

## Pharmacist Disciplinary Action: What Do Pharmacists Get in Trouble for?

### Mesures disciplinaires imposées aux pharmaciens : pour quelles raisons les pharmaciens ont-ils des ennuis?

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**TABLE 1.** Most common categories and reasons for disciplinary action against Canadian pharmacists

Province	Most common category	Most common reasons for discipline ( <i>n</i> of cases)
Overall (9 provinces; <i>N</i> = 665)	<ol style="list-style-type: none"> <li>1. Professional misconduct (54%)</li> <li>2. Clinical incompetence (39%)</li> <li>3. Dishonest business practices (37%)</li> </ol>	<ul style="list-style-type: none"> <li>• Fraudulent billing (134, 20%)</li> <li>• False/misleading documentation (93, 14%)</li> <li>• Failure to follow college requirements for practice site (91, 14%)</li> <li>• Failure to cooperate with investigation (80, 12%)</li> <li>• Medication: Wrong dose dispensed (62, 9%)</li> <li>• Accepting rebates from drug companies (59, 9%)</li> <li>• Inappropriate prescribing/dispensing of non-narcotics with intent (59, 9%)</li> <li>• Medication: Wrong drug dispensed (53, 8%)</li> </ul>
British Columbia ( <i>n</i> = 3)	<ol style="list-style-type: none"> <li>1. Clinical incompetence (100%)</li> <li>2. Professional misconduct (67%)</li> </ol>	<ul style="list-style-type: none"> <li>• Failure to follow college requirements for practice site (2, 67%)</li> <li>• Dispensing expired/previously dispensed medications (2, 67%)</li> <li>• Sexual abuse (1, 33%)</li> <li>• Breached condition on licence (1, 33%)</li> <li>• Stealing non-controlled medications (1, 33%)</li> <li>• Inappropriate dispensing of controlled drug with intent (1, 33%)</li> <li>• Lying (1, 33%)</li> <li>• Disciplinary case in another jurisdiction (1, 33%)</li> <li>• Practised outside scope (1, 33%)</li> <li>• Breach of infection control procedures (1, 33%)</li> <li>• Compounding (1, 33%)</li> </ul>
Alberta ( <i>n</i> = 71)	<ol style="list-style-type: none"> <li>1. Professional misconduct (80%)</li> <li>2. Dishonest business practices (25%)</li> <li>3. Clinical incompetence (18%)</li> </ol>	<ul style="list-style-type: none"> <li>• Failure to follow college requirements for practice site (17, 24%)</li> <li>• Failure to cooperate with investigations/communications (16, 23%)</li> <li>• Stealing controlled medications (14, 20%)</li> <li>• Misrepresentation of information on college applications/renewals (13, 18%)</li> <li>• Fraudulent billing (12, 17%)</li> </ul>
Saskatchewan ( <i>n</i> = 28)	<ol style="list-style-type: none"> <li>1. Professional misconduct (57%)</li> <li>2. Dishonest business practices (46%)</li> <li>3. Clinical incompetence (18%)</li> </ol>	<ul style="list-style-type: none"> <li>• Fraudulent billing (11, 39%)</li> <li>• Failure to follow college requirements for practice site (7, 25%)</li> <li>• Inappropriate dispensing of non-controlled drugs with intent (4, 14%)</li> <li>• False or misleading documentation (4, 14%)</li> <li>• Inadequate supervision of staff (4, 14%)</li> </ul>

Province	Most common category	Most common reasons for discipline ( <i>n</i> of cases)
Manitoba ( <i>n</i> = 24)	<ol style="list-style-type: none"> <li>1. Professional misconduct (63%)</li> <li>2. Clinical incompetence (50%)</li> <li>3. Dishonest business practices (29%)</li> </ol>	<ul style="list-style-type: none"> <li>• Failure to follow college requirements for practice site (8, 33%)</li> <li>• Failure to monitor/follow-up with patient or prescriber (7, 29%)</li> <li>• False or misleading documentation (6, 25%)</li> <li>• Failure to counsel on a medication (4, 17%)</li> <li>• Inappropriate dispensing of controlled drugs without intent (4, 17%)</li> <li>• Unlicensed business practices (4, 17%)</li> </ul>
Ontario ( <i>n</i> = 186)	<ol style="list-style-type: none"> <li>1. Professional misconduct (70%)</li> <li>2. Dishonest business practices (46%)</li> <li>3. Clinical incompetence (24%)</li> </ol>	<ul style="list-style-type: none"> <li>• Fraudulent billing (65, 35%)</li> <li>• False or misleading documentation (33, 18%)</li> <li>• Inadequate documentation (29, 16%)</li> <li>• Failure to follow college requirements for practice site (29, 16%)</li> <li>• Inappropriate dispensing of controlled drugs with intent (27, 15%)</li> </ul>
Quebec ( <i>n</i> = 317)	<ol style="list-style-type: none"> <li>1. Clinical incompetence (50%)</li> <li>2. Dishonest business practices (39%)</li> <li>3. Professional misconduct (35%)</li> </ol>	<ul style="list-style-type: none"> <li>• Medication: wrong dose dispensed (56, 18%)</li> <li>• Accepting rebates/kickbacks from drug companies (53, 17%)</li> <li>• Medication: wrong drug dispensed (47, 15%)</li> <li>• Fraudulent billing (40, 13%)</li> <li>• Failure to cooperate with college (40, 13%)</li> </ul>
New Brunswick ( <i>n</i> = 5)	<ol style="list-style-type: none"> <li>1. Professional misconduct (100%)</li> </ol>	<ul style="list-style-type: none"> <li>• Stealing controlled medications (2, 40%)</li> <li>• Stealing non-controlled medications (1, 20%)</li> <li>• Failure to maintain privacy/confidentiality (1, 20%)</li> <li>• False or misleading documentation (1, 20%)</li> <li>• Failure to cooperate with college (1, 20%)</li> </ul>
Nova Scotia ( <i>n</i> = 22)	<ol style="list-style-type: none"> <li>1. Professional misconduct (100%)</li> <li>2. Clinical incompetence (23%)</li> <li>3. Dishonest business practices (9%)</li> </ol>	<ul style="list-style-type: none"> <li>• Stealing controlled medications (10, 45%)</li> <li>• Fitness to practice/health impairment (8, 36%)</li> <li>• False or misleading documentation (7, 32%)</li> <li>• Failure to cooperate with college (7, 32%)</li> </ul>
Newfoundland and Labrador ( <i>n</i> = 9)	<ol style="list-style-type: none"> <li>1. Professional misconduct (80%)</li> <li>2. Dishonest business practices (30%)</li> <li>3. Clinical incompetence (10%)</li> </ol>	<ul style="list-style-type: none"> <li>• Failure to cooperate with college (2, 22%)</li> <li>• False or misleading documentation (2, 22%)</li> <li>• Fraudulent billing (2, 22%)</li> </ul>

Green indicates clinical incompetence. Blue indicates professional misconduct. Orange indicates dishonest business practices. As some cases involved more than one category of discipline or more than one violation, percentages do not sum up to 100%.

**TABLE 3.** Most common penalties for Canadian pharmacists

Province	Penalties
Overall (9 provinces; N = 665)	<ol style="list-style-type: none"> <li>1. Fines/costs of the investigation (641, 96%) <ul style="list-style-type: none"> <li>• Fines: 62% of the cases (\$250–\$142,000, median \$5,000)</li> <li>• Costs: 77% of the cases (\$250–\$200,000, median \$7,500)</li> </ul> </li> <li>2. Suspension (293, 44%) <ul style="list-style-type: none"> <li>• Ranging from two weeks to 10 years, median five months</li> </ul> </li> <li>3. Reprimand (269, 40%)</li> <li>4. Professional development (214, 32%) <ul style="list-style-type: none"> <li>• Taking a course (170); audit/practice inspection (50); retaking the jurisprudence exam (38); doing an internship or having a preceptor (32)</li> </ul> </li> <li>5. Conditions placed on licence to practice (174, 26%) <ul style="list-style-type: none"> <li>• Notify employers or patients of discipline history (89); not be a pharmacy manager (81); not be an owner of a pharmacy (78)</li> </ul> </li> <li>6. Publication (118, 18%)</li> <li>7. Licence revocation (41, 6%)</li> <li>8. Ongoing fitness to practice assessments/counselling (38, 6%)</li> <li>9. Resigned licence (10, 1.5%)</li> </ol>
British Columbia (n = 3)	<ol style="list-style-type: none"> <li>1. Licence revocation (3, 100%)</li> <li>2. Fines/costs of the investigation (2, 67%) <ul style="list-style-type: none"> <li>• Costs: 67% of the cases (\$115,000, \$993790.83)</li> </ul> </li> <li>3. Conditions placed on licence to practice (1, 33%) <ul style="list-style-type: none"> <li>• Not own one's own pharmacy; not be a pharmacy manager</li> </ul> </li> </ol>
Alberta (n = 71)	<ol style="list-style-type: none"> <li>1. Fines/costs of the investigation (71, 100%) <ul style="list-style-type: none"> <li>• Fines: 73% of the cases (\$1,000–\$50,000, median \$5,000)</li> <li>• Costs: 97% of the cases (\$1,900–\$120,000, median \$10,000)</li> </ul> </li> <li>2. Conditions placed on licence to practice (44, 62%) <ul style="list-style-type: none"> <li>• Must notify employers/patients of discipline history (32); not own one's own pharmacy (28)</li> </ul> </li> <li>3. Suspension (41, 58%) <ul style="list-style-type: none"> <li>• Ranging from one month to three years, median four months</li> </ul> </li> <li>4. Reprimand (28, 39%)</li> <li>5. Professional development (26, 37%) <ul style="list-style-type: none"> <li>• Retaking the jurisprudence exam (15); taking the ethics course (9)</li> </ul> </li> <li>6. Publication (14, 20%)</li> <li>7. Fitness to practice assessments/counselling (9, 13%)</li> <li>8. Licence revocation (9, 13%)</li> </ol>

Province	Penalties
Saskatchewan (n = 28)	<ol style="list-style-type: none"> <li>1. Fines/costs of the investigation (28, 100%) <ul style="list-style-type: none"> <li>• Fines: 36% of the cases (\$2,000–\$6,000, median \$3,500)</li> <li>• Costs: 100% of the cases (\$2,500–\$45,994.49, median \$12,000)</li> </ul> </li> <li>2. Publication (27, 96%)</li> <li>3. Reprimand (17, 61%)</li> <li>4. Suspension (9, 32%) <ul style="list-style-type: none"> <li>• Ranging from two weeks to nine months, median one month</li> </ul> </li> <li>5. Professional development (8, 29%) <ul style="list-style-type: none"> <li>• Take a course (7); audit/practice inspection (4)</li> </ul> </li> <li>6. Conditions on licence to practice (7, 25%) <ul style="list-style-type: none"> <li>• Must notify employers/patients of discipline history (4)</li> </ul> </li> <li>7. Fitness to practice assessments/counselling (3, 11%)</li> </ol>
Manitoba (n = 24)	<ol style="list-style-type: none"> <li>1. Fines/costs of the investigation (24, 100%) <ul style="list-style-type: none"> <li>• Fines: 21% of the cases (\$250–\$25,000, median \$2,000)</li> <li>• Costs: 100% of the cases (\$250–\$50,000, median \$5,000)</li> </ul> </li> <li>2. Conditions placed on licence to practice (7, 29%) <ul style="list-style-type: none"> <li>• Not be a pharmacy manager (6); not be a preceptor (4)</li> </ul> </li> <li>3. Professional development (4, 17%) <ul style="list-style-type: none"> <li>• Taking a course (2); completing an internship/having a practice monitor (2)</li> </ul> </li> <li>4. Reprimand (4, 17%)</li> <li>5. Fitness to practice assessments/counselling (4, 17%)</li> <li>6. Suspension (2, 8%) <ul style="list-style-type: none"> <li>• In both cases, length was 12 months</li> </ul> </li> <li>7. Licence revocation (1, 4%)</li> <li>8. Publication (1, 4%)</li> </ol>
Ontario (n = 186)	<ol style="list-style-type: none"> <li>1. Reprimand (181, 97%)</li> <li>2. Fines/costs of the investigation (178, 96%) <ul style="list-style-type: none"> <li>• Fines: 4% of the cases (\$348.30–\$70,000, median \$10,000)</li> <li>• Costs: 95% of the cases (\$1,000–\$200,000, median \$6,000)</li> </ul> </li> <li>3. Suspension (152, 82%) <ul style="list-style-type: none"> <li>• Ranging from one month to 30 months, median four months</li> </ul> </li> <li>4. Professional development (146, 78%) <ul style="list-style-type: none"> <li>• Taking a course (137); audits/practice inspection (26); retaking the jurisprudence exam (17)</li> </ul> </li> <li>5. Conditions placed on licence to practice (92, 49%) <ul style="list-style-type: none"> <li>• Not be a pharmacy manager (74); not own one's own pharmacy (44); must notify employers/patients of discipline history (41)</li> </ul> </li> <li>6. Licence revocation (23, 12%)</li> <li>7. Fitness to practice assessments/counselling (7, 4%)</li> <li>8. Resigned licence (6, 3%)</li> </ol>

Province	Penalties
Quebec ( <i>n</i> = 317)	<ol style="list-style-type: none"> <li>1. Fines/costs of the investigation (306, 97%) <ul style="list-style-type: none"> <li>• Fines: 90% of the cases (\$1,000–\$142,000, median \$5,000)</li> <li>• Costs: 57% of the cases (amount not typically specified)</li> </ul> </li> <li>2. Suspension (68, 21%) <ul style="list-style-type: none"> <li>• Ranging from one month to six years, median one year</li> </ul> </li> <li>3. Publication (49, 15%)</li> <li>4. Conditions placed on licence to practice (5, 2%) <ul style="list-style-type: none"> <li>• Not own one's own pharmacy (3); not order narcotics (2)</li> </ul> </li> <li>5. Professional development (4, 1%)</li> <li>6. Licence revocation (2, 0.6%)</li> <li>7. Resigned licence (1, 0.3%)</li> </ol>
New Brunswick ( <i>n</i> = 5)	<ol style="list-style-type: none"> <li>1. Fines/costs of the investigation (5, 100%) <ul style="list-style-type: none"> <li>• Fines: 100% of the cases (\$2,000–\$3,000, median 2,000)</li> <li>• Costs: 100% of the cases (\$2,500–\$16,000, median \$5,000)</li> </ul> </li> <li>2. Professional development (5, 100%) <ul style="list-style-type: none"> <li>• Taking a course (4); completing an internship/having a practice monitor (2); audits/practice inspections (1)</li> </ul> </li> <li>3. Publication (5, 100%)</li> <li>4. Conditions placed on licence to practice (4, 80%) <ul style="list-style-type: none"> <li>• Not be a preceptor (3); not be a pharmacy manager (3); not own one's own pharmacy (2); keep detailed records (2)</li> </ul> </li> <li>5. Reprimand (4, 80%)</li> <li>6. Suspension (2, 40%) <ul style="list-style-type: none"> <li>• One year, three years</li> </ul> </li> <li>7. Fitness to practice assessments/counselling (2)</li> </ol>
Nova Scotia ( <i>n</i> = 22)	<ol style="list-style-type: none"> <li>1. Fines/costs of the investigation (20, 91%) <ul style="list-style-type: none"> <li>• Fines: 86% of the cases (\$500–\$10,000, median \$2,500)</li> <li>• Costs: 91% of the cases (\$2,500–\$100,000, median \$7,500)</li> </ul> </li> <li>2. Publication (20, 91%)</li> <li>3. Reprimand (17, 77%)</li> <li>4. Suspension (16, 73%) <ul style="list-style-type: none"> <li>• Ranging from one month to two years, median six months</li> </ul> </li> <li>5. Professional development (15, 68%) <ul style="list-style-type: none"> <li>• Audits/practice inspections (12); take a course (10)</li> </ul> </li> <li>6. Conditions placed on licence to practice (10, 45%) <ul style="list-style-type: none"> <li>• Must notify employers/patients of discipline history (8); not practice alone (7); not order narcotics (6)</li> </ul> </li> <li>7. Fitness to practice assessments/counselling (9, 41%)</li> <li>8. Licence revocation (3, 14%)</li> <li>9. Apology (2, 9%)</li> </ol>

Province	Penalties
Newfoundland and Labrador ( <i>n</i> = 9)	<ol style="list-style-type: none"> <li>1. Fines/costs of the investigation (7, 78%)               <ul style="list-style-type: none"> <li>• Fines: 33% (\$500, \$3,000, \$5,000)</li> <li>• Costs: 78% (amount specified in only three cases, ranging from \$5,000 to \$30,000)</li> </ul> </li> <li>2. Professional development (6, 67%)               <ul style="list-style-type: none"> <li>• Complete an internship/have a practice monitor (4); audits/practice inspections (3)</li> </ul> </li> <li>3. Conditions placed on licence to practice (4, 44%)               <ul style="list-style-type: none"> <li>• Limit to number of patients seen (3); not practice alone (2); must notify employers/patients of discipline history (1); not dispense controlled drugs (1)</li> </ul> </li> <li>4. Reprimand (4, 44%)</li> <li>5. Suspension (3, 30%)               <ul style="list-style-type: none"> <li>• Length of suspension provided in only one case (five months)</li> </ul> </li> <li>6. Resigned licence to practice (3, 33%)</li> <li>7. Publication (2, 22%)</li> </ol>