

A hearing of an Adjudication Tribunal of the Newfoundland and Labrador Pharmacy Board (“Board”) was held on November 2, 2015 in the matter of a Complaint made by Karen Francis against pharmacist David Rogers, registration number 99-869 (“Respondent”), former Pharmacist-in-Charge at Parkside Pharmacy, St. John’s.

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

In the Agreed Statement of Facts the Respondent acknowledged that he stole and ingested narcotic and controlled drugs over the past two years due to his struggle with substance abuse and addiction. He voluntarily relinquished his certificate of registration as a pharmacist to the Registrar, and generally took responsibility for his actions.

In the Admission Statement the Respondent pleaded guilty to violating section 35(c) of the *Pharmacy Act, 2012* (“Act”) defining conduct deserving of sanction, By-Laws of the Board defining Professional Misconduct, and the Code of Ethics adopted by the Board.

The Adjudication Tribunal accepted the Respondent’s guilty plea and the Joint Submission on Penalty and ordered that the Respondent’s certificate of registration, which was voluntarily surrendered to the Registrar, shall remain in the possession of the Board, and shall remain suspended pending satisfaction of the conditions set out below:

The Respondent shall be permitted to re-register as a pharmacist under the Act subject to the Act, Regulations and By-Laws, and the following conditions:

- 1) Mr. David Rogers shall not be registered as a pharmacist and shall not return to practice in a patient care setting until he has produced from a physician of the Board’s choosing acceptable certification in writing that he is medically fit to perform the duties required of a pharmacist practicing in a patient care setting.
- 2) Upon any future re-registration, the following restrictions be placed on Mr. Roger’s registration to practice pharmacy:
 - a) Mr. Rogers is prohibited from being a Pharmacist-in-Charge as defined in the Act for a period of five years or such other time as the Board may permit.
 - b) Mr. Rogers is prohibited from practicing as a sole practitioner in a licensed pharmacy and will be required to practice with another registrant of the Board, until such time as the Board may permit.