



Newfoundland & Labrador Pharmacy Board

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ADVICE TO PHARMACISTS-IN-CHARGE CONCERNING THE CLOSURE OF A PHARMACY

When a pharmacy ceases to operate there are a number of duties for which the Pharmacist-In-Charge of that pharmacy is responsible. Most of these duties are outlined in Section 30 of the *Pharmacy Act*; however, other sections of the Act and Regulations may come into play. (For example, only a licensed pharmacy may use the name "pharmacy", "drugstore" or display signs using words of similar meaning.)

A general summary of the things that would have to be done when a pharmacy ceases to operate would include:

- Formal notice to the Board, including completion of the Pharmacy Closure Form, return of the Business Licence and completion of Change of Employment Forms for all pharmacists registered with that pharmacy.
- Transfer of prescription files (including records of refills) to another licensed pharmacy, or to the Board. Remember that original prescriptions and records of all refills must be available for at least two years from the date of the last filling. Patients will want to know where these files are available, so it has been standard practice in the past for the closing pharmacy to post a notice or place an advertisement locally to advise patients where these files may be accessed. Copies of prescriptions on file may be given to patients; however, these copies in themselves do not constitute an authorization for another pharmacist to refill these prescriptions. Refills would have to be obtained from the pharmacy to which the prescriptions were transferred, or another pharmacy could obtain a transfer of a prescription from that pharmacy.
- Disposal of drugs in stock to another pharmacy or to someone authorized to accept them (e.g. return to a manufacturer or wholesaler). This includes OTC drugs that can only be sold from a pharmacy (e.g. 222's, DM products). Particular attention must be given to narcotic and controlled drugs since proper records of purchase, sale and disposal must be maintained for a minimum of two years. Outdated drugs, including narcotic or controlled drugs, must be properly destroyed. More specific advice on such destruction can be obtained from our office.
- Removal of any signs indicating a "pharmacy", "drugstore", "drugs", "prescriptions" or any other words with similar meaning. This includes discontinuing of use of receipts, advertising, packaging, etc. bearing these terms after the date on which the pharmacy closed. If the store continues operating as something other than a pharmacy, staff must be instructed to cease using the terms "pharmacy", "drugstore", etc. when answering the store telephones.

There may be other circumstances peculiar to your own pharmacy that requires specific instructions or assistance from our office. If you have any questions concerning what is required, or need assistance in dealing with your particular situation, please contact our offices. It is the Pharmacist-in-Charge who is ultimately responsible for ensuring that the required process is followed.

Sincerely,

Donald F. Rowe
Secretary-Registrar

Cessation of operation

30. (1) Where a licensed pharmacy ceases to operate as a pharmacy, the pharmacist in charge shall immediately:
- a. notify the board of that cessation;
 - b. return to the board the existing pharmacy licence of that pharmacy;
 - c. ensure that all narcotic, controlled and other drugs are disposed of in accordance with this *Act* and other laws relating to that disposal;
 - d. provide in writing other information requested by the Board;
 - e. ensure that he or she retains safe possession of files containing prescriptions for narcotic or controlled drugs;
 - f. deliver all other prescription files to another licensed pharmacy or to the Board; and
 - g. upon request provide copies of prescriptions delivered under paragraph (f) to persons or agents of persons who presented the original prescription.
- (2) Where the ownership of a pharmacy licensed under this *Act* changes, the pharmacist in charge shall deliver the pharmacy licence to the Board by the effective date of that change and the licence of that pharmacy shall be cancelled immediately.
- (3) Where the pharmacist in charge ceases his or her duties by reason of illness or death, the pharmacy formerly under his or her charge may continue to operate for not more than 60 days under the direction of another pharmacist in charge at which time a new licence shall be required for that pharmacy.
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*PART V**CLOSURES*

20. (1) Where a licensed pharmacy ceases to operate as a pharmacy, the pharmacist-in-charge shall in addition to the requirements imposed by the *Act*, at least 5 days, if possible, before the effective date of cessation, notify the secretary-registrar on the forms that may be prescribed by the ~~association~~ Board of the proposed cessation of operation of the pharmacy.
- (2) In the event of a change of control or ownership of a licensed pharmacy, the pharmacist-in-charge and the owner shall deliver the pharmacy licence to the secretary-registrar for cancellation on the effective date of the change of ownership.