

Welcome to the second newsletter from the Pharmacy Council. This newsletter contains important information to help you with your practice as a pharmacist.

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- Fees
- The Health Practitioner Index (HPI) and you
- The new Code of Ethics
- Recent disciplinary decisions
- Frequently asked questions—what is practising and returning to practice?

Fees

The Pharmacy Council Fees have now been confirmed. A full list of all fees is on the Pharmacy Council website www.pharmacycouncil.org.nz under *Pharmacists /Fees*.

It is important to note that the Pharmaceutical Society of NZ (Inc) is no longer the statutory or regulatory body for pharmacists. Membership of PSNZ (Inc) is voluntary and does not entitle you to practise as a registered pharmacist. Registration as a pharmacist can only be maintained through the Pharmacy Council.

Change in Invoice Date

The Annual Practising Certificate (APC) year is now 1 April to 31 March (previously it was 1 January to 31 December). While all pharmacists registered under the Pharmacy Act prior to 18 September 2004 have received a new registration card with an expiry date of 31 March 2005, payment has only been received for the year to 31 December 2004.

Invoices will be sent in February 2005 to cover the 15 month period 1 January 2005 to 31 March 2006. These must be paid by 31 March 2005.

Fees for practice or register retention for 1 January 2005 to 31 March 2006

Pharmacist APC Fee (includes disciplinary levy)	\$465.00
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Pharmacist Register Retention Fee	\$112.50
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All fees are inclusive of GST

Please note: *these fees are for the 15 month period of 1 January 2005 until 31 March 2006.* The annual fees of \$365 for an APC and \$85 per year for registration retention (on the non practising register) published in the September Newsletter and since gazetted are for a 12 month period. These amounts will be invoiced in 2006. Intern pharmacists have different fees and have been advised of these separately.

Introducing the Pharmacy Council Staff

Bronwyn Clark Registrar & General Manager	DDI 04 495 0332
Jenny Ragg Deputy Registrar	DDI 04 495 0334
Sandy Bhawan Competence Policy Advisor	DDI 04 495 0337
Jan Clare Professional Standards Pharmacist	DDI 04 495 0338
Maree Dawson Administrator	DDI 04 495 0335
Susan McKibbin Registrations Officer	DDI 04 495 0333
Claire Paget-Hay Office Manager	DDI 04 495 0336
Mary Yee Accountant	DDI 04 495 0339

To contact any of the staff members type their email address in this format:

initial.surname@pharmacycouncil.org.nz - eg
s.mckibbin@pharmacycouncil.org.nz

We would like to take this opportunity to wish everyone a Merry Christmas and all the very best for 2005. The Pharmacy Council office will be closed Monday 27th December 2004 to Tuesday 4th January 2005 and will reopen on Wednesday 5th January 2005.

➤ Health Practitioners Index (HPI)

Further to the consultation document sent by the Pharmacy Council with the September 2004 Newsletter, the Council has now agreed to provide pharmacist registration information to the Ministry of Health for the Health Practitioner Index (HPI). The public information that will be given includes name, qualifications, scope of practice, conditions on practice and practising status. The Ministry has also requested address information, which is available publicly unless a pharmacist writes to the Council expressly advising that this information is not to be made available.

In addition to the public information, the Council will supply date of birth and gender **ONLY** for the purpose of matching data, and these fields will not be available for public search. The Council has this assurance from the Ministry of Health.

➤ Changes to the Code of Ethics

Since the Health Practitioners' Competence Assurance Act came into effect on September 18 2004, the Pharmacy Council of New Zealand is responsible for prescribing the Code of Ethics for the pharmacy profession.

There are only a few changes that pharmacists and interns need to be aware of.

The main one is that wherever there is a reference to a pharmacist in the Code of Ethics, the same principle applies to an intern pharmacist. This is because the scopes of practice of pharmacists and interns are essentially the same, apart from the fact that an intern is always practising under the supervision of a registered, practising pharmacist.

Other changes which mention the Pharmacy Council of NZ are:

- Pharmacists are obliged to bring a breach of the Code of Ethics to the attention of the Registrar of the

Pharmacy Council of NZ.

- Where the Pharmacy Council of NZ has prescribed a protocol for the sale or supply of a medicine or group of medicines, the pharmacists must comply with the protocol.
- The pharmacist must maintain a working knowledge of current Acts and Regulations, Rules, Codes and Council statements which impact on their area of pharmacy practice and comply with the obligations contained therein at all times.
- 'Competence' referred to in Code 5.3 refers to the Competence Standards for New Zealand Pharmacy, adopted by the Pharmacy Council of NZ in 2004.
- The commentary to the Code of Ethics does not cover every situation. When in doubt, the advice of the Pharmacy Council should be sought.

MPS or Registered Pharmacist?

Member pharmacists of the Pharmaceutical Society of New Zealand (Inc) may retain the letters MPS (Member of the Pharmaceutical Society) after their name. If pharmacists choose not to join the Pharmaceutical Society, they may call themselves 'Registered Pharmacists', whether they are on the practising or non-practising register.

Pharmacist Changes since 18 September 2004

Obituary – Pak Leng Young, Michael John Barkman, Brian Lindsay Love

Pharmacists Registered – Emma-Jane Sheals, Melinda Jane Keene, Nathan John Wood, George Batchelor, Adam Trevor Hepplewhite, Kathryn Grace Newlands, Gerard Turner, David John Bryan, Joanne Morrison Robertson, Marie Stella Bolton

Removed from Register – Kerry Donald Bell

Pharmacists Voluntarily Removed from Register – Colin John Ross, Diana Margaret Olsen

Changed Your Address?

Remember to notify the Pharmacy Council—s.mckibbin@pharmacycouncil.org.nz

Recent Disciplinary Decisions

Pharmacist Removed from the Register: Kerry Donald Bell

In September 2004 the Pharmaceutical Society of New Zealand accepted a report of the Society's Disciplinary Committee in relation to convictions against Mr Kerry Bell entered in the Auckland District Court in respect of 51 offences under the Medicines Act 1981. The charge against Mr Bell related to the retail sale of prescription medicines through the internet, between December 2000 and January 2002.

In making its report the Disciplinary Committee said:

"The Committee was most perturbed Mr Bell had chosen to sell prescription medicines without a prescription from a medical practitioner or authorised prescriber. Mr Bell's conduct ... was completely inexcusable and constituted a flagrant disregard of the most basic tenets of the profession. The magnitude of Mr Bell's ventures leaves no room for doubting Mr Bell chose to disregard his most elementary professional obligations ... [and his] conduct was both cynical and calculated. Many of the prescription medicines in question have significant potential risks. The fact Mr Bell's motive was financial greed merely underscores the Committee's belief that there is no room in the New Zealand profession for Mr Bell."

Mr Bell's name has been removed from the Register of Pharmacists in New Zealand. He was ordered to pay 50% of the Committee's costs (\$11,380.00). Council accepted the Committee's recommendation to publish a summary of the findings identifying Mr Bell.

Professional Misconduct in Relation to Dispensing Errors

In September 2004 the Pharmaceutical Society of New Zealand accepted two reports from the Society's Disciplinary Committee which had found that the pharmacists had been guilty of professional misconduct. Both matters were the result of dispensing errors, one charge being brought by the Director of Proceedings and the other by the Society.

- 1) The charge brought by the Director of Proceedings related to a dispensing error where nefazadone (trade name Serzone®) was dispensed instead of the prescribed quetiapine (trade name Seroquel®). One of the reasons the Disciplinary Committee advanced in support of its finding was:

"The importance which the community places upon accurate dispensing. There is no room to challenge the proposition that pharmacists must always maintain the highest level of vigilance when dispensing medicines. Accurate dispensing is a lynchpin of community pharmacy. The profession and the community expect pharmacists to be constantly vigilant when dispensing medications because of the obvious potential risk that may follow from a dispensing error."

The Committee's report noted that:

- Where medications have a similar name the pharmacist must take extra steps to ensure that the appropriate medication is in fact dispensed.
- It is the pharmacist's professional responsibility to be aware of medication changes and to be particularly vigilant when dispensing medications that may be affected by changes in prescribing.
- It is also irrelevant whether or not a patient is waiting for a medication. It is a pharmacist's professional duty to complete all dispensing and checking procedures thoroughly regardless of how many people are waiting in the pharmacy for medications.

The pharmacist was fined \$1,500.00 and ordered to pay 50% of the Committee's costs (\$2,368.85) and 40% of the Director of Proceedings costs (\$2,836.95).

- 2) The charge brought by the Society related to a dispensing error where Kapanol® (morphine sulphate long acting) at a strength of 100mg was dispensed instead of the prescribed strength of 10mg. A failure to check the strength of the capsules, although acknowledged by the pharmacist, constituted the most basic requirements of dispensing medicine. The Committee's report advanced the same reason in support of its finding as given above.

The report noted:

- That the pharmacist had co-operated fully with the Society and previously with the Health and Disability Commissioner. That the pharmacist was genuinely remorseful and in all other respects appeared to be a conscientious and competent pharmacist.
- That the pharmacist did all that could be expected when the error was discovered. It was noted that the response was one of unselfish professionalism.

The pharmacist was fined \$1,000.00 and ordered to pay 50% of the Committee's costs (\$3,566.79).



Frequently Asked Questions

Am I a “practising” pharmacist?

This is one of the most common questions that is asked by pharmacists. Practising does not mean only “dispensing”, and this is a new concept to many pharmacists.

- “Practising” pharmacists include those in **direct patient care** roles (community pharmacy, hospital pharmacy) **AND** those involved in **indirect patient care** roles which include teaching, advising, research, policy development and pharmacy management.
- “Practising” pharmacists have an influence on public safety and therefore must hold an Annual Practising Certificate (APC).
- If you are unsure if you require an Annual Practising Certificate, please contact the Pharmacy Council on enquiries@pharmacycouncil.org.nz or call us on 04 495 0330.

From 2006 all practising pharmacists will be required to undertake recertification. Contact the Pharmaceutical Society of New Zealand (Inc) for details of ENHANCE (ph 04 802 0030, email p.society@psnz.org.nz)

Who is currently a non-practising pharmacist?

Holders of registration cards with the Pharmaceutical Society in the following categories **are NOT** deemed to be “practising” under the HPCA Act:

Category 4—Overseas, and agree not to practise in New Zealand

Category 5—Retired from practice and agree not to practise in New Zealand

Category 6—Retired from practice and agree not to practise in New Zealand

If you are in one of these categories now and wish to move to the “practising” register you will need to apply to the Council for an APC. There are different requirements you will need to meet depending on how long you have been out of practice (less than 3 years, between 3 and 6 years, and over 6 years out of practice). If you are practising overseas please read below. All these details are on the Council website—see *Pharmacists/Registration/Return to the Practising Register*.

Currently practising overseas and planning to return to New Zealand?

If you were registered in Category 4 (Overseas) with the Pharmaceutical Society and are planning to return to New Zealand, you will need to arrange for a Certificate of Good Standing to be sent to the Pharmacy Council from all of the registration bodies you have worked under since your departure from New Zealand. You cannot work in New Zealand until you have completed the required forms and been issued with a practising certificate. If you have been out of practice for more than 3 years, you will have conditions on your practice when you return—see the website under *Pharmacists/Registration/Return to the Practising Register*.

Pharmacy Council Website

While some sections of our website are still under construction, there is now a great deal of information available to both the public and pharmacists. **Please visit our site** at www.pharmacycouncil.org.nz

Midwives’ Registration Numbers

Under the Health Practitioners Competence Assurance Act 2003, the Midwifery Council took over responsibility for the regulation of midwives on 18 September 2004. All midwives who were registered with, and had a practising certificate issued by, the Nursing Council as at 17 September are now deemed registered with the Midwifery Council until 31 March 2005.

Please note however that all midwives registered at 17 September 2004 will have a new registration number issued by the Midwifery Council which will appear on all subsequent practising certificates. It appears possible that, particularly in the next few months, the new registration numbers may have the potential to cause confusion. The Midwifery Council can be contacted at ph 04 474 0740.

CONTACT US:

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