



# REGULATORY DIRECTION

## Administration and Distribution of Cannabis for Medical Purposes

This regulatory direction<sup>1</sup> was created in collaboration with the College of Licensed Practical Nurses of Newfoundland and Labrador (CLPNL) and outlines the legislative and regulatory requirements for registered nurses (RNs), licensed practical nurses (LPNs), and nurse practitioners (NPs) who are contemplating participating in the administration and distribution<sup>2</sup> of cannabis for medical purposes. This direction has also been provided to assist employers to develop their own policies and processes and for registrants to understand the regulatory implications when their practice involves the administration or distribution of cannabis for medical purposes. (This regulatory direction does not address the NP's role in authorizing the use of cannabis for medical purposes).

RNs, LPNs, and NPs may engage in activities related to the care of clients receiving cannabis for medical purposes, which may include the administration or distribution of cannabis **if the following conditions are met:**

The RN, LPN and NP must:

- be knowledgeable of applicable federal legislation, e.g., *Cannabis Act* and *Cannabis Regulations*; and provincial legislation, e.g., *Cannabis Control Act*, that came into force on October 17, 2018;
- have the individual competence (be educated and authorized) to administer or distribute cannabis for medical purposes:
  - have the necessary knowledge, skill, and judgement and individual competence to administer or distribute cannabis for medical purposes safely, evaluate its effectiveness, and identify and manage adverse effects following administration or distribution (e.g. including, but not limited to, proper understanding of cannabis in its various forms and how the form of cannabis (e.g. dried leaf or oil) may impact dosage, knowledge of possible drug interactions, risks of usage, side effects, contraindications, the risks to children and pets, etc.), and
  - have employer authorization through policy, guidelines, etc. Administration and distribution **can only** be undertaken if the **hospital<sup>3</sup> permits** it. RNs, LPNs, and NPs should also refer to ARNNL/CLPNL's Medication Management document. It is important for RNs, LPNs, and NPs to know their organizational policy and, if no policy exists, to advocate with their employer for the development of a policy;
- verify that the client has a medical document or written order to authorize administration or distribution. Within a hospital setting, there is generally a requirement for a client specific order;
- review the written order authorizing cannabis for medical purposes for the client to ensure it meets all required elements, including the daily quantity of dried cannabis, expressed in grams, that the healthcare practitioner authorizes for the client;
- have a reliable means of authenticating the cannabis (i.e. it has been received from a licensed producer). Clients who receive cannabis for medical purposes from a licensed producer are expected to present to the nurse the cannabis in a container that will generally include a description of the content;
- ensure that informed consent has been obtained from the client. It is the responsibility of the healthcare practitioner (NP or medical practitioner) to both determine whether a client has the legal capacity to consent to the treatment and to obtain informed consent; and
- document assessment of the client, discussions regarding consent, procedures, collaboration and communication with the health care team, and any other pertinent information in accordance with legislative and regulatory requirements, documentation standards, and employer policy.

RNs, LPNs, and NPs can conscientiously object to the administration or distribution of cannabis for medical purposes. They should reflect on their Code of Ethics and determine if they are willing to participate when faced with this ethical dilemma. If nursing care is requested that conflicts with the nurse's moral beliefs and values, but is in keeping with professional practice, the nurse is expected to provide safe, compassionate, competent, and ethical care until alternate care arrangements are in place to meet the person's needs or desires. If nurses can anticipate a conflict with their conscience, they have an obligation to notify their employer in advance so that alternate care arrangements can be made.

If RNs, LPNs, and NPs have specific questions related to cannabis for medical purposes, they can contact their regulatory body. RNs, LPNs, and NPs may also wish to seek legal advice (e.g. Canadian Nurses Protective Society) to better understand the relevant provisions of the *Cannabis Act* and the *Cannabis Regulations*.

**Please note:** This regulatory direction contains updated information from the collaborative memo released by ARNNL and CLPNNL on December 3, 2018, titled: ARNNL/CLPNNL Direction on the Role of RNs, LPNs and NPs in Administering and Distribution of Medical Cannabis.

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<sup>1</sup>This regulatory direction sets out ARNNL and CLPNNL's position at this point in time. It reflects information from multiple sources including professional legal opinions such as the Canadian Nurses Protective Society. If and when either the ARNNL or CLPNNL's position changes or expands, this regulatory direction could be changed accordingly, so please check the website or call your respective organization and/or employer if you have any questions or concerns.

<sup>2</sup>Under the *Cannabis Regulations (2018)*, distribute is defined as "**administering, giving**, transferring, transporting, sending, delivering, providing or otherwise making available in any manner, whether **directly or indirectly**, and offering to distribute". Under subsection 269(2) assistance by adult is defined as "an adult is authorized to administer, give, transfer, provide or otherwise directly make available to the individual to whom assistance is being provided a quantity of cannabis, other than cannabis plants or cannabis plant seeds, that does not exceed the maximum amount that the adult is authorized to possess under subsection 266(6)".

<sup>3</sup>Under the *Cannabis Regulations (2018)*, a "hospital" is defined as "a facility that is licensed, approved or designated by a province under the laws of the province to provide care or treatment to individuals suffering from any form of disease or illness; or that is owned or operated by the Government of Canada or the government of a province and that provides health services". NPs, RNs, and LPNs should consult with their employer to determine which facilities within the province of Newfoundland and Labrador would satisfy the definition of "hospital" within the *Cannabis Regulations*.

Published: July 29, 2019