

In the matter of a Complaint made by the Registration and Licensing Committee of the Newfoundland and Labrador Pharmacy Board ("Board"), against a Pharmacist Registrant, a hearing of an Adjudication Tribunal of the Board was held on September 24, 2008.

At the hearing, the Adjudication Tribunal considered and accepted an Agreed Statement of Facts, an Admission Statement from the Registrant, and a Joint Submission on Penalty, all of which had been agreed to by the Registrant and the Secretary-Registrar.

In the Agreed Statement of Facts, the Registrant acknowledged that in 2006 she failed to meet the mandatory continuing education requirements of the Board, as set out in the Pharmacy Regulations and the Standards of Practice. In February 2008 she was sent a letter from the Board requesting that documentation of her Continuing Professional Development for the 2007 year be provided within two weeks, as she had not provided the required documents again for the second year in a row. The Registrant did not send the requested documentation and was sent a follow-up letter in March 2008. When the Board still did not receive the documentation, an allegation was filed with the Complaints Authorization Committee ("CAC"). The CAC referred the matter to a hearing of the Adjudication Tribunal of the Board and suspended the Registrant's license to practice pharmacy until she provided the required documentation.

Prior to the hearing, the Registrant's license was re-instated when she provided documentation to the Board confirming that she had met the requirements for 2007. At the hearing, she plead guilty and admitted to violating sections 5(1), 9(1), 14(1), and 37(1)(w) of the Pharmacy Regulations by virtue of having failed to comply with Continuing Pharmacy Education requirements for re-licensure for two successive years.

The Adjudication Tribunal accepted the Registrant's guilty plea and the Joint Submission on Penalty and ordered as follows:

- (1) The Board shall cause a formal reprimand to be placed on the Registrant's file with the Board, *which shall be considered public information for a period of five years*;
- (2) The Registrant's complete Continuing Pharmacy Education (Continuing Professional Development) Portfolio for 2008 must be submitted to the Board by March 1, 2009. Failure to do so will result in suspension of the Registrant's licence.
- (3) For 2009, the Registrant must submit her continuing education Professional Development Log to the Secretary-Registrar's office on three occasions, being by April 30, August 31, and December 31. On each of these dates she must have completed a minimum of 5 new continuing education units for the 2009 year, such that as of December 31, 2009, she will have achieved 15 continuing education units, as required by the Standards of Practice of Continuing Pharmacy education. Failure to comply will result in an allegation being submitted to the Complaints Authorization Committee of the Board;
- (4) The Registrant's Professional Development activities will be audited for the years 2009, 2010, and 2011;
- (5) The Order of the Adjudication Tribunal shall be published in the Apothecary, on an unnamed basis;

(6) The Registrant shall pay the costs of the investigation and Hearing of the Complaint, within six months of the Order of the Adjudication Tribunal, or as further directed by the Board.

* The italicized ending of item (1) was added by the Adjudication Tribunal to clarify the time period during which the letter of reprimand on the Registrant's file would be considered public information.