

**OUTCOME OF FITNESS  
TO PRACTISE HEARING**

<b>Case Number</b>	2009/05
<b>Name</b>	Mr Parimal Bavalia
<b>Registration Number</b>	2846
<b>Date of Hearing</b>	24 <sup>th</sup> July 2009
<b>The Notice of Allegation</b>	<p>1 It is alleged that on 30 September 2008 whilst working as the Pharmacist at the Pharmacy at 12 Merville Garden Village, Newtownabbey that in contravention of Section 58 of the Medicines Act 1968 Mr Bavalia dispensed a medicinal product other than in accordance with a prescription causing, allowing or permitting a patient to be dispensed with the wrong medicine;</p> <p>2 He failed to comply with the following principles of the Pharmaceutical Society of Northern Ireland's Code of Ethics and Practice;</p> <p>2.1 Principle 1 – A pharmacist's prime concern must be for the welfare of both the patient and other members of the public.</p> <p>2.2 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.</p> <p>2.3 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.</p> <p>2.4 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</p> <p>The Committee met at 73 University Street Belfast BT7 1HL for the purpose of making Inquiry into the case and ascertaining the facts in relation to the matters listed, and subject to the provisions of the Pharmacy (Northern Ireland) Order 1976 to consider directing the removal of Mr Bavalia from the Register.</p>

<b>Determination</b>	<p>The Committee after inquiring into this matter considered that while Mr Bavalia's prescription dispensing error amounted to misconduct, it was <u>not</u> such as to merit his striking off from the Register of Pharmacists.</p> <p>His failure to keep his SOPs up to date and appropriate was the subject of criticism by the Committee, who noted that Mr Bavalia is in the process of reviewing his SOPs and is in touch with the Pharmacy Inspector in relation to this matter.</p>
<b>Time Scale for Enactment</b>	Immediate
<b>Chair of Committee</b>	Mr Tim Ferris QC
<b>Members of the Fitness to Practise Committee</b>	<p>Mr Tim Ferris QC (in the chair)</p> <p>Dr Terence Maguire</p> <p>Ms Hilary Rea</p> <p>Mr Roy Junkin</p> <p>Ms Miriam Karp</p>
<b>Society Counsel</b>	Mr John Paul Shields, instructed by Aaron Moore (Cleaver Fulton Rankin)
<b>Registrant Counsel</b>	Mr Jonathan Dunlop, instructed by Patricia Rooney & Niall McSorley (Carson McDowell)
<b>Clerk of Committee</b>	Mr Brendan Kerr