1973 Bill 214

Second Session, 17th Legislature, 21 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 214

An Act to amend The Pharmaceutical Association Act

MR. TAYLOR

First Reading . . . . . .

Second Reading . . . . . .

Third Reading . . . . . .

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Bill 214
Mr. Taylor

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AN ACT TO AMEND THE PHARMACEUTICAL ASSOCIATION ACT

(Assented to , 1973)

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of Alberta, enacts as follows:

1. The Pharmaceutical Association Act is hereby amended.

2. Section 62 is struck out and the following is substituted therefor:

62. (1) An interchangeable pharmaceutical product means a product containing a drug or drugs in the same amounts of the same active ingredients in the same dosage form as that directed by a prescription.

(2) Every person who dispenses a prescription shall, unless otherwise directed by the purchaser, or by the prescriber in his own handwriting, dispense an interchangeable pharmaceutical product other than the one prescribed, providing it is lower in cost than the drug prescribed.

(3) No person shall knowingly supply an interchangeable pharmaceutical product under this section at a price in excess of the cost of the lowest priced interchangeable pharmaceutical product and the maximum dispensing fee.

(4) No action or other proceeding lies or shall be instituted against a prescriber or licensed pharmacist on the grounds that an interchangeable pharmaceutical product other than the product prescribed was dispensed in accordance with this section.

(5) Every person who dispenses a drug pursuant to a prescription shall ensure that the following information is included on the prescription:

(a) the name and address of the person for whom the drug is prescribed;

(b) the name, strength (where applicable) and quantity of the prescribed drug;

Explanatory Note

This Bill will amend chapter 274 of the Revised Statutes of Alberta 1970. Section 62 presently reads:

62. Where a prescription refers to a drug or drug combination by a brand name or a name other than its generic name, a pharmaceutical chemist, in dispensing the prescription, may use a drug or drug combination that is the generic or brand name equivalent of that named in the prescription unless the prescriber indicates otherwise

(a) by designating the name of the manufacturer, or,

(b) by specifying that no equivalent is to be dispensed.

(c) the directions for use as prescribed;

(d) the name and address of the prescriber;

(e) the identity of the manufacturer of the drug dispensed;

(f) an identification number or other designation;

(g) the signature of the person dispensing the drug, and where different, also the signature of the person receiving an oral prescription;

(h) the date on which the drug is dispensed;

(i) the price charged.

(6) The records required under the above section shall be retained in the possession of a pharmacist dispensing a drug for not less than six years after the date the drug is dispensed.

(7) The container in which the drug is dispensed shall be marked with:

(a) the identification number that is on the prescription;

(b) the name, address, and telephone number of the pharmacy in which the prescription is dispensed;

(c) the identification of the drug as to its name, its strength and its manufacturer, unless directed otherwise by the prescriber;

(d) the name of the owner of the pharmacy;

(e) the date the prescription is dispensed;

(f) the name of the prescriber;

(g) the name of the person for whom it is prescribed;

(h) the directions for use as prescribed;

(i) the price charged for the prescription; and

(j) the quantity of the drug dispensed.

(8) The Minister of Health and Social Development may require any person operating a pharmacy to make available to him any information from records required to be kept under this section.

3. This Act comes into force on the day upon which it is assented to.