

**MINUTES**  
**MEETING OF COUNCIL**  
**ALBERTA COLLEGE OF PHARMACY**  
**March 5 - 6, 2024**  
**Edmonton, Alberta**

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**PART A – Opening Remarks and Constituting Council Meeting**

**1.1 Call to Order**

President Zachar called the business meeting of council to order at 8:06 a.m. on Tuesday March 5, 2024. He recognized the ancestral lands on which Council gathered, those of Treaty 6 territory. The following individuals joined council discussions: Dr. Ross Mitchell, Professor, UofA Department of Medicine, and Senior Program Director of AI adoption with Alberta Health Services will join council to discuss artificial intelligence in health care, Valerie Gibbs, Investment Counsel with PH&N Investments, Monty Stanowich ACP Policy Lead and Compliance Officer, Dr. Pamela Timanson, ACP Competence Director, Rakhee Patel, ACP Policy Lead and Registration Officer.

President Zachar asked Council Members to reflect on governance policy GP-8 Code of Conduct and consider any potential conflicts of interest they may need to disclose. No conflicts were disclosed.

Council met the morning of Wednesday, March 6, 2024 from 8:30-11:30 a.m. for a training session on Panels of Council established to review registration decisions of the Registrar, pursuant to the Health Professions Act (Council Reviews). Facilitating the board development session was Katrina Haymond, Senior Partner with Field Law LLP.

**1.2 Roll Call**

Registrar Eberhart called the roll and identified the following individuals in attendance.

- District 1 - Peter Macek
- District 2 - Patrick Zachar (President)
- District 3 - Murtaza Hassanali
- District 4 - James Frobb (Executive-Member-at-Large)
- District 5 - Patrick Thomson
- District A - Laura Miskimins
- District B - Nina Dueck
- Public Member - Irene Pfeiffer (Past-President)
- Public Member - Christine Maligec
- Public Member - Carmen Wyton
- Public Member - Jason West

Absent

- Public Member - Deb Manz (President-Elect)

Also in attendance

- Greg Eberhart - Registrar
- Kaye Moran - Deputy Registrar
- Jeff Whissell - Deputy Registrar
- Rob Vandervelde - Senior Operations and Finance Director
- Leslie Ainslie - Executive Assistant
- Meredith Robertson - Senior Policy and Legislative Advisor
- Dr. Ross Mitchell - Professor, UofA Department of Medicine (9:00-10:48am)

- Monty Stanowich - ACP Policy Lead and Compliance Officer (9:00am-12:18pm)
- Valerie Gibbs - Investment Counsel, PH&N Investments (1:22-2:00pm)
- Dr. Pamela Timanson - ACP Competence Director (3:56-4:20pm)
- Rakhee Patel - ACP Policy Lead and Registration Officer (3:56-4:20pm)
- Katrina Haymond - Field Law LLP (March 6<sup>th</sup> 8:30-11:30am)

### 1.3 Invocation

Councillor James Frobb read the council invocation.

### 1.4 Adoption of the Agenda

#### 1.4.1 Consent Agenda

Registrar Eberhart provided a Policy report and an Information Update report for Council's review and approval.

##### 1.4.1.1 Policy Report

**MOTION:** to lift the issue about “business to business services” from the consent agenda policy report.

Moved by **Peter Macek**/Seconded by **Irene Pfeiffer**

There is an increase in the inquiries about business to business (B2B) transactions between Alberta-based pharmacies, and those located in other provinces/territories. ACP has reviewed provincial legislation and its policies with a goal of clarifying the interpretation and application of the *Pharmacy and Drug Act* and its Regulations. The goal is to ensure that the practice of pharmacy and the operation of licenced pharmacies is conducted in compliance with the legislation, that patients are protected, and that the application of the legislation can be consistently enforced. It is legally incumbent upon ACP to interpret the *Pharmacy and Drug Act* in such a way as to place the health and safety at the forefront of considerations and take steps necessary to mitigate the effects of any risks that might arise.

Legislation clearly outlines that compounding and repackaging can only be provided to a community pharmacy or an institutional pharmacy. To move beyond these provisions would require adaptation. Policy around this should be patient-centred to provide support where an individual, or a group of individuals cannot obtain a drug or medication in a timely manner, that a mechanism is in place to exercise responsibility to support care.

**MOTION:** to approve the Policy Report presented by the Registrar.

Moved by **Christine Maligec**/Seconded by **Peter Macek**/CARRIED

##### 1.4.1.2 Update Report

**MOTION:** to accept the Information Update Report presented by the Registrar.

Moved by **Irene Pfeiffer**/Seconded by **Christine Maligec**/CARRIED

#### 1.4.2 Additions to the Agenda

**MOTION:** to approve the agenda as amended.

Moved by **Christine Maligec**/Seconded by **Peter Macek**/CARRIED

### 1.5 Minutes from Previous Meetings

#### 1.5.1 Minutes – December 7, 2023

**MOTION:** to approve the minutes from the December 7, 2023 meeting as circulated.

Moved by **Nina Dueck**/Seconded by **Murtaza Hassanali**/CARRIED

### **1.5.2 Ratification of Council e-Ballot – January 11, 2024**

**MOTION:** to ratify the January 11, 2024 council e-ballot in the matter of Ankit Parikh, Registration Number 6688.

Moved by **Christine Maligec**/Seconded by **Irene Pfeiffer**/CARRIED

### **1.5.3 Minutes – February 6, 2024**

**MOTION:** to approve the minutes from the February 6, 2024 meeting as circulated.

Moved by **James Frobb**/Seconded by **Laura Miskimins**/CARRIED

### **1.6 In Camera**

**MOTION:** to move into an In-Camera session of Council at 4:51 p.m.

Moved by **Irene Pfeiffer**/Seconded by **James Frobb**

**MOTION:** to leave the In-Camera session at 5:16 p.m.

Moved by **Irene Pfeiffer**/Seconded by **Peter Macek**

## **Part B – Council Development, Open Forum and Generative Discussions**

### **2.1 Council Development - Artificial Intelligence in Health Care – Considerations for Regulators**

Dr. Ross Mitchell joined Council to enhance their understanding of artificial intelligence (AI) in health care, including key considerations for regulators. Dr. Mitchell is currently a professor in the Department of Medicine and the Senior Program Director of Artificial Intelligence Adoption with AHS. Dr. Mitchell provided insights into how AI is generated and used in the context of healthcare, sharing the opportunities and risks that AI can introduce in the delivery of healthcare.

### **2.2 Generative Discussions – Artificial Intelligence**

Council reflected on Dr. Ross Mitchell’s presentation under Agenda Item 2.2. They discussed the impact of artificial intelligence in health care, and explored considerations about AI that Council might consider when developing policy, standards and addressing the Code of Ethics.

### **2.3 Council Open Forum**

The open forum provided Council Members the opportunity to identify issues that are top of mind. Discussions were relevant to the business of the Council and the College. The open forum provided an opportunity to explore the current “culture of pharmacy practice” in Alberta. Council shared their observations about the normal behaviors of pharmacy teams, internal and external forces that nurture these behaviors, and how they may conflict with personal and professional values. The discussion included reflection the possible impact of these observations on patient experiences.

## **Part C - Strategic and Fiduciary**

### **3.1 Environmental Scanning–What’s changed in the past 12 months?**

The ACP administrative team commenced a RAPID environmental scan of current issues and trends that are impacting or have potential to impact ACP. Council was asked to reflect and build upon these, taking consideration their potential impact on initiatives being taken under the current strategic plan. Additionally, this was opportunity to pre-contemplate these, in advance of discussions that Council will begin within the next year about its next strategic plan. Observations that Council offered to build upon the scan were:

- Political environment
  - Increased movement to “for-profit” health-care delivery,
- Technology – its potential impact should be shifted from “medium” to “high”,
- Economics
  - The awareness and emergence of preferred provider networks should be documented as a threat to patient autonomy. Council observed the emergence of PPN’s as an indicator of movement to an American style service model. This is tangential to the movement towards “for profit” health-care delivery.

### **3.2 Rules for Licensee Education Program**

Goal 3.1 of ACP’s strategic plan states that “*licensee applicants are evaluated to ensure they can meet their commitment to their responsibilities as a licensee, prior to being issued a license, and assessed regularly thereafter*”. In 2020, ACP introduced the Licensee Education Program (LEP) to support pharmacy licensees understand their responsibilities by meeting regulatory requirements, and supporting safe pharmacy practices. The LEP introduced leadership expectations of licensees based upon the ACP *Tenets of Professionalism*, used to describe the behaviours and attributes of successful licensees.

ACP administration has observed that pharmacy proprietors lack a consistent understanding about their responsibilities, especially as it relates to supporting licensees to successfully lead their pharmacy team. Amendments to the Pharmacy and Drug Regulation enables ACP to prescribe learning and education for proprietors. This has enabled restructuring of the LEP and revisions to the rules that enforce completion and compliance. The revised programs have restructured this information into three modules:

1. Licensee Fundamentals - These fundamentals comprehensively outline the knowledge needed by licensees to operationally manage a pharmacy and lead a pharmacy team, emphasizing the authority, responsibility, and accountability of the licensee role. It will allow learners to demonstrate this knowledge through case-based scenarios, modelled on common situations and challenges experienced by licensees.
2. Licensee Development - Current licensees will engage in Licensee Development, which will prompt a more reflective application of their existing knowledge, allowing them to demonstrate an understanding of their responsibilities, particularly as it relates to exemplifying professionalism and leadership in the pharmacy. Existing licensees will be guided to reflect on how they operate their pharmacy and lead their pharmacy team, creating opportunity for them to compare their current performance to ACP expectations, prompting goal setting and practice improvement.
3. Proprietors Education Program - The program will provide insight into the legislative authority and oversight of a pharmacy by a proprietor’s representative and outline how proprietors can collaborate with licensees to manage their individual and joint responsibilities; this program is tailored to non-pharmacist learners.

Council inquired about alternatives to enhance the rigor around the security and integrity of the system. Their interest was to ensure that we had confidence in the identity of individuals taking the program. Discussion ensued about the possibility of “three-way” sign in that would affirm:

- The site from which the LEP was being accessed,
- Affirmation of the user, and,
- Affirmation that the user had completed the program by themselves.

Council approved the rules proposed for the revised Licensee Education Program as outlined in the background documentation provided with the agenda.

**MOTION:** to approve the restructured Licensee Education Program and the revised program rules as presented.

Moved by **Laura Miskimins**/Seconded by **Peter Macek**/CARRIED

### **3.3 Continuing Competence Program (CPP) Strategic Direction**

ACP's Continuing Competence Programs (CPP) is primarily based on the continuing professional development of pharmacists and pharmacy technicians, enabling them to continuously advance their practices. As defined in ACP's strategic plan, success is achieved when regulated members who are prescribed practice improvement demonstrate competence by meeting the standards of practice and Code of Ethics to better support the health and well-being of their patients.

ACP introduced a modified CCP model seeking Council's input to support further development of the model. The enhanced CCPs will include annual requirements and competence assessments. The annual requirements will focus on development of the whole professional, based on ACP's Tenets of Professionalism..

The Practice Improvement Program (PIP) will be a subsection of the overall competence assessments that are completed within the CCPs. Learnings from the pilot of the PIP, and its program evaluation, will inform rule and procedural changes. The original referral process of the PIP will move to the competence assessments component. This will be for regulated members identified as potentially having practice and competence deficiencies, and those identified as requiring support through other ACP programs.

Performance indicators and data intelligence will assist in identifying regulated members requiring support. Those identified will go through one or more competence assessments and receive feedback from peers under the authority of ACP's Competence Committee. This process of peer assessment and feedback will be cyclical until the regulated member is determined to satisfactorily meet practice standards as determined by the Competence Committee.

Council supported the evolution of the Continuing Competency Programs for pharmacists and pharmacy technicians as proposed, with the following recommendations.

- Council sought clarification on the conditions that would prompt self-referral. It was suggested that this be framed as an "opportunity to reset", as compared to suggesting that they may be incompetent. An example would be supporting the learning of a registrant that is looking to return to practice. Council recommended that ACP communicate with registrants the premise of the self-referral.
- Council recommended consideration be given to rebranding the program that provides clarity about ACP authority.
- Council suggested that if resources allow, that consideration be given to a competency assessment program for pharmacy teams, and, also wondered if there was a readily available tool whereby registrants can do a "professionalism assessment".

The next steps will include further development of new models, including revising the Standards of Practice for Continuing Competence.

### **3.4 Language Proficiency Standards**

Section 44.3 of ACP bylaws states “An applicant must provide evidence to the Registrar that they have demonstrated proficiency in the English language to engage competently and safely in the practice of pharmacists or pharmacy technicians, which may include attaining the minimum score on one of the English language proficiency tests approved by the National Association of Pharmacy Regulatory Authorities.” ACP previously adopted the National Association of Pharmacy Regulatory Authorities’ (NAPRA) policy for demonstrating language proficiency for those seeking registration with the college. The purpose of the policy is to ensure that pharmacy professionals have the necessary language proficiency to understand and communicate with health team members and patients effectively.

NAPRA has conducted a comprehensive review of its former language proficiency standard, resulting in changes to acceptable scores, and identification of a finite number of authorized/recognized assessment agencies, therefore have adopted a new “Language Proficiency Requirement “ policy. ACP is working with other provinces to achieve consensus on a consistent approach to implementation.

**MOTION:** to adopt NAPRA’s Language Proficiency Requirement Program as presented, through authority of Section 44.3 of ACP bylaws, to come into effect September 1, 2024.

Moved by **Peter Macek**/Seconded by **James Frobb**/CARRIED

## **4. Compliance Monitoring and Reports**

### **4.1 Executive Limitations – Compliance Reports**

A report from the Registrar was provided for the following Executive Limitation policy.

#### **4.1.1 EL-4 Financial Condition, Internal**

Council received the compliance report for policy EL-4 Financial Condition. The report provides an analysis of the internal financial statements and variances, including an assessment of variances for the 2023 fiscal year-end in alignment with the audited financial statements. The College experienced a surplus of \$396,000 for the 2023 fiscal year. This is due to a combination of factors with a large part of the variance coming from greater returns on ACP’s investments, due to equity gains in the Canadian and US markets. Generally, expenses were down with a variance of only 2%. ACP did not draw down on its reserves. The College has invested very safely to protect its capital. ACP is in a good financial position, with no debt. ACP’s financial position is in compliance with ACP’s financial policies.

**MOTION:** to accept the Registrar’s compliance report on policy EL-4 Financial Condition.

Moved by **Christine Maligec**/Seconded by **Nina Dueck**/CARRIED

#### **4.1.2 EL-6 Investments**

Rob Vandervelde, Senior Director of Operations introduced Valerie Gibbs, ACP’s new investment counsel from PH&N Investments, the investment arm of Royal Bank of Canada. Ms. Gibbs provided Council with an update on the transfer of investments from TD Waterhouse to PH&N, and spoke about the compliance with policy EL-6 Investments during the brief period that PH&N has served as ACP’s investment advisors.

**MOTION:** to approve the Registrar’s compliance report on Executive Limitations policy EL-6 Investment.

Moved by **Irene Pfeiffer**/Seconded by **Christine Maligec**/CARRIED

## **4.2 Governance Policies (GP)**

Governance Policies (GP) define how Council conducts itself. Council reflected on its compliance with each of the following governance policies. Council considered if there were any indicators that any of the policy statements are not being complied with, and consensus was reached that Council is in compliance with governance policies GP-4 Councillor Duties, GP-5 President's Role and GP-6 Council Committees.

### **4.2.1 GP-4 Councillor Duties**

### **4.2.2 GP-5 President's Role**

### **4.2.3 GP-6 Council Committees**

**OMNIBUS MOTION:** that Council is in compliance with governance policies GP-4 Councillor Duties, GP-5 President's Role, and GP-6 Council Committees.

Moved by **James Frobb**/Seconded **Christine Maligec**/CARRIED

## **4.3 Business of Council**

### **4.3.1 Report from the GP-14 Working Group**

Council appointed a working group to review the appendix to governance policy GP-14 Recognizing Excellence. The goal of the review was to ensure that opportunities for leadership awards were equitable. The GP-14 Working Group provided its final report to Council with the following recommendations.

- That Appendix A to Governance Policy GP-14 Recognizing Excellence, be amended by:
  - Renumbering sections 1.1-1.3 to become sections 1,2, and 3.
  - Amending the Pharmacy Technician Achievement Award by:
    - Deleting the prize of \$1,000,
    - Adding “an engraved commemorative gift”; and,
    - Adding “one-year complementary registration with ACP”.

Further to the above amendments, the award would be stated as follows:

“ACP will award annually to the pharmacy technician registered with ACP who achieved the highest mark on the Pharmacy Examining Board of Canada's Qualifying Examination in the past academic year, an engraved commemorative gift. The recipient will also receive a one-year complementary registration with ACP.”

**MOTION:** to approve amendments to governance policy GP-14 Recognizing Excellence as proposed.

Moved by **Carmen Wyton**/Seconded by **Christine Maligec**/CARRIED

### **4.3.2 NAPRA Appointment to the Board of Directors**

NAPRA's bylaws require that Board Members be appointed annually. The board of directors include registrars of each provincial/territorial jurisdiction, a representative from the Canadian Armed Forces, and three public members (one of whom is a pharmacy technician).

Council supported the recommendation to reappoint Registrar Greg Eberhart to the NAPRA Board of Directors, for a term to expire December 31, 2024; after which he will be succeeded by the Registrar-elect.

**MOTION:** to appoint Registrar Greg Eberhart to the NAPRA Board of Directors with the term to expire December 31, 2024; after which Registrar Eberhart will be succeeded by the Registrar-elect.

Moved by **Christine Maligec**/Seconded by **James Frobb**/CARRIED

#### **4.3.3 PEBC Appointment to the Board of Directors**

Dale Cooney has completed his first three-year term as ACP's appointed representative to the Pharmaceutical Examining Board of Canada's (PEBC) board of directors. Council supported the recommendation to reappoint Dale Cooney for a second three-year term to commence March 2024 and extending until the close of the March 2027 PEBC Annual Board Meeting.

**MOTION:** to reappoint Dale Cooney as ACP's representative to the Pharmacy Examining Board of Canada's Board of Directors for a second three-year term commencing March 2024..

Moved by **Pat Thomson**/Seconded by **Irene Pfeiffer**/CARRIED

#### **4.3.4 Succession Planning Committee**

ACP's Succession Planning Committee issued a Request for Proposal to identify a recruitment firm to facilitate the search and select process for the registrar-elect. The Committee recommended Council appoint DHR Global as the preferred recruitment firm. DHR Global is based in Calgary with a breadth of experience in the field of not-for-profit organizations.

**MOTION:** to approve the contract with DHR Global to provide recruitment services to select the registrar-elect.

Moved by **Peter Macek**/Seconded by **James Frobb**/CARRIED

## **5. Evaluation of Meeting**

### **5.1 Meeting Evaluation**

President Zachar asked Council to reflect on their personal and collective performance during the board development sessions and business meeting of council. He thanked all those that supported the preparation of the meeting, and those that participated. Council shared the following observations and comments from the March 5-6, 2024 council meeting:

- Council appreciated and approved the restructuring of the council agenda. There was high value to the time allotted for informal and formal generative discussions, and appreciated materials in advance to support these. Where possible, Council seeks environmental scans to support any time of "council open forum" discussions.
- Council appreciated the flow of the agenda and welcomes more opportunities to support engagement between council members and ACP administration.
- Council welcomed the opportunity to engage with Dr. Mitchell for the AI discussion.
- Council would appreciate additional information to articulate the goals of presenters.
- Council welcomes additional guidance on the "whys" during the governance discussions.
- Council thanked ACP staff that presented at council.

## **6. Adjournment**

### **6.1 Forthcoming Events and Council Meeting Dates**

- May 2<sup>nd</sup> - 1 day in-person Council Meeting
- June 11-12<sup>th</sup> - 1.5 day Council Meeting, Calgary



- June 12<sup>th</sup> - Celebration of Leadership (evening), Calgary
- June 12-14<sup>th</sup> - Leadership Forum (EC/New Council Members), Calgary
- October 1-3<sup>rd</sup> - 2 day board development, 1 day Council Meeting, Edmonton
- December 11-12<sup>th</sup> - 2 day Council Meeting, Edmonton

## **6.2 Adjournment**

**MOTION:** to adjourn the meeting circa 11:30 a.m. on March 6, 2024.

Moved by **Irene Pfeiffer**