

The Registrar filed an allegation against a pharmacist in charge who left his position without fulfilling his responsibilities as set out by the *Pharmacy Act, 2012* (“Act”) and the *Pharmacy Regulations, 2014* (“Regulations”). The pharmacist initially left the pharmacy on a leave of absence. Before leaving, he failed to ensure that the relief pharmacist hired to work in his absence was authorized to provide Opioid Agonist Maintenance Treatment (“OAMT”). Upon arriving at the pharmacy, the relief pharmacist, who was not authorized to provide OAMT, had to scramble to determine how to obtain the required authorization and to obtain that authorization before providing OAMT to the patients attending the pharmacy that day.

While on the leave of absence, the pharmacist determined that he would not be returning to the pharmacy or to his role as pharmacist in charge. While he resigned his employment with the employer, he failed to notify the NLPB that he intended to leave his position as pharmacist in charge and failed to ensure that the pharmacy license was transferred to someone authorized to act as a pharmacist in charge in the manner required by the NLPB pursuant to the Act and Regulations. The NLPB only became aware that the pharmacist had left his position when the proposed new pharmacist in charge contacted the NLPB to initiate the process of taking over the role. Consequently, the pharmacist also failed to conduct a physical inventory count of narcotics and controlled drugs during the transition to the new pharmacist in charge.

The Complaints Authorization Committee reviewed this matter and found reasonable grounds to believe that conduct deserving of sanction had occurred. The matter was referred to an Adjudication Tribunal. The Adjudication Tribunal found the pharmacist guilty of breaching:

1. Sections 5.1 and 5.2 of the NLPB *Code of Ethics* by failing to take all reasonable steps to provide OAMT service to his patients and failing to ensure that patient care was not compromised when he was unable to provide OAMT services during his leave of absence;
2. Sections 28(1) and 28(2) of the Act and sections 12(a) and 12(b) of the Regulations by failing as pharmacist in charge to actively manage the pharmacy pursuant to the Act and allowing another person to manage the pharmacy; and
3. Section 1.6(c)(ii) of the NLPB *Standards of Pharmacy Operation – Community Pharmacy* by failing to conduct an additional inventory count of narcotics and controlled drugs when the pharmacist in charge changed.

The pharmacist was sanctioned as follows:

1. The pharmacist was reprimanded;
2. The pharmacist was ordered to pay the costs of the investigation and hearings in the amount of \$17,645.03 forthwith;
3. The pharmacist, who was no longer registered to practice pharmacy in NL at the time of the hearings, was restricted from acting as a pharmacist in charge for a period of two years should he obtain a certificate of registration to practice in the province again in the future;
4. Prior to obtaining a certificate of registration in NL in the future, the pharmacist must pay the costs in this matter in full, pass the NLPB’s jurisprudence exam to the satisfaction of the NLPB,

and provide a written declaration that he has read and understands the legislation, regulations, standards, by-laws, and Code of Ethics applicable in NL.