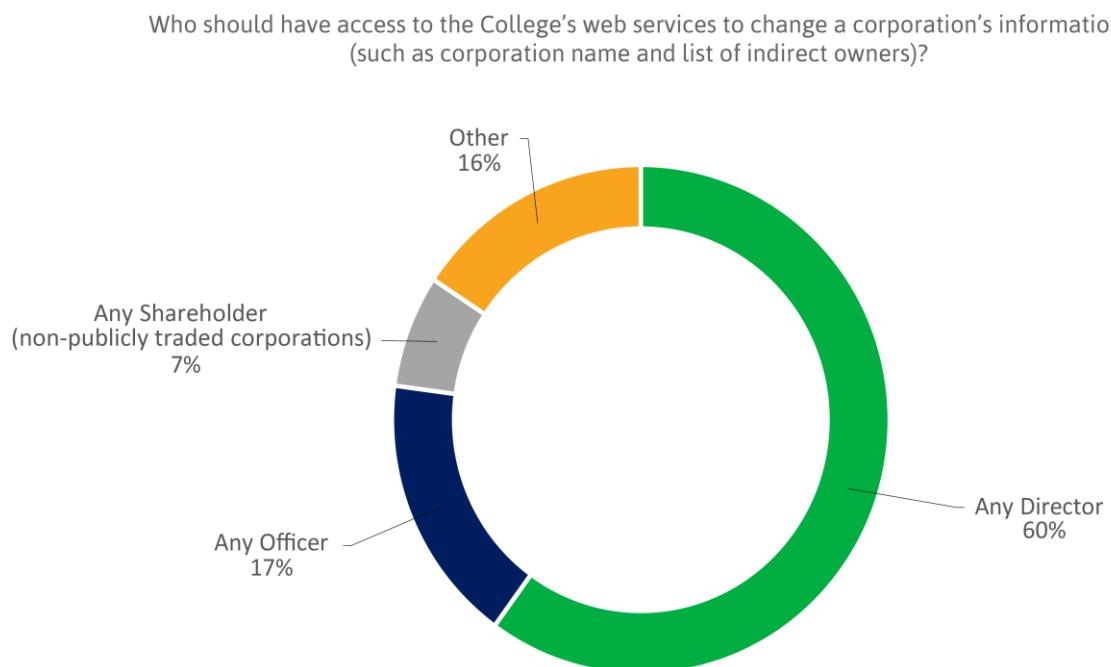
“**PHARMACY OWNER**”

“**PHARMACY MANAGER**”

“Ideally the pharmacy manager should be involved in changing this information also.”
– Pharmacy Manager

Updating Corporate Information

The College sought to hear from stakeholders on who should have access to the College's web services (eServices) to change a corporation's information such as, corporation name and list of indirect owners. The majority of respondents (60% of 56 respondents) indicated that this should be done by a director. Seventeen percent indicated that an officer should be given access to update this information. Sixteen percent provided specific alternatives as to who should have access to update this information. Only 7% indicated that shareholders of non-publically traded corporations should have access to update the pharmacy's corporate information. Some suggested that it would be important to also involve the manager.



"Other" suggestions for who should have access to update this information included:

- Director or officer designated by the owner
- Director or officer listed with the college as having been specially designated for this function
- Board chairman or officer appointed who is responsible specifically for this
- Any registrant attached to the pharmacy with access to e-services
- Chairman of the board or CEO of a corporation
- Only pharmacist director
- Pharmacist only
- Pharmacy manager
- Manager only

"I still believe only pharmacists should have direct authority on any pharmacy ownership changes, so would prefer only directors who are pharmacists have access to anything to do with the College." – Pharmacy Owner



"The pharmacy manager should be aware of all this and should be involved."

– Pharmacy Manager

"I read this as allowing someone who can login anytime and change name of corporation name, owners, etc. It might circumvent some of the checks ie. criminal record checks that are normally required for registration. Should be a formal process ie. legal documents would need to be presented showing the changes." – Pharmacy Owner



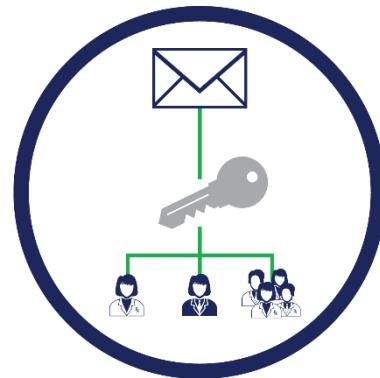
"Any officer that is a licensed pharmacist."

– Pharmacy Owner

"Since pharmacy directors can often be employees of the pharmacy with no access to the pharmacy's corporate registry which is often only accessible to the corporation's officer; only officers should have access to the College's eServices website to ensure that all ownership details and documentation is correct, up-to-date and easily accessible to the College Registrar." – Pharmacy Owner



REACHING PHARMACY OWNERS IN BC



The College sought feedback on how to best reach pharmacy owners who are not pharmacists, to ensure they are aware of the new requirements. Existing requirements under the *Pharmacy Ownership and Drug Scheduling Act* do not require the identification of all direct and indirect pharmacy owners. As a result, the College only has contact information for pharmacy owners who are also registered pharmacy professionals with the College. This makes it challenging for the College to reach out to non-registrant pharmacy owners to notify them of the new requirements.

Stakeholders also suggested that reaching these pharmacy owners may be difficult. With a range of demographic profiles possible for non-registrant owners, effective communication methods will vary depending on the individual. For example, for some individuals, email is an effective tool, while for others, especially in the case of elderly owners, phone calls, physical mail or in-person meetings may work better. It's also clear that managers as well as directors who are pharmacists will be essential in helping communicate the new requirements to non-registrant owners.



"That is going to be a very difficult process for the college to do. It will need to be done by the directors of the corporation." – Pharmacy Owner

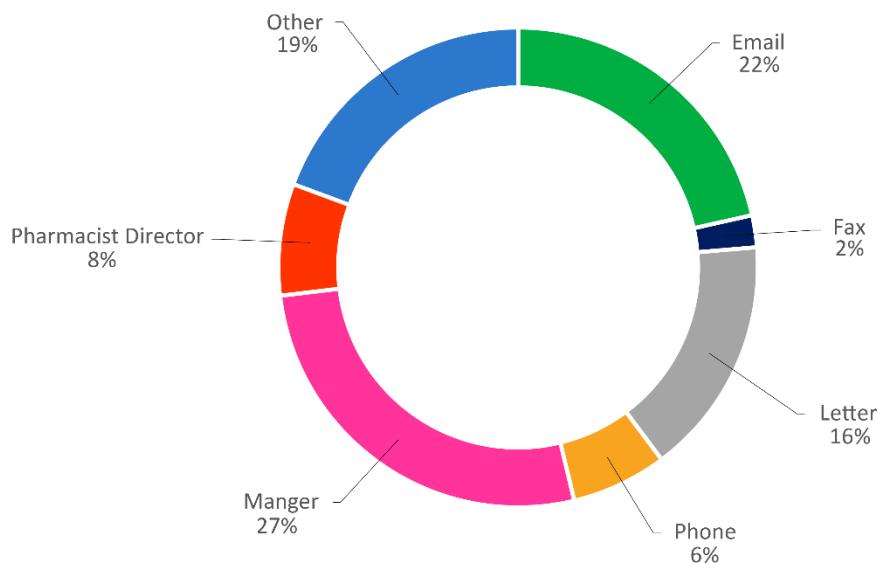
"Have pharmacist owners notify any non-pharmacist owners of their business."
– Pharmacy Owner



"One of our directors, a retired pharmacist and majority shareholder, is 87 years old."
– Pharmacy Owner

Just over a quarter of respondents (27% of 55 responses) indicated that working through the manager would be the best approach to reaching out to non-registrant owners. While managers may not have contact information for all the indirect owners of a pharmacy, they were identified as a useful starting point. Over 20% indicated that email was a key tool to use in communicating with pharmacy owners.. However, pairing email with a physical address based mail or registered mail was also suggested. Some respondents made other suggestions, such as finding names and contact information through the BC Business Corporations Register and contacting the owners directly, or provided comments suggesting the College should already have this information. Only 8% specifically suggested working directly with a pharmacist director. Phone calls were only highlighted as an effective tool by 8% of respondents, while fax was an even less popular (2% of respondents).

How can the College best reach pharmacy owners who are not pharmacists to ensure they are aware of the new requirements?



"This could be done through the pharmacy managers. Responsibility for compliance with bylaws already falls on their shoulders so this isn't really big new burden and each location already has a manager attached to it." – Pharmacy Owner



"Either an email or traditional mail notification sent to the pharmacy manager to be forwarded to the appropriate person(s)." – Pharmacy Owner





"Registered mail." – Pharmacy Owner



"Canada Post mail followed by email." – Pharmacy Owner

We also heard that providing information and renewal notices early will be important part of the communications strategy for the new pharmacy ownership requirements.

"Although agree new requirements are a good idea, difficult to understand how to implement. [I] hope we will be informed of new requirements well before renewal date." – Pharmacy Owner



Some respondents were also surprised the College did not already have the contact information of all pharmacy owners regardless of whether they are pharmacy owners. Others suggested this contact information is already publically available.



"I'm surprised that the name of the ownership group isn't on file with the College. The registrar of companies should have names and contact info for officers and directors. For non corporate ownership the pharmacy manager could be made responsible to pass the information along.
– Pharmacy Owner

"All corporations doing business in BC must be registered under the Business Corporations Act, so I would think that the College need only search the Business Corporations Register and look for the registered addresses of any companies that own pharmacies and send notices."
– Pharmacy Owner



"Write to the direct owners e.g. the record office of the company." – Pharmacy Owner



"Those individuals should be known to the college through licensing with their current address, phone number, email required." – Pharmacy Owner

CONCLUSION

It was important to hear from pharmacy managers and owners with respect to the College's draft amendments to the *Pharmacy Operations* and *Drug Scheduling Act* Bylaws and forms, and its proposed pharmacy licensure processes to incorporate the new pharmacy ownership requirements. These new requirements will result in significant changes to the pharmacy licensure process, making it important to receive feedback. Feedback provided through the in-person/web-conference workshops and online survey was very constructive and valuable in helping inform the College's approach to operationalizing the new pharmacy ownership requirements through its bylaws, pharmacy licensure process and communications. The College would like to thank everyone who participated in the engagement.

The College continues to welcome comments, questions and suggestions from stakeholders through ownership@bcpharmpharmacists.org. More information about the new pharmacy ownership requirements is available at bcpharmacists.org/ownership.