

SUMMARY OF DECISION OF THE ADJUDICATION TRIBUNAL
Johanna Elliott – 22-PT264

On March 2, 2023, the Registrar of the Newfoundland and Labrador Pharmacy Board (NLPB) filed an allegation against Johanna Elliott, registration number 22-PT264, a pharmacy technician at St. Clare's Mercy Hospital in St. John's, NL. During the NLPB Complaints Authorization Committee's (CAC) investigation of the allegation, additional concerns were added to the allegation. Following the CAC's review of the allegation, a complaint was referred to an Adjudication Tribunal of the NLPB for a hearing.

Details of Complaint

On April 18, 2024, the Adjudication Tribunal found Ms. Elliott guilty of conduct deserving of sanction pursuant to s. 35(c) of the *Pharmacy Act, 2012* with respect to all aspects of the Complaint as follows:

Count 1: Between January 4, 2023 and January 24, 2023, Johanna Elliott practiced as a pharmacy technician while she was not registered with NLPB to practice as a pharmacy technician.

Count 2: Between January 1, 2023 and October 11, 2023, Johanna Elliott failed to provide proof of active professional liability insurance coverage in a form and amount satisfactory to NLPB for the period of January 1, 2023 to January 17, 2023.

Count 3: Between April 3, 2023 and October 11, 2023, Johanna Elliott failed to respond appropriately or within a reasonable time to:

- a. a written allegation from NLPB;
- b. a CAC Investigation letter;
- c. a subsequent CAC Investigation letter.

By engaging in this conduct, the Adjudication Tribunal found Ms. Elliott guilty of violating the following requirements:

1. section 24(2) of the *Pharmacy Act, 2012*, which requires that only a pharmacy technician registered with NLPB is entitled to work as a pharmacy technician.
2. section 9(1)(a) of the *Pharmacy Regulations, 2014*, which requires all pharmacy technicians to provide proof of continuous professional liability insurance coverage.
3. section 85(q) of the NLPB *By-laws*, which defines "professional misconduct" as including "failing to respond appropriately or within a reasonable time to a written inquiry from the board."

Sanctions

Following a hearing on sanctions, the Adjudication Tribunal accepted a Joint Submission on sanctions that was submitted jointly by Ms. Elliott and NLPB and ordered that:

1. Ms. Elliott is reprimanded;
2. Ms. Elliott's registration to practice as a Pharmacy Technician is to be suspended for a period of forty-five days;
3. Ms. Elliott is to pay a fine of \$1,500.00
4. Ms. Elliott is prohibited from being a preceptor for a period of three years beginning from the end of the period of suspension;
5. Ms. Elliott is ordered to pay a contribution towards the costs of a half-day hearing in the amount of \$2,500.00.