Pharmaceutical Society of Northern Ireland

OUTCOME OF FITNESS TO PRACTISE HEARING

Case Number	2011/01
Name	Mrs Paula Donnelly
Registration Number	3339
Date of Hearing	27th and 28th January 2011
The Notice of Allegation	It was alleged that; 1 That on various dates between 1st March 2007 and 3rd February 2009, whilst working as a Pharmacy Manager at Lloyds Pharmacy, 1 Meeting Street, Magherafelt, Mrs. Donnelly repeatedly and consistently dispensed prescription only medicines to vulnerable adults, who were residents of Hollybank Supported Living, other than in accordance with a prescription in contravention of Section 58 of the Medicines Act 1968. 2. Over the period of approximately 2 years, identified above, Mrs. Donnelly consistently and repeatedly: a. failed on occasions to ensure that she had in her possession any valid prescription prior to dispensing Prescription Only Medicines; b. prepared and supplied monitored dosage trays to residents of Hollybank with Prescription Only Medicines relying upon backing sheets and Medical Administration Records without any appropriate contact with the prescriber; c. amended and adjusted the supply of prescription only medicines given to residents of Hollybank, not by reference to the prescriber but on foot of information given to her by staff working at Hollybank d. failed to take proper or adequate steps to contact the prescriber to confirm whether the residents of Hollybank should still have had a prescription only medicine dispensed, prior to its supply e. improperly assumed the roles of both prescriber and dispenser of prescription only medicines f. failed to maintain and update Patient Medication Records in the pharmacy g. failed to check the Patient Medication Records prior to dispensing the said Prescription Only Medicines h. failed to follow the Pharmacy's established Standard Operating Procedures i. caused, allowed or permitted Prescription Only

	Medicines to be supplied to residents of Hollybank which were incorrectly labeled. 3. That as a result of the matters alleged at 1 and 2 above, whether taken individually or cumulatively, she created a risk to patient safety. 4 She failed to comply with the following principles and associated obligations of the Pharmaceutical Society of Northern Ireland's Code of Ethics and Practice; 4.1 Principle 1 – A pharmacist's prime concern must be for the welfare of both the patient and other members of the public. 4.2. Principle 2 – A pharmacist must uphold the honour and dignity of the profession and not engage in any activity which may bring the profession into disrepute. 4.3. Principle 3 - A pharmacist must at all times have regard to the laws and regulations applicable to a 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. 4.4. Principle 9: A pharmacist must at all times endeavour to co-operate with professional colleagues and members of other health professions so that patients and the public may benefit. 5 By her acts or omissions she has (a) brought the profession into disrepute, (b) failed, on a professional basis, to observe the principles set out above and (c) undermined public confidence in the profession.
Determination	The Committee determined the following: That the case amounted to misconduct which impacts on her fitness to practise as a pharmacist. The chairman listed the mitigating factors of the case which were considered to be:

	(a) The difficult working circumstances as described by Mrs Donnelly, which may form the context of her misconduct but do not excuse or justify her misconduct. (b) The difficulties arising from her husband's illness and the pressures on herself arising from caring for a very young family. (c) Her previous good character, by which we mean the fact that she had previously practised as a pharmacist for in or about 1999 without any misconduct. (d) Her ready admission that she was the one at fault and without seeking to blame any other individual. (e) The fact that there was no evidence that any patient at Hollybank did in fact suffer any harm, though there was the potential for such. (f) She has been dismissed from her employment with Lloyd's. On the other hand, she has stated that for domestic and family reasons, she would not presently be available for such work and may not be so for perhaps another two years into the future. The chairman then listed the aggravating features which were considered to be as follows: (a) The patients involved were vulnerable. (b) The misconduct was repeated over a prolonged period of time and until it was brought to light by others. (c) There was potential injury to patients as there must always be if prescription only medicines are dispensed other than at the direction of a doctor by means of a prescription. (d) The misconduct by Mrs Donnelly was committed by her whilst in charge of the relevant premises. The decision of the committee was that Mrs Donnelly should be removed from the register. She is can apply for restoration to the register in the future, though normally should an application would not be entertained for at least three years. .
Time Scale for Enactment	I Three months from date of inquiry i.e.28th April 2011
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
Society Counsel	Mr John Paul Shields, instructed by Aaron Moore (Cleaver Fulton Rankin)
Registrant Counsel	Ms Jacqui Simpson, instructed by Ms Clare Bates(Carson McDowell)
Clerk of Committee	Mr Brendan Kerr