



Health  
Canada

Santé  
Canada

Health Products  
and Food Branch

Direction générale des produits  
de santé et des aliments

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Mr. Perry Eisenschmid  
Chief Executive Office  
Canadian Pharmacists Association  
1785 Alta Vista Drive  
Ottawa, ON K1G 3Y6

Ms. Denise Carpenter  
President & Chief Executive Officer  
Canadian Association of Chain Drug Stores  
45 Sheppard Avenue East  
Toronto, ON M2N 5W9

Dear Mr. Eisenschmid and Ms. Carpenter:

**SUBJECT: Electronic Storage of Prescriptions**

Thank you for your letter dated October 31, 2013, in which you request a regulatory amendment to Section C.01.041.1 (2) and (3) of the *Food and Drug Regulations* (Regulations). This section requires that written prescriptions, or verbal records, be retained for at least two years after the day they were filled. As per your letter, and your subsequent meeting with officials from the Health Products and Food Branch (HPFB), I understand that the reason for requesting an amendment to the Regulations is to allow the retention of prescriptions and other paper records by means of an electronic scan.

As the current Regulations support the electronic storage of original paper prescriptions, a regulatory amendment is not required. The term "written" prescription as per section C.01.041 (2) and (3) of the Regulations can be interpreted to include: (1) the original written prescription, or (2) the electronically-scanned copy of the original prescription. If the original written prescription is scanned into a secure electronic database, then the requirement to store a "written prescription" is considered to be met and there is no need to keep the original hand-written prescription.

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During your meeting with HPFB officials, you also discussed the possibility of removing the current requirement of Section C.01.041.1 (3) to retain the prescription for two years after the date it was filled, to better align with provincial regulatory frameworks (e.g. some provinces have a 10 year retention requirement). As the provincial and territorial governments have primary jurisdiction over the administration and delivery of health care services, additional provincial/territorial requirements (e.g. some provinces requiring a 10-year retention period for scanned prescriptions rather than the 2-year minimum requirement under the Regulations) can be applied. Since there is no conflict with the 2-year federal requirement, as it serves as a minimum requirement for the provinces and territories, there is no need to amend the Regulations.

I hope the above information addresses your concerns. I encourage you to share it with your members.

Should you have further questions, please do not hesitate to contact me.

Yours sincerely,



Anne Lamar  
A/Assistant Deputy Minister

c.c.:

Kendal Weber, Director General  
Policy, Planning and International Affairs Directorate  
Dr. Robert Cushman, Director General  
Biologics and Genetic Therapies Directorate  
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