

SUBSECTION 56(1) CLASS EXEMPTION FOR DESIGNATED ADMINISTRATORS OF AMBULANCE NEW BRUNSWICK

Pursuant to subsection 56(1) of the *Controlled Drugs and Substances Act* (CDSA), Designated Administrators and their Approved Designates of Ambulance New Brunswick licensed by the New Brunswick Department of Health under the *Ambulance Services Act* (New Brunswick) are exempted for medical purposes from the application of the following provisions of the CDSA and its regulations:

- Subsection 4(1) of the CDSA with respect to fentanyl, ketamine, morphine and pethidine
- Subsections 5(1) and 5(2) of the CDSA with respect to diazepam, fentanyl, ketamine, lorazepam, midazolam, morphine and pethidine
- Subsection 3(1) of the *Benzodiazepine and other Targeted Substances Regulations*, with respect to the diazepam, lorazepam, and midazolam.

The terms used within this exemption have the same meaning as they do in the CDSA and its regulations except as defined below:

Ambulance New Brunswick means the agency that provides emergency medical services as licensed by the New Brunswick Department of Health in accordance with the *Ambulance Services Act* (New Brunswick).

Approved Designate means a person authorized by the position/title or by specific appointment to take over the responsibilities of the Designated Administrator in their absence.

Controlled substance means one of the following substances: fentanyl, ketamine and midazolam.

Designated Administrator means a person who is in a managerial position and is ultimately responsible for ordering, transporting, storing and providing controlled substances for Ambulance New Brunswick.

Nurse means a person who is registered by the Nurses Association of New Brunswick under the *Nurse Act, 1984* (New Brunswick), and is employed by the Ambulance New Brunswick for its Air Ambulance Program to provide inter-hospital transfer patient care.

Paramedic means a person who is registered by the Paramedic Association of New Brunswick under the *Paramedic Act* (New Brunswick) to practice paramedicine as an Advanced Care Paramedic.

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Unserviceable controlled substance means a drug product containing a controlled substance that is expired, contaminated, damaged, or any residual controlled substance remaining in a multi-dose vial.

This exemption provides Designated Administrators or, if the Designated Administrator is absent their Approved Designates, with the authority to possess, transport, destroy, and provide controlled substances required by the aforementioned nurses and paramedics according to the applicable guidelines established by the Ambulance New Brunswick and policies established by the New Brunswick Department of Health.

The exemption is only applicable if the following conditions are met. Designated Administrators and Approved Designates must:

- (1) Take necessary steps, in accordance with guidelines established by the Ambulance New Brunswick, to ensure the security of controlled substances in storage and during transportation;
- (2) Order controlled substances only from the Mapleton Pharmacy in Moncton;
- (3) Record all transactions involving controlled substances, i.e., date, name and quantity of controlled substances ordered, received, stored in aircrafts, provided to nurses and paramedics (to be carried on their person), and destroyed by nurses or paramedics or returned to the Mapleton Pharmacy in Moncton for destruction;
- (4) Maintain records submitted by nurses and paramedics;
- (5) Comply with all other applicable reporting requirements, including, for example, those set out in section 69 of the *Narcotic Control Regulations*. Maintain all records with respect to narcotics in accordance section 69 of the NCR;
- (6) Return any unserviceable controlled substances to the Mapleton Pharmacy in Moncton for destruction;
- (7) Report all incidences of loss or theft of controlled substances in writing to Health Canada within 10 days of discovery; and
- (8) Keep information specified in (3) and (4) for at least two years and make it available to Health Canada upon request.

This exemption replaces the “Section 56 Class Exemption for Designated Administrators of Ambulance New Brunswick” that was issued on January 31, 2017. This exemption will remain in effect until the date on which this exemption has been replaced or the date on which this exemption is revoked.

The Minister may at any time and for any reason revoke or change the terms and conditions of this exemption. Should this be the case, you will be informed in writing and reasons for the revocation or changes will be provided.

A suspension of this exemption without prior notice may be ordered if the Minister deems that such a suspension is necessary to protect public health, safety or security.

Failure to comply with the terms and conditions of this exemption may, among other things, result in immediate suspension of this exemption, and ultimately, in its revocation.

Signed for and on behalf of the Minister of Health



Michelle Boudreau
Director General
Controlled Substances Directorate
Health Canada

Effective Date: February 14, 2020