



**Neighbourhood  
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Association of Canada

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To whom it may concern,

The Neighbourhood Pharmacy Association of Canada (Neighbourhood Pharmacies) appreciates this opportunity to provide comments on recently proposed changes to O. Reg 329/04 under the *Personal Health Information Protection Act, 2004*.

If passed, the proposed regulations would:

- empower Ontario Health to establish interoperability specifications pertaining to digital health assets;
- require health information custodians (HICs) – including pharmacies and pharmacists – to select, develop or use digital health assets compliant with those specifications;
- require Ontario Health to establish a certification process for digital health assets;
- require HICs to submit compliance reports to Ontario Health on request;
- require Ontario Health to establish a compliance monitoring process; and
- establish that enforcement of the regulation would use a complaints-based process through the office of the Information and Privacy Commissioner.

Our feedback also takes into account the discussion paper *Digital Health Information Exchange Policy* posted along with the draft regulation to Ontario's Regulatory Registry.

Neighbourhood Pharmacies represents Canada's leading pharmacy organizations that deliver high value, quality care to Canadians in all models including chain, banner, long-term care, specialty and independent pharmacies as well as grocery chains and mass merchandisers with pharmacies. Our members are home to the most trusted providers of drug therapies, pharmacy-based patient services and innovative healthcare solutions. We advocate for community-based care through our members' high accessibility and proven track record of providing optimal patient care closer to where patients live, work and play. By leveraging close to 11,000 pharmacies conveniently located in every community across Canada, and over 4,600 within the province of Ontario, Neighbourhood Pharmacies aims to advance sustainable healthcare for all stakeholders.

Neighbourhood Pharmacies supports strengthened interoperability of digital health platforms in Ontario. The Ontario government has made its Digital First for Health strategy central to ongoing health system transformation. The government rightly concluded that integrated, patient-centred care is not possible without seamless communication between providers – including interoperability of health data platforms. As significant health information custodians, pharmacies are critical stakeholders in discussions of interoperability.

The ongoing COVID-19 pandemic has further exposed the need for robust and reliable data-sharing platforms, at both individual and system levels, so that health professionals can provide the integrated care their patients need and health system planners can respond to and prepare for current and future health needs. Neighbourhood Pharmacies supports the steps the province has taken in this direction through the recent creation of a Health Data Platform.

### **Seamless communication is fundamental to integrated care**

Neighbourhood Pharmacies supports the government's overall approach to data interoperability in healthcare, including the draft regulation's proposal to empower Ontario Health to create specifications, establish a certification process, and require HICs to select, develop or use digital health assets compliant with those specifications.

We agree that – as stated in the related draft policy – “access and exchange of health information across sectors”, both private and public, is vital to ending hallway medicine and successfully implementing Ontario Health Teams. We further endorse the government's vision of frictionless, reliable and consistent exchange of information across health data platforms. Lastly, we note that the protection of personal health information remains a priority for government as it does for pharmacies and pharmacists.

Additionally, we applaud government initiatives such as the Digital Health Drug Repository (DHDR) and encourage the government to continue this work. However, we also note that there are interoperability initiatives which have not included pharmacy at an early stage, such as the ClinicalConnect and the ConnectingOntario ClinicalViewer. As a result, few pharmacies are connected to these viewers and it has been difficult to scale the benefits they can bring to patients. Recognizing community pharmacists as important front-line healthcare providers at an early stage will help maximize the effectiveness and scalability of interoperability initiatives.

We know that other significant gaps still exist when it comes to interoperability across electronic data systems in the province's fractured health information landscape. We are hopeful that empowering Ontario Health to assess those gaps and create interoperability standards will facilitate seamless communication that has so far eluded our health system.

### **Pharmacists are a central part of patient care teams**

Pharmacies are at the heart of their communities across Ontario, and pharmacists have strong relationships of trust with their patients. Throughout the ongoing pandemic, Ontarians have come to rely on their local pharmacies even more than ever before.

As experts in drug therapies and medication management, and increasingly, integral parts of the public health and primary care systems, pharmacists are routinely consulted by patients and other healthcare providers for advice. They are often the first and most frequent touchpoint Ontarians have with the health system – a fact that has particularly emerged during the COVID-19 pandemic. Whether working in the community, hospital, long-term care, or other health settings, pharmacists are an essential link in the chain of care that should surround every patient.

Pharmacists also have rich and robust data on the millions of patients they serve. In many cases, information on drug claims, pharmacy services and immunizations is readily accessible to the Ministry of Health through the Health Network System. However, the clinical evaluation and expertise that pharmacists provide to their patients, and the information they collect from their patients, are not captured or easily shared with other healthcare providers within the patient's circle of care, creating fragmentation of healthcare services and duplication of resources.

For these reasons, it is essential that pharmacists and pharmacies be included in any approach to improved interoperability. Granting pharmacists appropriate access to their patients' health information contained in the Ontario Laboratories Information System (OLIS), for example, would enable pharmacists to more accurately evaluate safety and effectiveness of medication therapies. Additionally, as pharmacists' scope of practice continues to expand to include point of care testing for disease monitoring, enabling pharmacists to write into OLIS will allow other healthcare providers to access this information to minimize duplication of valuable healthcare resources. As pharmacists continue to expand their role as immunizers, and prescribers, pharmacies will increasingly become healthcare hubs, and pharmacists' contributions and access to patients' health records will ensure seamless continuity of care and avoid duplication or confusion of services received by patients. Fundamentally, this kind of information-sharing would enhance interprofessional collaboration, strengthen the ability of all providers to better care for their patients, and improve access to care by reducing unnecessary hand-offs and duplication of services.

### **Frontline providers and operators must help craft specifications**

Both patients and providers will benefit from increased information-sharing in healthcare, but it is the providers particularly who know what information they need. Specifications for interoperability must be established, amended and maintained in such a way that actually benefits patients, unlocks valuable information for providers, increases interprofessional collaboration, and does not unnecessarily disrupt providers' workflow.

Only front-line providers and operators, including pharmacies, know what information is vitally needed or can be usefully shared. Front-line providers and operators are best positioned to understand how they can best access that information and how it can most usefully be integrated into existing workflows. Front-line providers and operators are best positioned to advise on how to mitigate risks when adopting new specifications. While national and international standards can provide a useful baseline, it's vital that solutions work for Ontario patients and providers.

The proposed policy accompanying the draft regulation suggests an operational working group with sub-committees would be established to oversee the process of establishing, amending and maintaining specifications. Community pharmacies must be represented on this working group and sub-committees. Equally importantly, a clear process for consultation with HICs and the associations that represent them, including Neighbourhood Pharmacies, must be established, and no specifications should be finalized or imposed until this process is in place. Which HICs are exempt from particular specifications, and when and how specifications are implemented, must be among the items requiring consultation. There should also be an evergreen mechanism to submit advice as practice and technology evolve, so that specifications keep pace with health innovation.

Relatedly, the draft regulation would require the Minister to consult with Ontario Health before directing the Agency to establish or amend specifications, a direction with which the Agency must comply. We believe that consultation with HICs, as described above, is every bit as important when the government is giving Ontario Health direction on data interoperability.

The views from the front-lines should be considered very carefully by the Ministry, any working group that may be established, and decision-makers at Ontario Health.

### **Avoiding unintended consequences**

The government's approach to interoperability will only succeed if all providers and vendors work together. To that end, Neighbourhood Pharmacies supports, in principle, the creation of oversight mechanisms and establishment of supports to incentivize use of health digital assets compliant with established interoperability specifications.

Aside from the establishment of a certification program, "technical resources" and access to provincial digital health assets, it is not clear from the draft regulation and accompanying policy what supports are contemplated to help HICs comply with new or amended interoperability specifications. The policy notes that supports may vary by sector and defined by Ontario Health in partnership with the Ministry. Neighbourhood Pharmacies feels it will be important for government to engage front-line providers and operators to better understand what supports would be useful and effectively incentivize compliance. We believe that an approach to adoption based around appropriate supports, rather than punitive measures to dissuade non-compliance, will result in greater support and faster uptake by care providers.

While we appreciate the need for oversight and monitoring, we are concerned that the need to provide compliance reports to Ontario Health on demand, and potential requirements imposed by a monitoring system – which could include paperwork and updates to the Agency when modifying, updating or replacing health data platforms – could introduce unnecessary and onerous red tape and administrative burden on health providers. This could, in turn, dissuade both vendors and HICs from embracing innovations in health information, denying Ontario patients from benefits of new and evolving data platforms.

The Ministry and Ontario Health should continue to work with HICs and vendors to ensure that the right mix of levers and incentives is put in place to ensure better information-sharing and interoperability.

## **Conclusion**

Neighbourhood Pharmacies represents Canada's leading pharmacy brands that deliver high value, quality care to Canadians in all models including chain, banner, long-term care, specialty and independent pharmacies as well as grocery chains and mass merchandisers with pharmacies. Our members are home to the most trusted providers of drug therapies, pharmacy-based patient services and innovative healthcare solutions.

We are pleased to see that the government is moving forward with a long-overdue plan to improve health data assets' interoperability. By allowing health providers to better share patient information you will unlock deeper integration, stronger collaboration and better, more patient-centred care – with a goal of ending hallway healthcare. COVID-19 has cast the current system's gaps in clear relief, but that also provides a significant opportunity to drive real improvements. Pharmacists are eager to work with the Ministry and Ontario Health as you move forward with this ambitious project.

Please do not hesitate to contact me at [shanna@neighbourhoodpharmacies.ca](mailto:shanna@neighbourhoodpharmacies.ca) should you have any questions, comments or concerns.

Regards,

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