

DEPARTMENT OF HEALTH

CONTROLLED DRUGS AND SUBSTANCES ACT

Notice to interested parties — Proposal to expand the authority to prescribe controlled substances to regulated health professionals other than practitioners of medicine, dentistry or veterinary medicine, under the Controlled Drugs and Substances Act (CDSA)

This notice provides interested stakeholders (which might include health professionals such as podiatrists, midwives and nurse practitioners) with the opportunity to identify themselves for future consultation and to provide preliminary comments on Health Canada's proposal to expand the authority to prescribe controlled substances by broadening the definition of "practitioner" under the CDSA through regulations. The CDSA defines a "practitioner" as "a person who is registered and entitled under the laws of a province to practise in that province the profession of medicine, dentistry or veterinary medicine, and includes any other person or class of persons prescribed as a practitioner." The word "prescribed" in this context means as prescribed by the regulations which have yet to be developed. This proposed expansion of authority would also implement controls over the following activities: possess, purchase, administer, sell, provide, send, deliver and transport controlled substances.

Presently, only practitioners of medicine, dentistry and veterinary medicine have the authority under the CDSA and its regulations to purchase, prescribe, provide or administer controlled substances. The issue of expanding the authority to prescribe controlled substances is a long-standing one. Health Canada has received inquiries from the provinces and interested health professionals, such as podiatrists, midwives and nurse practitioners, concerning the status of this regulatory initiative, which stress the importance of its progress in keeping pace with the evolving health professions and health care system in Canada.

There are several legislative and professional elements that will require careful consideration in taking this action. One element that has been identified is the need for the existence of a licensing authority recognized under provincial legislation in each province. The licensing authority would address the core competencies of the regulated profession and the scope of the professional practice while assuring a high level of compliance is maintained.

The Drug Strategy and Controlled Substances Programme (DSCSP) is seeking feedback from all potentially affected stakeholders. The information received will be instrumental in the development of these regulations under the CDSA. In addition, DSCS wishes to establish an advisory group with the affected health professionals, to further address the issues and assist in the development of the policy and regulatory framework.

The publication of this notice begins a 45-day comment period. Interested stakeholders will be given another opportunity to provide comments following the publication of the proposed Regulations in the *Canada Gazette*, Part I. This is expected to take place during the next fiscal year 2004-2005.

Persons interested in this process or who have comments on this proposal should contact Suzanne Gay, Policy and Regulatory Affairs Division, Office of Controlled Substances, Address locator 3503D, 123 Slater Street, Ottawa, Ontario K1A 1B9, (613) 946-4224 (facsimile), OCS_Policy_and_Regulatory_Affairs@hc-sc.gc.ca (electronic mail), within 45 days of the date of this notice.

March 12, 2004

BETH PIETERSON
Director General
Drug Strategy and Controlled
Substances Programme

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