
Physicians & NPs authorizing RNs to provide Injections of Botox and other Bioactive Agents

December 4, 2025 - Health Canada has contacted the CPSS and the CRNS (the "Colleges") and expressed concern that some Saskatchewan physicians, NPs and RNs are contravening the *Food and Drugs Act*.

It has advised the Colleges that in order to comply with the *Food and Drugs Act*, a physician or NP must provide a patient specific order (prescription) for each patient to whom an RN will provide an injection of Botox or other bioactive agent. The *Food and Drugs Regulations* ("FDR") define a "prescription" as follows:

prescription means an order given by a practitioner directing that a stated amount of any drug or mixture of drugs specified therein be dispensed for the person named in the order

The *Food and Drug Regulations* establish the following requirements:

- Prior to administration (i.e., sale) of a prescription drug, such as Botox and other bioactive agents, a prescription is required to be issued by a practitioner that includes the stated amount of any drug or mixture of drugs specified therein be dispensed for the person named in the order.
- Bioactive agents, such as botulinum toxin, are listed on the Prescription Drug List, therefore are prescription drugs.

Health Canada has advised the Colleges that "the sale of a prescription drug not pursuant to a prescription and/or by a person who is not entitled under the laws of a province to dispense a prescription drug is in contravention of subsection C.01.041(1) of the FDR."

The Food and Drugs Regulations state:

C.01.041 (1) No person shall sell a prescription drug unless

- (a) they are entitled under the laws of a province to dispense a prescription drug and they sell it in that province under a verbal or written prescription that they received; or
- (b) they sell it under section C.01.043

Health Canada has advised the Colleges that physicians and NPs meet the definition of "practitioners" in the Food and Drug Regulations, but RNs do not.

Pursuant to the current CPSS regulatory bylaw 23.7, some physicians have provided general directives to RNs that purport to authorize the RN to provide injections of bioactive agents, such as Botox, without a specific physician order for individual patients.

Health Canada has advised that if an RN provides an injection of a bioactive agent without a specific order from a physician or NP, that RN contravenes the *Food and Drugs Act*. A physician or NP who allows that to occur may be a party to an offence under the *Food and Drugs Act*.

Additionally, a physician or NP who sells or otherwise makes bioactive agents such as Botox available to an RN can only do so to permit the RN to administer the bioactive agent pursuant to a patient-specific order (prescription). If a physician or NP sells or otherwise makes bioactive agents such as Botox available to an RN without a patient specific order from a physician or a nurse practitioner, the physician may contravene the *Food and Drugs Act*.

The CPSS perspective is that if a physician is to issue a prescription, the physician must have assessed the patient to ensure that the injection of the bioactive agent is appropriate.

Physicians, NPs and RNs can obtain further information about Health Canada's position, the *Food and Drugs Act* and the *Food and Drugs Regulations* in the publication *Compliance and enforcement policy for health products (POL-0001)* which can be accessed at <https://www.canada.ca/en/health-canada/services/drugs-health-products/compliance-enforcement/good-manufacturing-practices/policies-standards/compliance-enforcement-policy-0001.html#s7b>.

The Colleges strongly encourages physicians, NPs and RNs who are involved in the administration of bioactive agents such as Botox to obtain legal advice to ensure that their practice does not contravene the *Food and Drugs Act* or its regulations.

The CPSS Council will revisit regulatory bylaws 23.7 and 23.8 at an upcoming meeting to ensure they align with Health Canada's recent advice and the operation of the *Food and Drugs Act* and the *Food and Drugs Regulations*. The College will circulate notice of any bylaw amendments that result.

Marketing of Botox and other bioactive agents

Health Canada has published a document *Illegal marketing of prescription drugs* which is available at <https://www.canada.ca/en/health-canada/services/drugs-health-products/marketing-drugs-devices/illegal-marketing/prescription-drugs.html>.

Physicians, NPs and RNs involved in the provision of Botox and other bioactive agents should review that information to avoid contravening the *Food and Drugs Act*. That document provides the following guidance with respect to advertising for Botox:

Botox

Botox is an example of a prescription drug that health care providers and clinics sometimes market to consumers. No direct or indirect reference can be made to its therapeutic use and/or benefits.

Commonly encountered marketing issues identified with Botox include:

- videos describing the procedures
- before and after treatment pictures
- pictures alluding to the indications of the drug
- testimonials regarding the therapeutic benefits

The document specifies that direct-to-consumer marketing of prescription drugs (including Botox) is prohibited beyond name, price, and quantity.

The CPSS Council will also revisit regulatory bylaw 27.1 at an upcoming meeting to ensure the advertising rules align with the federal legislation. The College will circulate notice of any bylaw amendments that result.

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