Pharmaceutical Society of Northern Ireland

OUTCOME OF FITNESS TO PRACTISE HEARING

Case Number	2010/04
Name	Mr Michael Scullin
Registration Number	3995
Date of Hearing	27th October 2010
The Notice of Allegation	It was alleged that; 1) On various dates between the 12th of May 2009 and 19 August 2009 whilst working as the Pharmacist at the Dairy Farm Pharmacy, Stewartstown Road, Belfast that Mr Scullin on three occasions dispensed to a patient of Woodbrooke Medical Practice a medicinal product, namely furosemide, other than in accordance with a prescription in contravention of Section 58 of the Medicines Act 1968. 2) On each occasion that Furosemide was dispensed (as listed at 1 above) Mr Scullin failed to ensure that Mr Scullin had in his possession a valid prescription prior to dispensing Furosemide to the patient. 3) Mr Scullin failed to take proper or adequate steps to contact the prescriber to confirm whether the patient should still have had furosemide dispensed. 4) Mr Scullin caused, allowed and permitted the patient to take medication that had been specifically discontinued by his general practitioner due to health concerns, namely an electrolyte imbalance. 5) On 12th June 2009 and on 24th July 2009, the said patient was admitted to hospital suffering from severe hypokalemia. Woodbrooke Medical Practice was not aware that the Patient was still taking Furosemide and it is unclear whether the Hospital was aware of this. This had the potential to impact upon effective diagnosis and treatment 6) Mr Scullin failed to comply with the following principles of the Pharmaceutical Society of Northern Ireland's Code of Ethics and Practice and with the associated obligations; **Code of Ethics Pre-June 2009:** Principle 3 A pharmacist must at all times have regard to the laws and regulations applicable to pharmaceutical practice and maintain a high standard of professional conduct. A pharmacist must avoid any act or omission which would impair confidence in the pharmaceutical profession. When a pharmaceutical service is provided, a pharmacist must ensure that it is efficient.

	Principle 9 A pharmacist must at all times endeavour to co-operate with professional colleagues and members of other health care professions so that patients and the public may benefit. **Code of Ethics Post-June 2009:** Principle 1: Make the safety and welfare of patients your prime concern Obligations: 1.1 Act in a manner that promotes the well being and safeguards the health and welfare of patients. 1.4 Provide appropriate treatment and care based on relevant information you have available to you. Where appropriate, consult with other agencies and signpost or refer patients to other health and social care professionals and/or relevant organisations. 1.5 Ensure as far as possible the clinical appropriateness of medicines supplied to patients and their safe and timely access to them. Principle 8: Provide a high standard of practice and care at all times Obligations: 8.1 Communicate, co-operate and work effectively with colleagues within and outside the profession.
Determination	The Committee determined the following: o That the facts constituted misconduct as set out in the notice of inquiry. o The misconduct called for censure o The registrant had shown remorse apologised to the patient and identified the error to the patients GP o The registrant had since the incident reviewed and amended the pharmacy's standard operating procedures o The registrant had provided previous good record and character testimonials Having regard to all those matters and having regard to the duty to be proportionate in the decision the Committee were of the view that it would not be proportionate to the offence which is described, to strike Mr. Scullin off the Register and did not exercise that option
Time Scale for Enactment	Immediate

Chair of Committee	Mr Tim Ferris QC
Members of the Fitness to Practise Committee	Mr Tim Ferris QC (in the chair) Dr Terence Maguire Mr Roy Junkin Ms Miriam Karp Mr Andrew Thomson
Society Counsel	Mr John Paul Shields, instructed by Alan Gibson (Cleaver Fulton Rankin)
Registrant Counsel	Ms Jacqui Simpson, instructed by Ms Leigh Linton (Carson McDowell)
Clerk of Committee	Mr Brendan Kerr