

The Response



The complaint may be from a while ago and you may need to do some investigating:

- Review details around the event
- Who was involved – check who was on duty and the chain of command
- Who was responsible – the RP often gets the complaint and will need to identify the persons involved
- What actually happened – how and why
- Gather evidence
- Prepare a factual response with reference to evidence

Evidence



- Copies of prescriptions, invoices, till slips
- SOPs showing procedures that should be followed
- Video footage if available
- Witness testimonies as affidavits
- Copies of duty rosters to prove who was involved
- Screen shots of dispensing times and names of dispensers
- Signed copies of medicine receipt

You need to support your response with hard evidence

Submit Your Response Timeously



You are writing to your statutory Council and your response should

- Reflect your professional and ethical attitude
- Demonstrate a willingness to be accountable & co-operative
- Contain facts rather than emotional outbursts
- Be respectful
- Not attack the complainant (they are entitled to their opinion)
- Not prejudice yourself further (remember you do have the right not to respond)
- Be delivered on time in a professional manner

Case Study – Dispensing Error

Elderly patient, Mrs A, receives medication labelled Lansoloc 30mg Caps x 6, one daily with a balance 24 to follow.



- She takes the medication as prescribed
- When the balance arrives the capsules are red & white while the first 6 capsules were all white.
- She doesn't know what she has taken
- Calls her son in a panic
- He storms into the pharmacy for an explanation

The pharmacist on duty explains that they were out of stock of Lansoloc® 30mg and that they gave 6 Lancap® to tide Mrs A over until the Lansoloc arrived.

Scenario 1



The pharmacist apologises for not correcting the name on the bottle and calling Mrs A to explain the substitution. He dispenses the correct medication for the patient.

The son is satisfied with the explanation.

The pharmacist notes the incident in his Incident Book and informs all the staff on how to handle a similar situation in the future.

Scenario 2



The son is not satisfied with the explanation and lodges a complaint with SAPC. He doesn't know who helped him so the Letter is addressed to the RP.

The RP responds in full with evidence to the Council. He was not on duty and he gives details of the pharmacist and pharmacist's assistant that were on duty.

Council sends the complaint to the identified persons requesting their explanations.

Scenario 2 Continued



The matter is heard at CPI. Based on the evidence CPI recommends:

1. No further action against the RP
2. The pharmacist – referral to CII as a dispensing error due to lack of supervision of PSP
3. The Pharmacist's Assistant Post Basic – referral to CII for a dispensing error

Outcome



The pharmacist signed the consent order and paid the fine. Case closed.

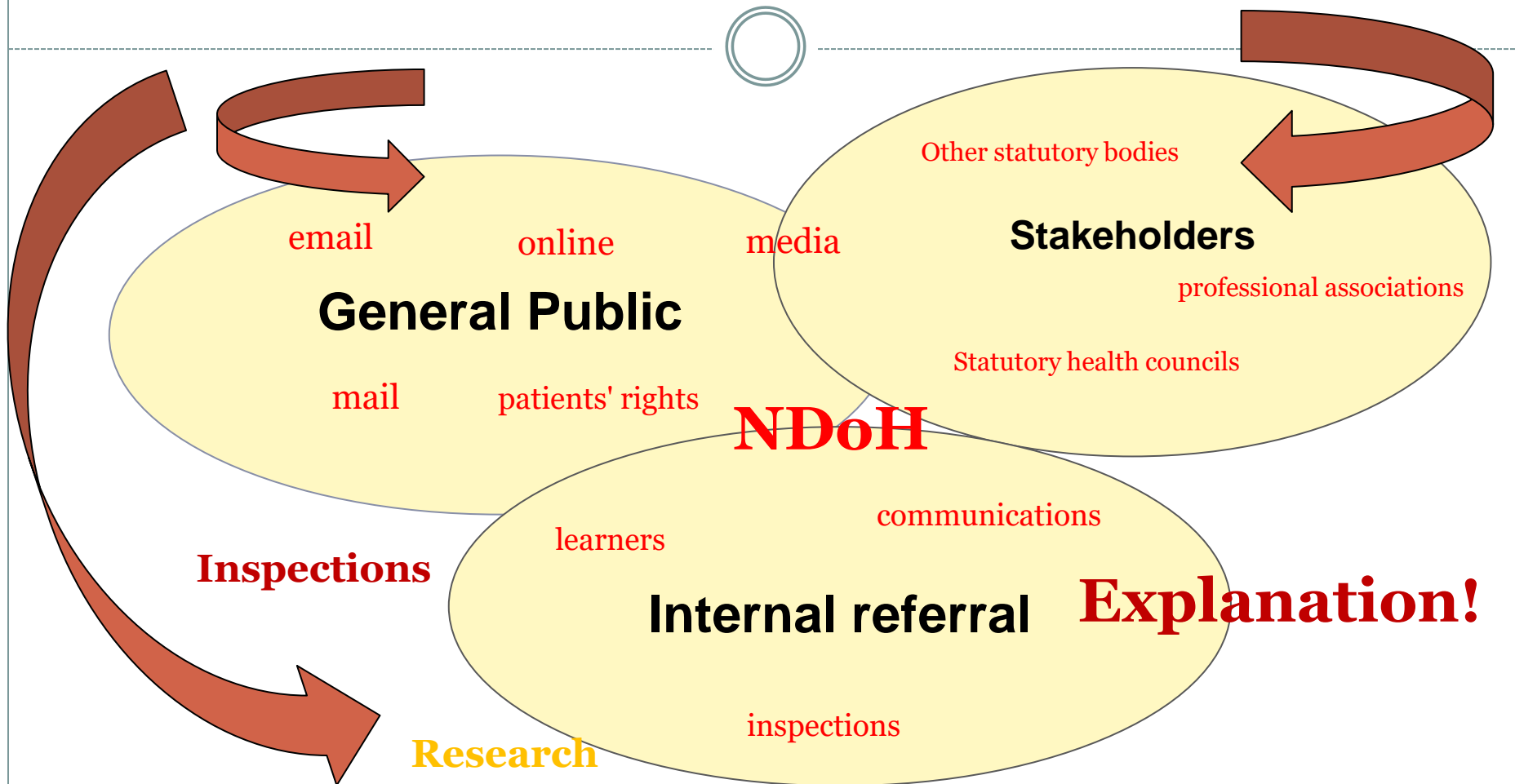
The Assistant ignores the letter.
CII refer the matter to CFI.

The Assistant is found guilty of a minor dispensing error with no prejudice or harm at CFI. He has a fine, a cost order and now has a permanent record of unprofessional conduct against his name.

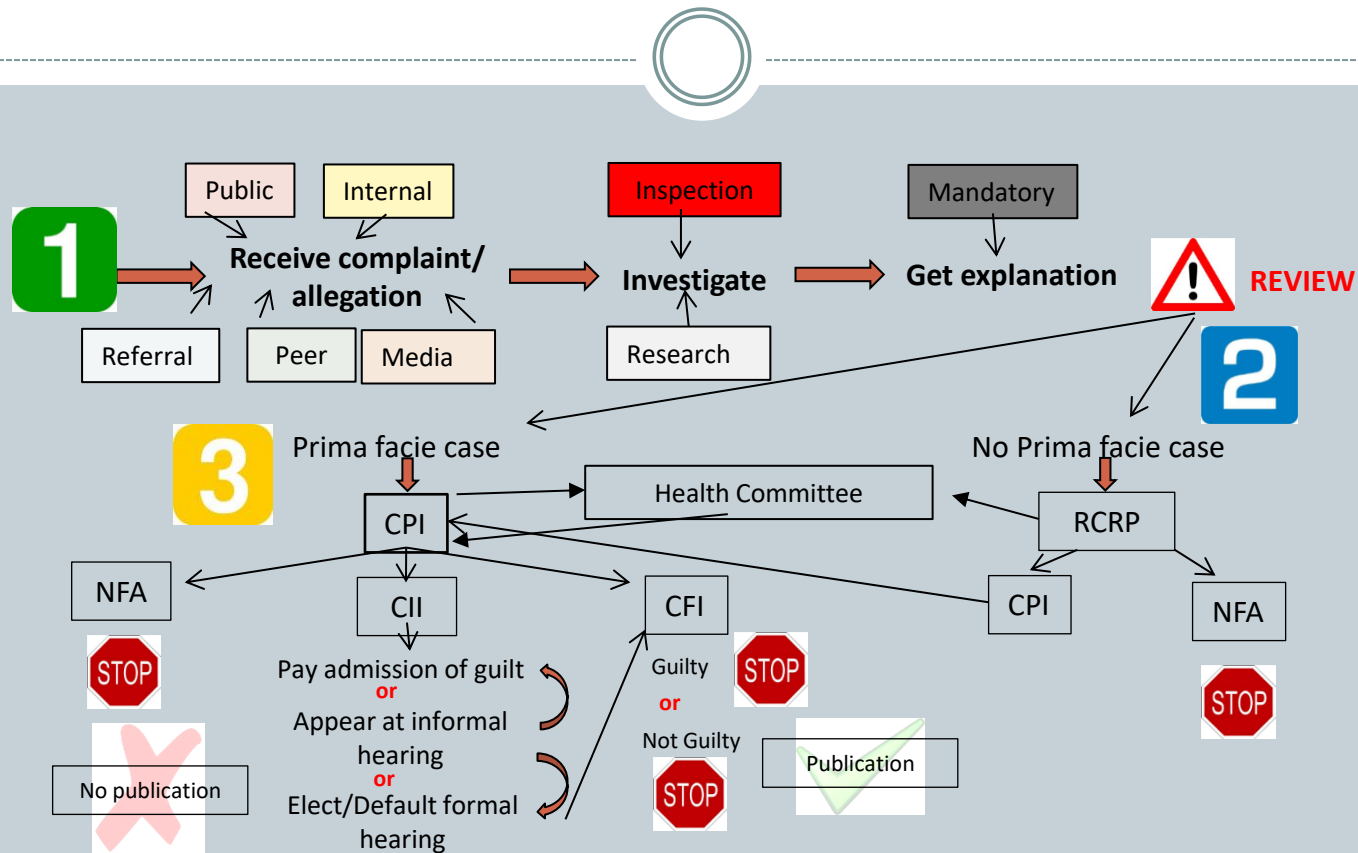
Questions?



Source of Complaints



Disciplinary Action in practice



Disciplinary Committee Structures



Committee of Preliminary Investigation (CPI)

- Council Members
- Review on paper
- Internal legal support

- No further action
- Informal Inquiry
- Formal Inquiry

Committee of Informal Inquiry (CII)

- Council Members
- Pro-forma complainant – pharmacist
- No legal representation
- Informal proceedings – Q&A

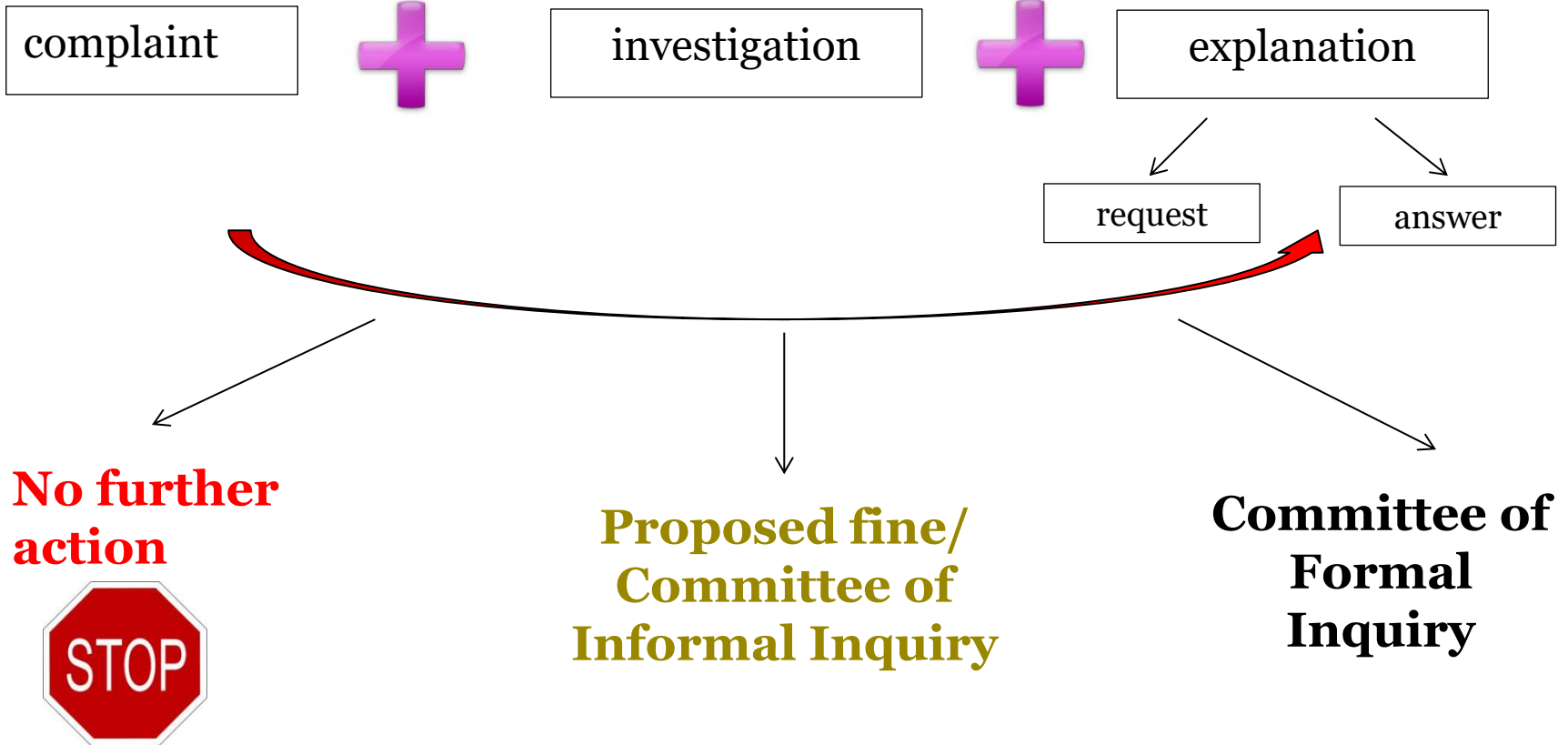
- Pay admission of guilt fine
- Informal hearing
- (guilty/not guilty/formal)**
- Formal hearing

Committee of Formal Inquiry (CFI)

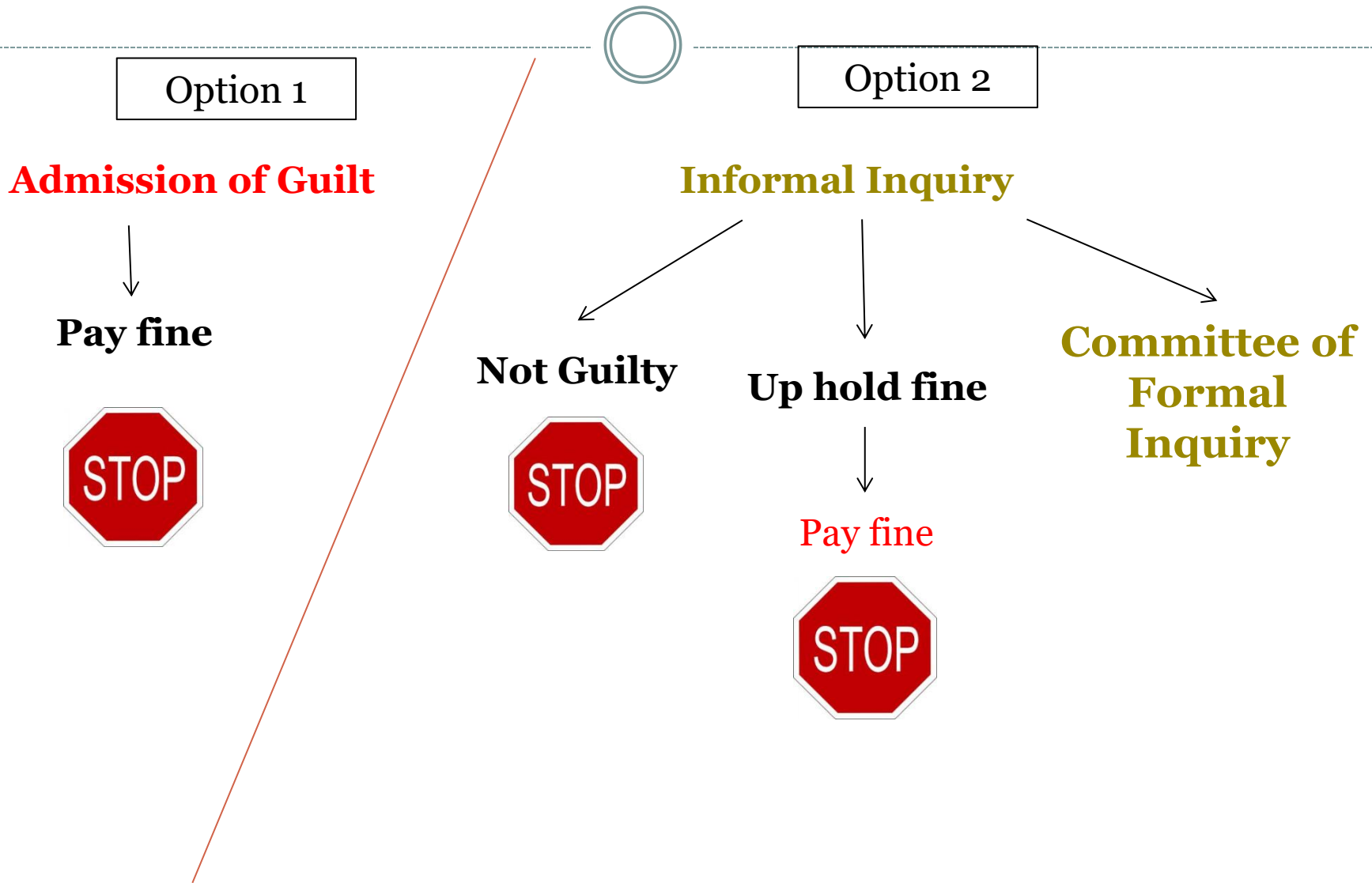
- Council Members
- Legal advisor
- Legal representation

- Not guilty
- Guilty with sanctions

Committee of Preliminary Investigation



Committee of Informal Inquiry



Committee of Formal Inquiry



OUT COMES



suspended

Warning/reprimand

Fine

Suspension

Removal from register



Questions?



Handout documents



- In the handout section:
 1. Chapter V of the Pharmacy Act
 2. Regulations relating to the conduct of inquiries in terms of Chapter V of the Act
 3. Rules relating to acts and omissions
“Ethical Rules”
 4. Rules relating to the Code of Conduct

https://www.pharmcouncil.co.za/G_PublicationsB.asp



Recording of this webinar



- This webinar is recorded
- Link will be communicate to you via PSSA Newsletter and/or ICPA Newsflash



Post-webinar survey



- Please participate in the post-webinar survey, in order for us to monitor the impact of this webinar



SAPC elections 2018



Conclusion



Thank you for attending this webinar!

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