

## Licensee vs proprietor's representative

| Who is the licensee?  | Who is the proprietor's representative?  |
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| <p>The licensee is the clinical pharmacist who applies for and holds the pharmacy licence under the <i>Pharmacy and Drug Act</i> to operate a pharmacy. The licensee is typically the pharmacy manager.</p>   | <p>The proprietor's representative is the individual who is either the owner or the designated representative of the owner(s) who fulfils the responsibilities and obligations of a proprietor in accordance with the <i>Pharmacy and Drug Act</i>.</p>  |
| What does the licensee do?  | What does the proprietor's representative do?  |
| <p>The licensee personally manages, controls, and supervises the practice of pharmacy in the pharmacy in accordance with the <i>Pharmacy and Drug Act</i>, any order made under the Act, the Code of Ethics, and the Standards for the Operation of Licensed Pharmacies.</p> <p>To fulfil the responsibilities and obligations of a licensee, you must have an active presence at the pharmacy to personally supervise day-to-day operations and ensure that practice proceeds in accordance with the law that governs pharmacy operations, drug distribution, the practice of pharmacists, and the practice of pharmacy technicians.</p> | <p>This individual oversees and directs the operation of the pharmacy, provides resources, and supports the licensee in complying with the legislative framework.</p> <p>In directing the operation of the facility, the proprietor's representative may, in accordance with the legislative framework, exercise a significant degree of control over the</p> <ul style="list-style-type: none"> <li>• number of pharmacists, pharmacy technicians, and other employees of the pharmacy;</li> <li>• hiring, firing, and setting terms of employment of the licensee, pharmacists, pharmacy technicians, and other employees of the pharmacy;</li> <li>• hours of operation of the pharmacy;</li> <li>• budget of the pharmacy;</li> <li>• policies and procedures;</li> <li>• marketing programs associated with the provision of pharmacy services by the pharmacy; or</li> <li>• infrastructure, equipment, and technology= associated with the provision of pharmacy services by the pharmacy.</li> </ul> |

### What is the relationship between the licensee and the proprietor's representative?

While the licensee reports to the proprietor's representative, it is the licensee who is **ultimately responsible** for the pharmacy practice. The licensee and proprietor's representative may also be the same person.

# Legislation

| Licensee  | Proprietor's representative  |
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| <p>According to the <i>Pharmacy and Drug Act</i>, Section 10,</p> <p>1. A licensee must</p> <ul style="list-style-type: none"> <li>a. ensure that the licensed pharmacy operates in accordance with this Act,</li> <li>b. ensure that due diligence is exercised in the dispensing of drugs in accordance with the standards of practice under the <i>Health Professions Act</i> for the practice of pharmacy,</li> <li>c. comply with any conditions imposed on the licence, and</li> <li>d. ensure that               <ul style="list-style-type: none"> <li>i. all drugs dispensed to or for a patient are dispensed pursuant to a prescription that has been received by the pharmacy,</li> <li>ii. counselling in respect of a patient is conducted in accordance with the standards of practice under the <i>Health Professions Act</i> for the practice of pharmacy,</li> <li>iii. a patient or a patient's agent is able, with reasonable ease, to contact a clinical pharmacist who is engaged by the pharmacy,</li> <li>iv. all required records are created and maintained in accordance with this Act,</li> <li>v. the drugs being dispensed by or through the pharmacy meet the laws of Canada and Alberta,</li> <li>vi. pharmacy services are provided by regulated members, and</li> <li>vii. a pharmacist providing services within the practice of pharmacy does so under the management of the licensee.</li> </ul> </li> </ul> <p>1.1 Records must be kept under the care and control of the licensee.</p> <p>2. A licensee must manage, control and supervise the operation of the licensed pharmacy.</p> | <p>According to the Standards for the Operation of Licensed Pharmacies</p> <p>1(u) proprietor means a person who owns, manages or directs the operation of a facility in which a licensed pharmacy is located and exercises a significant degree of control over:</p> <ul style="list-style-type: none"> <li>i. the management and policies of the licensed pharmacy; or</li> <li>ii. the conduct of the regulated individuals who are employed by the licensed pharmacy</li> </ul> <p>14.1 A proprietor must take reasonable steps to ensure that the licensee of the proprietor's pharmacy is capable of</p> <ul style="list-style-type: none"> <li>a. managing the practice of pharmacists and pharmacy technicians in that licensed pharmacy, and</li> <li>b. ensuring compliance with these standards.</li> </ul> <p>14.2 A proprietor must provide the licensee of the proprietor's pharmacy with the support and resources necessary for the licensee to comply with the licensee's obligations under these standards and the legislation referred to in Standard 1.1.</p> <p>14.3 A proprietor must provide the licensee any records from the licensed pharmacy referred to in Standard 8.1 that are in the possession or under the control of the proprietor or any person associated with the proprietor if those records are requested by the licensee.</p> |
| <p>According to the <i>Pharmacy and Drug Regulation</i>, Section 25,</p> <p>A licensee must ensure that a licensed pharmacy</p> <ul style="list-style-type: none"> <li>a. has the facilities, space and equipment and the systems and procedures in place to support the safe and effective provision of pharmacy services,</li> <li>b. maintains an inventory of drugs appropriate to the category of licence issued in respect of the pharmacy,</li> <li>c. complies with and operates in accordance with all enactments of Alberta or Canada applicable to pharmacies, the practice of pharmacy, drugs, blood, blood products and parenteral nutrition and health care products, aids and devices,</li> <li>d. has security systems and procedures, including security systems and procedures for information technology, to ensure that unauthorized individuals do not obtain access to drugs or to patient information,</li> <li>e. employs the requisite number of staff with the training and qualifications for the safe and effective provision of pharmacy services, and</li> <li>f. has proper storage facilities to ensure that the quality and integrity of drugs, blood products and parenteral nutrition and health care products, aids and devices are maintained.</li> </ul>  |  |