

On June 11, 2013, a hearing of the Adjudication Tribunal of the Newfoundland and Labrador Pharmacy Board ("Board") was held in the matter of a Complaint against a Pharmacist Registrant ("Respondent").

At the hearing, the Adjudication Tribunal considered and accepted an Admission Statement by the Respondent, an Agreed Statement of Facts, and a Joint Submission on disciplinary measures, all of which were agreed to by the Respondent and the Registrar of the Board.

In the Agreed Statement of Facts, the Respondent acknowledged that she had been accepting faxed prescriptions that were not faxed in accordance with the standards. She was accepting prescriptions faxed by a delegate of the patient, not by the physician.

It was also alleged in the Complaint that the Respondent was operating a depot contrary to the legislation, however, the prohibition against depots in the *Pharmacy Act* ("Act") was repealed prior to the decision of the Adjudication Tribunal being rendered.

In the Admission Statement, the Respondent pleaded guilty and admitted that her actions violated section 35(c) of the Act, section 12(1)(b) of the *Pharmacy Regulations*, sections 1 and 2 of the *Facsimile Transmission of Prescriptions for Community Pharmacies* Standard of Practice, and section 4 of the *Provision of Pharmacy Services via the Internet or by Distance Delivery* Standard of Practice.

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

- 1) There will be a reprimand in writing placed on the file of the Respondent;
- 2) The Respondent will pay costs in the amount of \$12,000.00, payment to be made within thirty (30) days of this Decision and Order, or such further time as the Board may agree;
- 3) The Respondent will immediately cease and desist in any and all violations of the Standards of Practice of the Board, including those regarding the faxing of prescriptions and/or the delivery of prescriptions, as set out in the Complaint Document;
- 4) Publication of a summary of this Decision and Order will be placed in the newsletter of the Board (The Apothecary) and on the Board website, on a no-name basis;
- 5) The Board will make representation to the relevant Council with respect to the placing of a facsimile machine in the relevant medical clinic with a view to promoting the delivery of prescriptions in accordance with the Standards of Practice of the Newfoundland and Labrador Pharmacy Board.