



SUBSECTION 56(1) CLASS EXEMPTION FOR NURSES EMPLOYED BY AMBULANCE NEW BRUNSWICK IN NEW BRUNSWICK

Pursuant to subsection 56(1) of the *Controlled Drugs and Substances Act* (CDSA), nurses employed by the Air Ambulance Program of Ambulance 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 *Benzodiazepines and Other Targeted Substances Regulations* with respect to diazepam, lorazepam and midazolam

The terms used within this exemption have the same meaning as they do in the *Controlled Drugs and Substances Act* 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 a person/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: diazepam, fentanyl, ketamine, lorazepam, midazolam, morphine and pethidine.

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 *Nurses Act, 1984* (New Brunswick), and is employed by the Ambulance New Brunswick for its Air Ambulance Program to provide inter-hospital transfer patient care.

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 the aforementioned nurses with the authority to possess, transport, destroy and administer controlled substances when providing inter-hospital transfer patient care within their scope of practice as set out in the guidelines and protocols established by the New Brunswick Department of Health, and subject to the terms and conditions of this exemption.

The exemption is only applicable if the following conditions are met. Nurses must:

- (1) Administer the controlled substances in accordance with protocols regarding the use of controlled substances established by the New Brunswick Department of Health, or under the direction of medical practitioner designated by Ambulance New Brunswick;
- (2) Record all transactions involving controlled substances, i.e., date, name and quantity of controlled substances obtained, administered and returned, and provide such a record to the Designated Administrator, or if the Designated Administrator is absent, their Approved Designate, and the Mapleton Pharmacy in Moncton for record-keeping purposes;
- (3) 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;
- (4) Take necessary steps, in accordance with guidelines established by the New Brunswick Department of Health to ensure the security of the controlled substances in their possession or control;
- (5) Report immediately to the Designated Administrator, or if the Designated Administrator is absent, their Approved Designate, when they become aware of any loss or theft of controlled substances in their possession or in their aircraft;
- (6) Dispose of any unserviceable controlled substances, by either,
 - a) Providing them to a hospital employee or a practitioner in a hospital; or
 - b) Providing them to a Designated Administrator, or if the Designated Administrator is absent, their Approved Design, in accordance with the guidelines concerning controlled substances established by the Ambulance New Brunswick; and
- (7) Obtain controlled substances only from the Designated Administrator, or if the Designated Administrator is absent, their Approved Designate.

This exemption replaces the “Section 56 Class Exemption for Nurses Employed by Ambulance New Brunswick in 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