

Dental Hygiene Act, 1991

ONTARIO REGULATION 381/17 DESIGNATED DRUGS

Consolidation Period: From September 29, 2017 to the [e-Laws currency date](#).

No amendments.

This is the English version of a bilingual regulation.

GENERAL

Conditions

1. (1) Nothing in this Regulation authorizes the prescribing, dispensing or selling of any drug unless that drug is a drug listed in Schedule 1.

(2) A member shall not engage in conduct that results, directly or indirectly, in a personal or financial benefit that conflicts with his or her professional or ethical duty to a patient as a result of prescribing, dispensing or selling a drug.

(3) A member who prescribes, dispenses or sells a drug shall comply with all applicable federal and provincial laws related to prescribing, dispensing or selling a drug.

(4) A member who is authorized to prescribe a drug shall not delegate the performance of prescribing a drug to any other person.

(5) Subject to subsection (6), it is a standard of practice of the profession that no member may prescribe, dispense or sell any drug unless he or she has successfully completed the relevant training in pharmacology that has been approved by the Council.

(6) A member may prescribe, dispense or sell any drug without first having successfully completed the training requirement of subsection (5) as long as the controlled act is performed while,

- (a) taking part in the training required by subsection (5); and
- (b) under the supervision of a member who has successfully completed such training.

Limitations, etc.

2. Where a limitation or a route of administration respecting a drug is indicated in Schedule 1, a member shall only prescribe, dispense or sell that drug in compliance with the limitation and in accordance with the route of administration specified.

PRESCRIBING

Prescribing

3. For the purposes of paragraph 3 of section 4 of the Act, a member may only prescribe a drug if the drug is an antimicrobial that is listed in Schedule 1 and if the member complies with all of the following conditions:

1. The member must have a dental hygienist-patient relationship with the patient for whom the drug is prescribed.
2. The member must prescribe the drug for therapeutic purposes only.
3. The member must ensure that the following information is recorded on the prescription:
 - i. The name and address of the person for whom the drug is prescribed.
 - ii. The name, strength (where applicable) and quantity of the drug that is prescribed.
 - iii. The directions for use.
 - iv. The member's name, address, telephone number, title and registration number issued by the College.
 - v. The member's signature.
 - vi. The date on which the drug is prescribed.
 - vii. The number of refills, if applicable.

4. The member must retain a copy of the information recorded on the prescription required under paragraph 3 as part of the patient's health record.

DISPENSING

Dispensing

4. For the purposes of paragraph 3 of section 4 of the Act, a member may only dispense a drug if the drug is an antimicrobial or an anticariogenic that is listed in Schedule 1 and the member complies with all of the following conditions:

1. The member must have a dental hygienist-patient relationship with the patient for whom the drug is dispensed.
2. The member must dispense the drug pursuant to a prescription issued by the member or by another regulated health professional who the member works with in a collaborative relationship.
3. The member must dispense the drug for therapeutic purposes only.
4. The member must have reasonable grounds to believe that the drug has been obtained and stored in accordance with any applicable federal or provincial legislation.
5. The member must be satisfied that the drug has not expired and will not expire before the date on which the patient is expected to take the last of the drug.
6. The member must ensure that the container in which the drug is dispensed is marked with,
 - i. a drug identification number, where applicable,
 - ii. the member's name and title,
 - iii. the name, address and telephone number of the place from which the drug is dispensed,
 - iv. the identification of the drug as to its name, its strength, where applicable, and, if available, its manufacturer,
 - v. the quantity of the drug dispensed,
 - vi. the date the drug is dispensed,
 - vii. the expiry date of the drug, if applicable,
 - viii. the name of the patient for whom the drug is dispensed, and
 - ix. the directions for use.

Information to be retained

5. The member must retain in the patient's health record a copy of the information that is required to be marked on the container under paragraph 6 of section 4.

SELLING

Selling

6. For the purposes of paragraph 3 of section 4 of the Act, a member may only sell a drug if the drug is an antimicrobial or an anticariogenic that is listed in Schedule 1 and the member complies with all of the following conditions:

1. The member must have a dental hygienist-patient relationship with the patient to whom the drug is sold.
2. The member must sell the drug for therapeutic purposes only.
3. The member must have reasonable grounds to believe that the drug has been obtained and stored in accordance with any applicable federal or provincial legislation.
4. The member must be satisfied that the drug has not expired and will not expire before the date on which the patient is expected to take the last of the drug.
5. The member must not sell the drug if the selling provides a profit to him or her, or a direct or indirect personal or financial benefit, other than the actual cost of the drug.
6. The member must retain in the patient's health record a record that the drug was sold to the patient, the price charged and confirmation that the conditions described in paragraphs 1 and 2 were met.

Restriction on description

7. A dental hygienist shall not describe himself or herself orally or in writing as a person who is authorized to sell a drug unless he or she states that such drug can only be sold to a person with whom the dental hygienist has a dental hygienist-patient relationship.

8. OMITTED (PROVIDES FOR COMING INTO FORCE OF PROVISIONS OF THIS REGULATION).

SCHEDULE 1

1. Anticariogenics

i. Fluoride and its salts, except that the following are not to be considered drugs:

A. Sodium fluoride in dentrifices in concentrations of not more than 0.25 per cent.

B. Stannous fluoride in dentrifices in concentrations of not more than 0.4 per cent.

2. Antimicrobials

i. Chlorhexidine and its salts when used as a topical oral preparation.

Français

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